

**FDN
IN THE SUPREME COURT OF SOUTH AUSTRALIA
No 192 of 2007**



IN THE MATTER OF THE ESTATE OF ERINI STILIANO DECEASED

BETWEEN

**ANNA MARIA ITSINES
Plaintiff**

and

**PHILIP STILIANOS, SARA STILIANOS, SHAMONA STILIANOS, GARY STILIANO
and STELLA STILIANO
Defendants**

AFFIDAVIT OF VANESSA ANITA VARGA

Date of document:

Filed on behalf of the plaintiff by **Vanessa Anita Varga**
Treloar & Treloar
22 Grenfell Street
Adelaide S A 5000

Telephone: **8231 4757**

Facsimile: **8410 0083**

DX: **572**

L291

P8491

Email: **vanessa.varga@treloar.net.au**

If the above addresses are not the addresses for service under Rule 58, state the addresses for service.

Settled by: **Vanessa Anita Varga**

Date and time of filing or transmission:

I VANESSA ANITA VARGA of 22 Grenfell Street Adelaide in the State of South Australia Solicitor TAKE AN OATH AND SAY:


1. I am a solicitor employed by Treloar & Treloar Solicitors of 22 Grenfell Street Adelaide aforesaid solicitors for the plaintiff herein and I have the care and conduct of this matter.

Correspondence concerning Greek Law

2. On Saturday 24 February 2007 I received two emails providing legal advice from Mrs Niki Pantazis of Pantazis-Kanellopoulos & Partners. Now produced and shown to me marked "VAV1" are copies of those emails.

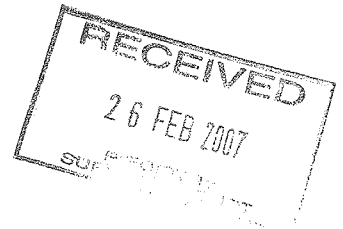
SWORN at *Adelaide*
 by the said abovenamed Deponent on the
26th day of *February* 2007
 Before me:

)
)
)
)




NANCY JEAN DETMOLD
 A Commissioner for taking affidavits in
 the Supreme Court of South Australia

FDN
IN THE SUPREME COURT OF SOUTH AUSTRALIA
No 192 of 2007



IN THE MATTER OF THE ESTATE OF ERINI STILIANO DECEASED

BETWEEN

ANNA MARIA ITSINES
Plaintiff

and

PHILIP STILIANOS, SARA STILIANOS, SHAMONA STILIANOS, GARY
STILIANO and STELLA STILIANO
Defendants

EXHIBIT "VAV1"

This is the exhibit marked "VAV1"
referred to in the affidavit of Vanessa Anita Varga
sworn on the 26th day of February 2007 before me:

A handwritten signature in cursive script, appearing to read "N. Detmold", written over a dotted line.

NANCY JEAN DETMOLD
A Commissioner for taking affidavits in
the Supreme Court of South Australia

Vanessa Varga

From: Pantazis-Kanellopoulos & Partners [npan@pk-law.gr]
Sent: Saturday, 24 February 2007 2:12 AM
To: 'Vanessa Varga'
Subject: Estate of Erini Stiliano deceased
Follow Up Flag: Follow up
Flag Status: Red

Dear Ms. Varga,

1. I shall revert separately in respect of Title Number 671.
2. Regarding your urgent query, by "office copy" I mean the copy released by the court bearing its stamp.

Kind regards,

Niki Pantazis (npan@pk-law.gr)
PANTAZIS - KANELLOPOULOS & PARTNERS LAW FIRM
67, Akti Miaouli
Piraeus GR-185-37, Greece
Tel No. : (+30) 210-4182511-2, 4180300
Fax No. : (+30) 210-4181391
E.mail : info@pk-law.gr
Website : www.pk-law.gr

From: Vanessa Varga [mailto:vanessa.varga@treloar.net.au]
Sent: Thursday, February 22, 2007 2:56 AM
To: 'Pantazis-Kanellopoulos & Partners'
Subject: Estate of Erini Stiliano deceased
Importance: High

Dear Mrs Pantazis,

Thank you for your email of even date.

TITLE NUMBER 671

We confirm that you have clear and express instructions from the executor to represent the estate in these proceedings. We do not act for the beneficiary, Philip, and therefore cannot give you clear and express instructions on his behalf. We act for the estate and in Australia, it is the executors responsibility to protect the estate.

We have not been served with any documents concerning these Greek legal proceedings and neither has our client. However, we do have a copy of the lease agreement and now **attach** a copy for your consideration.

URGENT QUERY

Can you please clarify what you mean by "office copy" of the grant incorporating the Will? Is this a copy released from the court with a court stamp or do you mean a simple photocopy or a certified copy?

Many thanks

Kind regards

Vanessa Varga
Solicitor
Treloar & Treloar
Ph: (08) 8231 4757

24/02/2007

Vanessa Varga

From: Pantazis-Kanellopoulos & Partners [npan@pk-law.gr]
Sent: Saturday, 24 February 2007 2:26 AM
To: 'Vanessa Varga'
Subject: Estate of Erini Stiliano deceased
Follow Up Flag: Follow up
Flag Status: Red

Dear Ms. Varga,

Kindly note that in my advices I have assumed that the Greek inheritance law is not applicable to the Will as no information was given that the deceased had Greek nationality or that her last residence was in Greece.

In any case, assuming Greek law was to apply, the children would be entitled to 1/10th of the Greek inheritance each. The share of the non-surviving child would go to his children. Effectively Philip Will be entitled to 6/10ths of the estate.

Kind regards,

Niki Pantazis (npan@pk-law.gr)
PANTAZIS - KANELLOPOULOS & PARTNERS LAW FIRM
67, Akti Miaouli
Piraeus GR-185-37, Greece
Tel No. : (+30) 210-4182511-2, 4180300
Fax No. : (+30) 210-4181391
E.mail : info@pk-law.gr
Website : www.pk-law.gr

From: Vanessa Varga [mailto:vanessa.varga@treloar.net.au]
Sent: Friday, February 23, 2007 5:47 AM
To: 'Pantazis-Kanellopoulos & Partners'
Subject: Estate of Stiliano
Importance: High

Dear Mrs Pantazis,

We would also appreciate it if you could please advise how land is to be distributed according to Greek inheritance law. For example, assuming that all of the Greek land forms part of the estate of Erini Stiliano and the Will is valid, does this mean that Philip, being the sole residuary beneficiary named in the Will, is entitled to all of the Greek land? Or does Greek inheritance law provide that Philip (as sole residuary beneficiary under the Will) is entitled to half of the Greek land, but the other half is to be distributed to Philip's siblings, being relatives of the same degree?

Please note that Justice Gray adjourned the matter to Monday 26 February 2007 at 3.30pm.

We take this opportunity to sincerely thank you for all the advice that you have provided to date and the prompt manner in which you have attended to the same. Your work is very much appreciated.

Kind regards

Vanessa Varga
Solicitor
Treloar & Treloar
Ph: (08) 8231 4757
Fax: (08) 8410 0083

24/02/2007