

**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
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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 seeking information concerning Greek Law

2. On 9 January 2007 I emailed a letter dated 21 December 2006 to Mrs Niki Pantazis of Pantazis-Kanellopoulos & Partners Law Firm of 67, Akti Miaouli Piraeus GR-185-37, Greece seeking legal advice concerning Greek law.
3. On 15 January 2007 I received an email from Mrs Pantazis dated 13 January 2007 providing me with some preliminary legal advice.
4. From 9 January 2007 up to the date of swearing this my affidavit, Mrs Pantazis and I have continued to correspond concerning the relevant Greek law and the issues pertaining to the estate of Erini Stiliano deceased ("the deceased"). Now produced and shown to me and marked "VAV1" is a bundle of correspondence between Mrs Pantazis and I from 9 January 2007 to 19 February 2007.

Correspondence with the First Defendant concerning service of proceedings

5. On 16 February 2007 at 9.00am I received a telephone call from the plaintiff informing me that the first defendant was due to leave for Greece later that day.
6. On 16 February 2007 at 9.19am I telephoned the first defendant to inform him that legal proceedings had been issued concerning the estate of the deceased and that he will be served with the same over the next few days. Now produced and shown to me marked "VAV2" is a copy of my memorandum documenting my said telephone attendance.
7. On 16 February 2007 at 9.55am I emailed the first defendant at all of his three email addresses known by me at that time. In the email I attached a letter to him dated 16 February 2007 ("the letter"), Summons dated 15 February 2007 ("the Summons") and Affidavit of Anna Maria Itsines sworn on 15 February




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2007 ("the Affidavit"). Now produced and shown to me marked "VAV3" is a copy of that email and the letter.

8. On 16 February 2007 at approximately 10.30am I received an email from the first defendant from email address philstil2005-greece@yahoo.com.au ("the alternate email address") stating, inter alia, that "papers" should be served on him by way of email. Now produced and shown to me marked "VAV4" is a copy of that email.
9. On 16 February 2007 at 12.32pm I emailed the first defendant at the alternate email address attaching the letter, the Summons and the Affidavit. Now produced and shown to me marked "VAV5" is a copy of that email.
10. On 16 February 2007 at 2.12pm I received an email from the first defendant confirming that he had received my email attaching the letter, the Summons and the Affidavit. Now produced and shown to me marked "VAV6" is a copy of that email.

Correspondence with the First Defendant concerning Greek Properties

11. On 3 August 2006 I received an email from the first defendant informing me of the steps required to protect his inheritance in Greece and requesting that I transfer the task of protecting the Greek estate to him. Now produced and shown to me marked "VAV7" is a copy of that email.
12. On or about 23 January 2007 I received a letter from the Registrar of Probates informing me that the first defendant requested an exemplification of probate to enable him to transfer the Greek properties to himself. Now produced and shown to me marked "VAV8" is a copy of that letter.
13. On 30 January 2007 at approximately 2.00pm I received two facsimiles from the first defendant requesting an exemplification of probate to enable him to carry out the necessary procedures to submit the probate to Greece. Now produced to me and marked "VAV9" are copies of the facsimilies.
14. On 30 January 2007 at approximately 2.42pm I had a telephone conversation with the first defendant in which he advised me that he is going or was going to




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go to Greece to take control of the Greek properties. Now produced and shown to me marked "VAV10" is a copy of a memorandum documenting my telephone conversation.

15. On 31 January 2007 I received an email from the first defendant of even date. Now produced and shown to me marked "VAV11" is copy of that email.
16. On 16 February 2007 I received an email from the first defendant providing that the first defendant has over many months engaged a lawyer overseas to defend the estate and prepared the documents that Greece requires to process the Will and his inheritance through the Greek Courts. Now produced and shown to me and marked "VAV12" is a copy of that email.

Greek Documents

17. On 16 February 2007 I wrote to the Guardianship Board and the Consulate General of Greece requesting a copy of the deceased's Greek Power of Attorney executed sometime during the year 1987. Now produced and shown to me marked "VAV13" are copies of those letters.
18. On 19 February 2007 I wrote to the Interpreting and Translating Centre requesting a translation of:
 - 18.1. the Greek Power of Attorney executed by the plaintiff, the fourth and fifth defendants sometime in 1987, being one of the two documents exhibited to the Affidavit of Anna Maria Itsines sworn on 15 February 2007 and marked "AMI3"; and
 - 18.2. the list of Greek properties exhibited to the Affidavit of Anna Maria Itsines sworn on 15 February 2007 and marked "AMI4".
 Now produced and shown to me marked "VAV14" is a copy of that letter.
19. On 20 February 2007 I received a letter from Public Trustee enclosing a copy of the Greek Power of Attorney executed by the first defendant and a translation of the same. Now produced and shown to me marked "VAV15" is a copy of that letter and the enclosures.




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20. On 20 February at approximately 2.08pm I had a telephone conversation with Elizabeth from the Office of the Consulate General of Greece. Now produced and shown to me marked "VAV16" is a copy of my memorandum documenting that telephone conversation.

SWORN at *Adelaide*
by the said abovenamed Deponent on the
20th day of *February* 2007
Before me:

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