

Wednesday, 29th April 2020

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

Dear Mr McKenzie

Re: Fraud and corruption - fumbart.com

Despite having had ample time to do so, you have declined to respond to my letter of 15th April 2020. I **attach** a copy of such for reference.

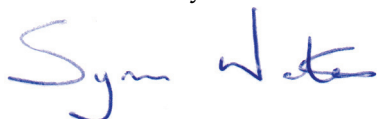
As time has evolved, more information has become available and it would strongly appear that there are four key players with direct involvement in this unsavoury matter: Terence Goldberg, solicitor; Michael Jones; liquidator; John Winter, CEO of the Australian Restructuring and Insolvency Turnaround Association (ARITA); and, of course, yourself.

It has become rather obvious that Messrs Goldberg and Jones have enjoyed a high level of protection, with both yourself and John Winter providing very willing assistance to such individuals by overlooking their activities of fraud and money laundering, despite such deeds being jailable offences. Your and Mr Winter's motives for doing so are unclear at this present moment in time.

As you can imagine, the ARITA board of directors has been made quite aware of the situation, and as such, it shall receive a copy of this letter.

The attached letter of 15th April 2020 (and the website it refers to) outlines in very clear terms the criminal activities undertaken and leaves no room for doubt. Sadly, there is also no room for doubt in relation to your own dubious input.

Yours faithfully



Symn Waters

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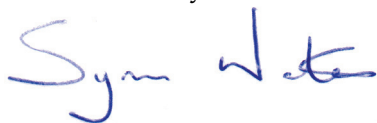
Re: Fraud, money laundering, and cover ups

As I made you aware some time ago, a website detailing the issues as repeatedly brought before you, and your cover up of such, was created. As you know, I sought comment from you with you declining to do so.

However, that website, ie <https://www.fumbart.com>, has recently been updated, and I provide the foreword of such to you; again for your comment. Find such attached as pages 2, 3 and 4 of this letter.

As you can see, the criminality is obvious, and the cover up more so.

Yours faithfully



Symn Waters

The criminality blatant, and the corruption exposed

Terence Goldberg of Turner Freeman Lawyers represented four individuals, ie the plaintiffs, in proceedings heard in the Supreme Court of NSW. Pursuant to those proceedings, Terry Goldberg misleads the court by claiming in an Application for Assessment of Solicitor/Client Costs that he acted for the sixth defendant in such proceedings, when in fact that sixth defendant had been unrepresented. Terence Goldberg then unlawfully sued that sixth defendant to pay the legal costs of his clients. The said sixth defendant was the Enmore Spiritualist Church Incorporated.

Further, and not being content with fraudulently claiming his clients' costs against the church, Terence Goldberg, together with the liquidator, being Michael Jones of Jones Partners, then created and registered two new entities, a Trust and a separate incorporated association (with both entities also registered as charities), to receive the substantial remaining funds as belonging to the now defunct original entity. Charities, of course, and by their very nature, do not attract the scrutiny of the Australian Taxation Office.

The church was wound up and its building sold in 2011 to pay Turner Freeman's non-existent debt, with Turner Freeman Lawyers being paid the sum of \$188,303.60 by Michael Jones on 20 December 2012. The church building having been sold for \$965,000.00 left behind a substantial residue which should have been somewhere in the region of \$700,000.00, taking into consideration Mr Jones's fees and costs as liquidator and equally, the payment as made to Turner Freeman.

Having filed a fraudulent Application to the court for this costs in the first instance, Terence Goldberg obtained a judgment debt against the church in the amount of \$124,661.90, however, and as stated above, Michael Jones paid Turner Freeman Lawyers \$63,641.70 in surplus to the judgment amount. The reason for this actual surplus has never been explained. It is also of note that Michael Jones proceeded with the winding up of and the sale of the church's only asset despite being made aware of Terence Goldberg's impropriety and the fraudulent nature of his activities in relation to the debt claimed.

As can be seen, Terence Goldberg created a fraudulent debt against an association, and he and others conspired to take all remaining assets as belonging to that association, while using the charitable Trust they created to hide those and other funds of dubious origins.

