BREIF SUMMARY OF EVENTS: Chronologically organized.

1980 - 2000
Myer Store Card 1980/1990's,
Went traveling around 1993/4
Didn't inform **Myer**. Assumed bill was paid in full as was no longer receiving mail from them. I believe the original bill was for an air-conditioner of around **$700.00** value. The whole affair may now have cost me in excess of $10,00.00

2000;
During 2000 some time I had dealings with a company called **ACMS** (an arm of **GE Money**)
During 2000 I was summonsed to the Perth Debtor's Court by **ACMS.**
Presiding **Judge** "asked the **Creditor** not to pursue it because Ms Nice Wilson was, at that time not in a position to offer any ongoing payments" as I was in receipt of **Sickness Benefits**. From my memory the **Judge** also indicated this matter could be further reviewed in 12 months time. See supporting 2nd hand evidence.

2001
On **19th Feb, 2001**, I received a **'48 Hour Demand Letter'.** This was issued within the time frame that the **Judge,** during the previous 12 months had ordered that they cease harassing me.
I sought counsel from the Sussex Street Community **Law Centre**.
I was given an appointment with a financial counselor, a Ms Daisy Sim.
I authorized Daisy Sim to act on my behalf (see supporting evidence).
Despite authorizing her to be my proxy **ACMS** improperly continued their pursuance of me.
I felt I was being stalked. This company also rang me up at my workplace and gave details of an account default to the receptionist.

2001
Further correspondence on **27th March, 2001** from Sussex Street Community Law Centre.
Default (see supporting documents).
I went to the Sussex Street Community Law Centre to seek further intervention and advice
I never received any summonses, or other notifications, etc at this time from **ACMS**.
ACMS improperly ignored that I had duly authorized Daisy Sim to intervene and act on my behalf and a very aggressive man called **Nasty Dick** started ringing me up extremely often.
See supporting evidence.
I tried to report the debt collector to the **Mercantile Agent Squad**.
He told me that a caveat had been placed on my home.
My health suffered badly as a result of dealings with this man and this Company **(*2).**

2003
In mid **2003** a **Judgment** was passed against me in **NSW,** in a **Court** several thousand miles away from my home, and *maybe* also a **Seizure Order**. At all times I have been unable to cite documents alluded to by **ACMS**.

I got some part time contract for work of around 15 months duration and I agreed to pay $100.00 per month for the duration of the contract into a company nominated bank. I believe I continued to pay this amount for around 2 years – up until the time that I sold my home and moved. Despite several requests for an itemized account I never received one. I believe I paid about 2,400.00 off what I was led to believe may have been a bill of around $2,700.00. Indeed I would dearly love to receive a completely itemized statement dealing with this account from it's inception. Their accounts of amount owing constantly changed; this they said was due to further legal fees being constantly accrued.

2004

Sometime during 2004, I again became unemployed.
In late **2004** I decided to sell my home and I duly put it onto the market.
Around this time I rang **ACMS** for information about the caveat.
I constantly and repeatedly sent requests asking for details, statements etc but never received anything. I spoke over the phone, I emailed them and I wrote to them.

2005

Sold my home, around **March 2005**; and surprisingly enough no caveat was enforced. In light of the **Judge's directive** made in **2001** I did feel somewhat duped.
Around 4 -5 months after the sale of my home I received further correspondence from them. See document.
I sent an email to **ACMS** offering the company a sum of around $2,000.00 to clear and annihilate this debt. This was an offer that **ACMS** refused to accept. By this time I had decided to only deal with the company by email so that I had proof of dealings. Also at this time I was seriously doubting that this affair was indeed legal.

2006

Around mid to early **2006** I was notified by a neighbour that, "the Police were out looking for me"
Around **October 2006** I was informed by Lynette Mortgage (with whom I have a **Vendor's Mortgage** agreement) that she had received notice of an enforceable **Seizure Order** over the land and property I am currently buying from her.
Soon afterwards I went in to see **Nice Cop** at the Princely Police Station where Nice Cop gave me a copy of a '**Land Seizure Order'** (AAAAA/2003).
I was unable to secure legal assistance.
Perth Magistrate's Court - Court Ref No (AAAAA/2003)
During late **2006** I rang up the Department for Land Administration (DOLA) re caveat etc. They said nothing was registered. This whole affair continues to completely mystify me.

2007

A synopsis of event that occurred during May – August and that resulted in my making a "Final Payout" have not yet been itemized. Suffice to say that I eventually cashed in funds that were being held for an important renovation and for my funeral expenses.
Further explanation of events is documented below.

