

**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**

30 APR 2007

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.
2. At 9.04am on Friday 16 February 2007 Messrs Treloar & Treloar received an email from the first defendant requesting that papers be served on him by way of email. Now produced and shown to me marked "VAV1" is a copy of that email.
3. At 9.55am on Friday 16 February 2007 I emailed Philip Stilianos at: philstil2005-home@yahoo.com.au; philstil2005-msnzone@yahoo.com.au; philstil2005-temp3@yahoo.com.au; attaching a letter to him, original copy of the Summons in this action and copy Affidavit of Anna Maria Itsines (and exhibits) sworn on 15 February 2007 by way of service. Now produced and shown to me marked "VAV2" is a copy of that email.
4. At 12.32pm on Friday 16 February 2007 I emailed Philip Stilianos at philstil2005-greece@yahoo.com.au attaching a letter to him, original copy Affidavit of Anna Maria Itsines (and exhibits) sworn on 15 February 2007 by way of service. Now produced and shown to me marked "VAV3" is a copy of that email
5. At 1.10pm on Friday 16 February 2007 Messrs Treloar & Treloar received an email from the first defendant in response to my email to him of even date confirming that he had received the originating process served on him by way of email. Now produced and shown to me marked "VAV4" is a copy of that email.

SWORN at Adelaide
 by the said abovenamed Deponent on the
 27th day of April 2007
 Before me:

)
)
)
)




 GAETANO ANTHONY AIELLO
 A Commissioner for taking affidavits
 in the Supreme Court of South Australia

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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 27th day of April 2007 before me:



**GAETANO ANTHONY AIELLO
A Commissioner for taking affidavits
in the Supreme Court of South Australia**

Vanessa Varga

From: Treloar & Treloar [treloar@treloar.net.au]
Sent: Friday, 16 February 2007 12:41 PM
To: Vanessa Varga
Subject: Fw: To manager - Court Proceedings
Attachments: 2006_10_24_Undisclosed Probate Properties_p1.jpg; 2006_10_24_Undisclosed Probate Properties_p2.jpg

----- Original Message -----

From: philip s
To: 'Treloar and Treloar'
Cc: anneveer@yahoo.com.au ; 'Nicky V' ; 'sonja w' ; 'Irene Stilianos'
Sent: Friday, February 16, 2007 9:04 AM
Subject: To manager - Court Proceedings

Manager

Your firm may be sued for incompetence and negligence in the course of time, for allegedly covertly colluding with the Public Trustee and the Probate Registrar to undermine Erini Stiliano's will, and expending large amounts of money attempting to work out means to deprive the beneficiary Philip Stilianos of his inheritance.

I am leaving for Greece this weekend to defend a lawsuit against a valuable property and to view the properties.

I am told by an intrusive Vanessa Varga that she has instituted law proceedings..against the estate?

I have no idea what she is on about. She will not explain what its about. I am mystified. There is obviously an ulterior motive because she will not come clean and give any details. She is doing this without any instruction from anyone. I strongly advised Vanessa not to do such foolish things. I am totally exasperated in asking her what specifically is she attempting to do. As far as I can make out she is trying to get her bill paid and coming up with a ruse to sell Greek land in order to do this, when both Stella (my sister) and I have told her everyone consents to billing the Australian estate.

I will make sure that my lawyer in Greece knows of the ongoing shenanigans of your law firm with regard to your attempts to access Greek properties via the Supreme Court. The ones your client desires...? Sell 'em cheap...? Greece will have none of it.

As far as I am aware Australia is now irrelevant. Your firm said as much in writing. A letter from T&T (attached) indicates that T&T was no longer interested in Greece and that I and my siblings were to obtain there own lawyers and make their own claims in regard to Greek properties.

So now that any law court and law firm is irrelevant as far as Greece property inheritance is concerned, I have over many months engaged a lawyer overseas to defend the estate and prepared documents that Greece requires to process the will and my inheritance through the Greek courts.

That's where all the action is - Greece. Why is T&T intruding?

If you wish to communicate with me, serve papers etc, I am NOT at my home address. You will have to correspond via email.

17/04/2007

As I said you are intruders at the moment. You have tried everything possible to destroy my mother and myself, failed, and are now having another go.

Philip Stilianos

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Plaintiff**

and

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

EXHIBIT "VAV2"

This is the exhibit marked "VAV2"
referred to in the affidavit of Vanessa Anita Varga
sworn on the 27th day of April 2007 before me:


.....

**GAETANO ANTHONY AIELLO
A Commissioner for taking affidavits
in the Supreme Court of South Australia**

Vanessa Varga

From: Vanessa Varga [vanessa.varga@treloar.net.au]
Sent: Friday, 16 February 2007 9:55 AM
To: 'philstil2005-home@yahoo.com.au'; 'philstil2005-temp3@yahoo.com.au'; 'philstil2005-msnzone@yahoo.com.au'
Subject: URGENT - ESTATE OF ERINI STILIANO
Importance: High
Attachments: L Philip Stilianos 0216.pdf; Summons.pdf; Affidavit of Anna Maria Itsines.pdf; Exhibits.pdf

Tracking:	Recipient	Read
	'philstil2005-home@yahoo.com.au'	
	'philstil2005-temp3@yahoo.com.au'	
	'philstil2005-msnzone@yahoo.com.au'	
	steve roder	Read: 16/02/2007 10:06 AM

Dear Philip

Please see attached letter, summons, affidavit and exhibits.