Having held on to the church's residual funds for five years, Michael Jones paid into the Trust that he and Terence Goldberg created funds in the region of \$985,447.00 (in the latter part of 2016), with the sum of \$492,307.00 exiting that Trust at the same time and leaving behind an amount of \$493,140.00. The vanished sum of \$492,307.00, as per the website of the Australian Charities and Not-for-profits Commission, is denoted simply as 'expenses'.

As can be seen, the sum of \$985,447.00 is far in excess of the original entity's residue, and the source of this excess is presently unknown. The said residue, of course, would have diminished over the five years as held by the liquidator due to his 'administration costs',

and its actual amount has not been disclosed. At this point in time, one would expect it to be far less than the abovementioned figure of around \$700,000, as it would have been back in 2011.

In addition, the new incorporated association as set up by Messrs Goldberg and Jones is nothing more than a sham entity, which, coincidentally, was supposedly based at the time of its inception at the given home address of two long-time acquaintances of Terence Goldberg, ie Jon Adrian Lindsay and Miranda McCarthy (aka Mandy Miami), in a one bedroom housing commission studio at 3/349 Bourke Street, Darlinghurst NSW 2010. Also, the only objective of the created Trust is to provide monies to the sham entity, so, in effect, one cannot exist without the other.

The sham entity, named The Congregation of the Enmore Spiritualist Church Incorporated, was registered on 21 October 2015 with 19 supposed financial members, however, on tallying those membership names against the electoral roll, only one member's details are actually valid, with some names not appearing on the electoral roll at all. It would therefore be safe to assume that the majority of the said financial members were simply fabricated.

The vanished sum of \$492,307.00, as per the website of the Australian Charities and Not-for-profits Commission, is denoted simply as 'expenses'.

Clearly, the above bears all the hallmarks of fraudulent activity (see section 192E of the Crimes Act 1900), as well as providing distinct evidence of money laundering. The above actions taken by Terence Goldberg also defied and breached the only order made by the court in the aforesaid Supreme Court proceedings, which was that each party was to pay their own costs. The church did not have any costs.

John McKenzie, the Legal Services Commissioner, has been kept abreast of the above since he commenced his tenure of Commissioner in 2015, however, Mr McKenzie (along with the Law Society of NSW) has turned a blind eye at all times and has provided a large number of untrue statements when questioned regarding his inaction.

Some, however, would have you believe that the origin of the matter is complex, when, in fact, it is simplicity in itself. Terence Goldberg of Turner Freeman Lawyers could only have sued Enmore Spiritualist Church Incorporated for his legal costs in the first instance if the church had been Turner Freeman's client. The church was not Turner Freeman's client.

As Terence Goldberg acted for the four plaintiffs in the matter and also named the church as the sixth defendant, therefore placing the church in opposition to the four plaintiffs, it does not take a legal mind to deduce that the church was not his client. Also, and which is also obvious to all and sundry, if the church had been Terence Goldberg's client, it would not (and could not) have been left as an unrepresented party in the said proceedings; which it was.

John McKenzie, the Legal Services Commissioner, has been kept abreast of the above since he commenced his tenure of Commissioner in 2015, however, Mr McKenzie has turned a blind eye at all times.

Any suggestion that the church was Turner Freeman's client is clearly absurd; and besides, the intentions of those involved is more than obvious. As can be seen, Terence Goldberg created a fraudulent debt against an association, and he and others conspired to take all remaining assets as belonging to that association, while using the charitable Trust they created to hide those and other funds of dubious origins.

Keep reading and see below a selection of letters to Terence Goldberg and also to and from John McKenzie, the Legal Services Commissioner. You will see that John McKenzie makes statements which are not only untrue, but are outlandishly and ludicrously untrue. John McKenzie's turning of a blind eye to all the above is very deliberate. Click on the said letters to view a pdf and printable version.

A list of the court documents involved as well as other pertinent documents relating to this matter can be found on this site's other page by clicking on this link or by choosing 'The Evidence' in the menu. You will see that all court documents demonstrate quite clearly that Terence Goldberg did not act for Enmore Spiritualist Church Incorporated in any capacity.