

TRELOAR & TRELOAR
Barristers and Solicitors
Conveyancers and Notary Public

22 GRENFELL STREET, ADELAIDE

LIONEL HAMMOND TRELOAR LL. B.
RAYMOND GORDON FROST LL. B.

PAMELA JEAN MCEWIN LL. B. (HONS)

GAETANO ANTHONY AIELLO B.A. (JURIS) LL. B.

ASSOCIATES:

NANCY JEAN DETMOLD LL. B.

PENELOPE CHRISTINE EDWARDS LL. B.

VANESSA ANITA VARGA BSc. (JURIS) LL. B. (HONS)

YOUR REF:

OUR REF: **VAV:60365**

ALL CORRESPONDENCE TO:

G.P.O. BOX 1015
ADELAIDE,
SOUTH AUSTRALIA 5001

TELEPHONE: (08) 8231 4757

FACSIMILE: (08) 8410 0083

AUSDOC: DX 572

EMAIL: vanessa.varga@treloar.net.au

4 August 2006

Mr Phillip Stilianos
PO Box 99
GLENHUNTLY VIC 3163

Dear Mr Stilianos,

Estate of Erini Stiliano deceased

We refer to previous correspondence.

Andersons Solicitors

We note that you have instructed Andersons Solicitors to cease acting for you.

Grant of Probate

We act for Mrs Anna Itsines solely in her capacity as executor of the estate. We have been instructed to finalise the application for a Grant of Probate on your late mother's Will and anticipate that the application will be completed and filed by the end of next week. The writer is in the process of particularising the various parcels of Greek land.

Sara and Shamona's interest in the deceased estate

We note your email of 27 July 2006 in relation to the gift to Sara and Shamona.

You cannot vary the deceased's bequest to her great grandchildren Sara and Shamona. Further, section 43(1) of the Guardianship and Administration Act 1993 provides as follows:

"Where at the death of a protected person or former protected person who died leaving a will it appears that, in consequence of any dealing with the estate by an administrator, the share of any beneficiary in that estate under the will has been

affected, the Supreme Court may, on application by an interested person, make such orders as it thinks just to ensure that no beneficiary gains a disproportionate advantage, or suffers a disproportionate disadvantage, of a kind not contemplated by the will, in consequence of the estate having been subject to administration under this Division."

The estate must be administered by the executor in accordance with the terms of the Will and in accordance with law unless there is Court approval to the contrary.

The executor's responsibility is non-delegable.

Copy of Will Notarised by Notary Public

We refer to your email of 2 August 2006 and to your repeated demands for a copy of the Will notarised by a Notary Public. We are not obliged to do this. We wonder why you want this favour from us while (at the same time) you have outstanding threats of making a professional conduct complaint against the writer.

We will not respond to you if you threaten the writer and demand that the writer take specific courses of action.

We are not your solicitors.

We act for the executor and not for you as a beneficiary of the estate. We also do not act for Mrs Itsines in her capacity as a claimant against the estate.

Future Dealings

We are only prepared to deal with you in a civil and dignified way. Any rude or threatening correspondence from you in the future will be ignored.

We will, however, advise you when a Grant of Probate has been obtained.

Yours faithfully,
TRELOAR & TRELOAR

Per: 

Vanessa Varga