

Tuesday, 13<sup>th</sup> March 2018

Mr John McKenzie  
Legal Services Commissioner  
Office of the Legal Services Commissioner  
Level 9, 75 Castlereagh Street  
Sydney NSW 2000

Dear Mr McKenzie

***Re: Conduct of Terence Goldberg - your own conduct***

I received yesterday your letter of 7<sup>th</sup> March 2018, being a response to my letter to you of 5<sup>th</sup> March 2018. I have to say that I was somewhat surprised to receive a response from you as such is not your general habit.

You appear to have skirmished the edges of my letter to you of 5<sup>th</sup> March 2018. You state in your letter to me your oft repeated lines (although usually never simultaneously in the same letter) that I am seeking to “*reagitate concluded complaints*” and that you “*will not be drawn into further, unproductive correspondence in relation to those complaints*”.

You appear to have missed the point somewhat. My letter was not solely about the conduct of Terence Goldberg of Turner Freeman Lawyers, but was mostly about your own conduct. As we have seen, you have consistently and deliberately dismissed complaints about lawyers who have carried out clear and obvious acts of wrongdoing, including that of fraud.

In your most recent letter to me, you have made no mention of my letters of 20<sup>th</sup> December 2017 and 19<sup>th</sup> February 2018 (which were enclosed with my letter of 5<sup>th</sup> March 2018), with such letters highlighting very clearly your acts of turning a blind eye to serious issues of misconduct and fraud. I **attach** copies of all three such correspondences to you, as well as a copy of your letter to me of 7<sup>th</sup> March 2018, for the benefit of those to whom this letter is copied. My letters to you of 20<sup>th</sup> December 2017 and 19<sup>th</sup> February 2018 remain without response.

You seem to fail to realise that covering up an act of fraud by a man in your position is actually perverting the course of justice. You also do not seem to realise that perverting the course of justice carries heavy penalties, including that of a custodial sentence.

While there is probably no need to repeat myself, for the purposes of precision, I shall do so. Terence Goldberg claimed in an Application for Assessment of Solicitor/Client Costs that he acted for the sixth defendant in Supreme Court proceedings. This quite simply was a lie. Terence Goldberg acted for the four plaintiffs in that matter and the sixth defendant was unrepresented.

Terence Goldberg then fraudulently obtained a judgment debt against that sixth defendant (being an incorporated association) and improperly sued that association for his legal costs, having improperly stated that the sixth defendant was his client, when such was not only improbable, but legally impossible. This, by Terence Goldberg's own admission, forced the winding up of the said association, and the sale of its only asset; being the property of 2 London Street, Enmore, for the sale price of \$965,000.00.

Terence Goldberg then, on 29<sup>th</sup> May 2014, attended a meeting of creditors when he was not a creditor and discussed the creation of a sham entity, with the address of that sham entity being the given home address of a long-time acquaintance of Mr Goldberg. The remaining substantial monies in the region of \$700,000.00 belonging to the aforementioned sixth defendant have now made their way to the address of that sham entity, with such address being a one-bedroom housing commission studio.

The multiple frauds could not be clearer, and neither could the resulting cover ups of such by you and your office, with you personally having a direct hand in such.

In two rare moments of clarity you admitted that the statements made by Terence Goldberg were false and also that Terence Goldberg did not in fact act for the incorporated association in question, but actually acted for four individuals. As Terence Goldberg acted for individuals, being the four plaintiffs, and not the sixth defendant, his act of seeking his costs against that sixth defendant not only defied an Order of the Court, but was clearly a wilful act of serious wrongdoing, and from which he benefited financially.

You would also be aware that in those brief moments of clarity wherein you made such admissions, that such admissions conflicted with earlier statements made by you. Such is dealt with in my letter to you of 20<sup>th</sup> December 2017, as well as in multiple previous correspondences; with all of such correspondences being wilfully ignored by you.

You state in your letter of 7<sup>th</sup> March 2018 that it is up to the Court in the matter of Goldberg v Beckett to refer any conduct issues to you. I would say that you would have rather more difficulty in attempting to mislead the Court than you have done with attempting to mislead me. I daresay that you would not be foolish enough to provide untrue statements to the Court in relation to such, but given your past performance, maybe you would indeed be foolish enough to do so.

A solicitor once said to me that when you are thinking something then you can be sure that 20 others are thinking the same thing. Just like I am thinking that you are up to no good, I am told that numerous others are thinking the same.

You act as if you are totally oblivious or unaware that the matter at hand is very widely known about and that your actions are in fact being scrutinised, however, it has been said to me that this is the subject matter of conversations in a good number of law firms in Sydney, with the said subject matter being so serious that it is spoken about in whispers and hushed tones, lest the walls overhear what is being said.

I bring your attention to others who have carried out wilful acts of wrongdoing, eg Eddie Obeid, Ian Macdonald and Salim Mehajer, with all three of those having carried out their misdemeanours in the full glare of the spotlight, so to speak, believing that they were above the law, and all the while indignantly scoffing at those around them.

I imagine that I would not have to remind you that all three of those above named persons are now languishing in the discomfort of their respective prison cells, and needless to say, they are not scoffing now. You, too, carry out your own misdemeanours in the full glare of the spotlight of others, believing yourself to be untouchable. As just stated, you are not the first to make such a mistake, and as for your destiny, well, time will tell.

I understand now, of course, that you will never carry out your proper duty in relation to all the above as you are now well and truly 'stuck'. You know it and I know it.

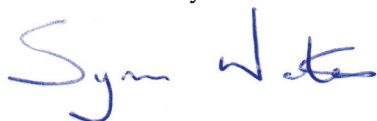
To carry out your correct role now regarding all the above would admit to your previous wrongdoings and the covering up of the wrongdoings of others, which, with the obvious reasons relating to your own self-protection, cannot happen. So, where do we go from here? We appear once again to be at an impasse.

You are aware that Terence Goldberg's conduct concerning the matter of the above fraud has now entered the Courtroom. At this moment in time you would have to be very nervous indeed, and if you are not, you should be.

I would not like to be in your shoes.

A copy of this letter shall be provided to the Independent Commission Against Corruption.

Yours faithfully



Symn Waters