Kind regards

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

This email (including any attachments) is confidential to the intended recipient and may be privileged. If you are not the intended recipient of this email you are advised that any use, reproduction, disclosure and distribution of the information contained herein is prohibited. If you have received this email in error please, delete this email immediately and inform us of the error. Please note that Treloar & Treloar Barristers & Solicitors do not accept any responsibility for any viruses that may be contained in this email or in any attachments. It is therefore your responsibility to ensure that your systems have adequate protection against virus infection.

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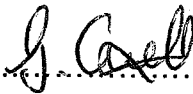
**ANNA MARIA ITSINES
Plaintiff**

and

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Defendants**

EXHIBIT "VAV3"

This is the exhibit marked "VAV3"
referred to in the affidavit of Vanessa Anita Varga
sworn on the 27th day of April 2007 before me:



**GAETANO ANTHONY AIELLO
A Commissioner for taking affidavits
in the Supreme Court of South Australia**

Vanessa Varga

From: Vanessa Varga [vanessa.varga@treloar.net.au]
Sent: Friday, 16 February 2007 12:32 PM
To: 'philstil2005-greece@yahoo.com.au'
Subject: FW: URGENT - ESTATE OF ERINI STILIANO
Importance: High
Attachments: L Philip Stilianos 0216.pdf; Summons.pdf; Affidavit of Anna Maria Itsines.pdf; Exhibits.pdf

See email below sent earlier today

Kind regards

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

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From: Vanessa Varga [mailto:vanessa.varga@treloar.net.au]
Sent: Friday, 16 February 2007 9:55 AM
To: 'philstil2005-home@yahoo.com.au'; 'philstil2005-temp3@yahoo.com.au'; 'philstil2005-msnzone@yahoo.com.au'
Subject: URGENT - ESTATE OF ERINI STILIANO
Importance: High

Dear Philip

Please see attached letter, summons, affidavit and exhibits.

Kind regards

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

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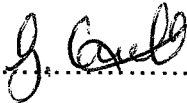
**ANNA MARIA ITSINES
Plaintiff**

and

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

EXHIBIT "VAV4"

This is the exhibit marked "AMI4"
referred to in the affidavit of Vanessa Anita Varga
sworn on the 27th day of April 2007 before me:

.....


**GAETANO ANTHONY AIELLO
A Commissioner for taking affidavits
in the Supreme Court of South Australia**

Vanessa Varga

From: Treloar & Treloar [treloar@treloar.net.au]
Sent: Friday, 16 February 2007 2:12 PM
To: Vanessa Varga
Subject: Fw: URGENT - ESTATE OF ERINI STILIANO
Importance: High
Attachments: L Philip Stilianos 0216.pdf; Summons.pdf; Affidavit of Anna Maria Itsines.pdf; Exhibits.pdf

----- Original Message -----

From: philip s
To: anneveer@yahoo.com.au ; 'Nicky V' ; 'sonja w' ; 'Irene Stilianos'
Cc: 'Treloar and Treloar' ; kathryn.yarlett@courts.sa.gov.au
Sent: Friday, February 16, 2007 1:10 PM
Subject: FW: URGENT - ESTATE OF ERINI STILIANO

Hi Daughters

I think this is an expensive joke.

It seems the Executor and her law firm are confused and/or frustrated and are resorting to the comfort of an Australian court in their own State rather than face the proper jurisdiction of a Greek Court which has strict inheritance laws which are not in the Executor's favour.

I won't be wasting time and money and effort with this nuisance affidavit when the plaintiff and her solicitor knows it's a matter to be dealt with under Greek jurisdiction.

Still the fact that for the first time ever the Executor has put something in writing means that her claims can be quashed. No lawyer required either.

The affidavit contains a number of lies, and a number of omissions.

The plaintiff should pay the cost of this affidavit and all legal expenses.

I'm not sure why 'defendants' appear when they have not been actually charged with anything.

Why doesn't the plaintiff submit the affidavit at her expense to a Greek court via a Greek lawyer. That was the understanding Treloar & Treloar made clear in their letter to me where they said they wanted nothing more to do with Greece, that I was not to correspond to them about any Greek matter, and that I and my siblings had to engage our own lawyers in Greece.

Now it appears that Anna and T&T, having failed to get a good deal from Greece, are going to try and get some Judge in an SA Court to read a bunch of lies and get away with it. T&T know how vulnerable and desperate Anna is.

It was understood that the plaintiff would pay at her own expense. Now T&T are attempting to get away with the estate paying for the plaintiff's personal interests.

I booked my flight to Greece a week ago and am leaving tomorrow. If the plaintiff has any claim or complaint to make she can lodge it in Greece, and the Greek court will decide under its laws what properties she is entitled to.

Philip Stilianos
16 February

17/04/2007

From: Vanessa Varga [mailto:vanessa.varga@treloar.net.au]
Sent: Friday, 16 February 2007 10:25 AM
To: philstil2005-home@yahoo.com.au; philstil2005-temp3@yahoo.com.au; philstil2005-msnzone@yahoo.com.au
Subject: URGENT - ESTATE OF ERINI STILIANO
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Dear Philip

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