BACKGROUND INFORMATION:

As I recall this debt initially involves a **Myer Store Card** that I had in the **1980/1990's**, which I used to purchase an air-conditioner.
From memory I paid the payments until I moved away from home to travel round Australia and to live and work (part time) in Kalgoorlie for a while. This was during the early to mid nineties. I suspect that I didn't inform **Myers** that I had moved and as I was no longer receiving regular correspondences from them I assumed the debt had been paid out in full.
.
After returning to my home in East Victoria Park I have no memory of being sent Myer card statements requesting me to make payments.

During 2000 some time I had dealings with a company called **ACMS** – though, at this point in time I have no records of any proceedings. It is my sincere belief that this debt was *bought** by **ACMS** about 6 months before it's' expiry date as according to relevant **Statute**; and that this company adopts particularly aggressive policies to realize its' assets.
*Interesting to note that Myer (who may be a division of GE on-sold this debt to ACMS who is also an arm of GE. I also believe that AVCO are yet another arm of GE. Despite trying to do much company research I have found it almost impossible to find List of Directors etc or display a link between all of these companies. I also found it just about impossible to even get an address for this company. **ACMS** adds absolutely ludicrous amounts of administrative charges/interest etc.

From correspondences I recently have accrued via **FOI legislation** from the **Sussex Street Community Law Centre** the following can be surmised;
Sometime during **2000** I was summonsed to the **Perth Debtor's Court by ACMS**, and that the **presiding Judge** "asked the **Creditor** not to pursue it because Ms Nice Wilson could not offer any payment" due to the fact that she was receiving Sickness Benefit. From my memory the **Judge** also indicated this matter be further reviewed in 12 months time and advised the Company to apply that the matter be reheard after the prescribed time had elapsed. .

On 19th Feb, 2001, at a time still within the **12 month stay** that the **Judge** had ordered, I received a **'48 Hour Demand Letter**' (attached and scanned into this document).
At this stage I sought counsel from the **Sussex Street Community Law Centre**.
I was given an appointment with a **financial counselor,** a **Ms Daisy Sim.**
I authorized **Daisy Sim** to act on my behalf as I really did find it too difficult to deal with **ACMS** directly. A copy of a letter sent to **ACMS** by **Daisy** on **13th March, 2001** has been attached and scanned into this document.

ACMS chose to neglect the advice or orders of the aforementioned **Judge** and **ACMS** continued their pursuance of me. In further correspondence on **27th March, 2001**, and under great duress I agreed to the schedule that is pointed out in a further letter regarding this matter that also has been scanned and attached. I felt resentful making these payments in view of the **Judge's** directive.
From memory I made quite a number of payments as had been prescribed, but, as can be inferred from the next correspondence on **April 17th, 2003** there must have been a default on my part.

The company has agreed to send me out a payment booklet – and this I never received and therefore could not make the required payments. From memory I rang them at least a couple of times asking them to resend a payment booklet yet I never actually received one.

Again I went to the **Sussex Street Community Law Centre** to seek further intervention and advice
(see attached and scanned letter).
I never received any summonses, or other notifications, etc at this time from **ACMS**.

Shortly after this time **ACMS** chose to ignore that I had duly authorized **Daisy Sim** to intervene and act on my behalf and a very aggressive man called **Nasty Dick** started ringing me up very often. At one point these conversations occurred several times a day.
I remember one particular conversation during which he told me that, "*he could get the Police around to my home this afternoon, use bolt-cutters to gain access to my property, and then remove anything he so wished and that he then could force me to sell my home and lose everything I had and prove that this debt belonged to me. Do you want that?" he asked.*

I was obviously very distressed by this call and challenged his bullying behavior and threats. I pointed out that I had directly appointed **Daisy Sim** to deal with this matter on my behalf and that he should be speaking with her instead of me. He then pointed out that what they (**The Law Centre/Daisy Sim**) were proposing was completely inadequate and that payments of under $50.00 per week would not even cover their **(ACMS)** costs and spiraling interest payments. I was unemployed and on Sickness Benefit at this time and unable to realize the monies he was suggesting. When he again told me, "*he would force me to lose my* home"' I replied, "*you can't do that*", to which he replied, "*you just watch me, I can and I will*".

In the days after that extremely distressing phone call I did some further research and found out there was a **Police Squad** (now defunct) called the **Mercantile Agent Squad** that dealt with complaints about inappropriate behavior from debt collectors. When I spoke to a Detective there I was told that **Nasty Dick's** actions may even have been unlawful and they then asked me to write up a **formal complaint** that could be lodged by email to an address I thought they gave me (see attached email notice)*
*This whole scenario stressed me out so much that I developed agoraphobia and found leaving the house extremely difficult and stressful. I believe that the anxiety and sense of powerlessness caused by this affair triggered symptoms such as sporadic bouts of severe agoraphobia.

Also around this time I believe my health suffered badly as a result of dealings with this Company **(*2).** About a week after this phone call I actually got a part time contract for work for around 15 months duration.

Nasty Dick rang me again to inform me that a **caveat** had been placed on my property. I told him that I no longer wished to deal with him and asked that another **ACMS** representative be appointed to deal with me. I told the new representative (**Mathew**, from memory) that I had gotten a part time job and now agreed to pay the Company **$100.00 per month** for the duration of the contract; an amount I paid straight into a company nominated bank account. I believe I continued to pay this amount for **around 2 years** – up until the time that I sold my home and moved.

I informed Mathew that I had tried to report and lay charges against **Nasty Dick** and that I felt I was the victim of a vendetta in that he had threatened to force me to lose my home and now there was a caveat placed onto it.

Bank records can be produced; however all my statements of recent years are in disarray due to having moved and not yet been unable to unpack everything due to storage constraints and the general disarray due to moving home after being in one home for so long. How good it would be if such statements could be easily obtained via internet!

Around 2004, after I again became unemployed and was forced to return once more to try surviving solely on my **Social Security** payments, **Social Security** sent me for a medical and psychological assessment.
I was diagnosed with a mental illness and placed onto a **Disability Support Pension**; able only to work part time.
My medical diagnosis has been such that for a number of years prior I had been on a sickness benefit, only being able to work part time. Up until the stresses concomitant with this whole **ACMS** affair a genetically predisposed mental illness had been latent, and I feel my incapacity has been much further advanced by the stress of this matter and exacerbated by an inability to reach a viable solution with **ACMS**.
I obtained the report sent to **Social** via **FOI legislation**; but cannot currently locate it.

In late 2004 I decided to sell my home and I duly put it onto the market. The stress of this matter was,
in part, what prompted me to sell my home of >20 years. From memory the home was listed for sale in early **2005**.

Around this time I rang **ACMS** for information about their alleged **caveat**.
I corresponded via email with an **ACMS** representative. I asked for details re the **outstanding caveat amount**, informed the company that I was selling my home and asked them to provide a current statement re this account.
Despite several phone calls and emails over a period of around 4 month's duration I never received any information at all from this company pursuant to my ongoing and repeated requests.

When I sold my home, **around March 2005** I was surprised to note that a **caveat** was not enforced, and I wondered if **Nasty Dick's** previous threats had been idle and imagined ones. Yet now I note that the **Seizure Order** was initially lodged in **August 2003**, coincidentally not too long after threats were made to me by **Nasty Dick**.

It was around 4 -5 months after the sale of my home (despite sending around a dozen or more emails to the **ACMS** asking for information about the **balance of the debt** and an itemized statement **prior to the sale** that did I receive further correspondence from the company, **dated 20th September, 2005**. It was in the form of an email (attached) from **Ms Can't I Find a Better Job.**
I then entered into further correspondence with **Ms Can't Find a Better Job (*4).**

At this point in time monies from the sale of my property in East Victoria Park had been largely disbursed; in part to pay out my prior mortgage and to place a deposit onto another property, over which there is still a **vendor mortgage**.

At the point of demands again being made by **ACMS** I did not have sufficient funds to cover the debt they were then claiming to be due.
Their apparent refusal to justify or prove that the amount of indebtedness being claimed by them against me to be true and accurate and provable by furnishing me with statements detailing the past history of charges and the recording of any debited payments made by me considerably exacerbated my stress levels. I yet again asked for such details and statements regarding this debt – but was never provided with any. I imagined that I would have managed to have cleared a good deal of this debt with my **$100.00 per month** payments and was surprised to see the amount they were now claiming.

At this point in time I sent an email to **ACMS** offering the company a sum of around **$2,000.00** to clear and annihilate this debt. This was an offer that **ACMS** refused to accept. Correspondences were, at this time, via email but unfortunately these are not currently recoverable from my hard drive.

Given that I had made payments over the years, and that the **Seizure Order** was enacted during **2003** and perhaps, for whatever reasons was perhaps unenforceable when my home was sold, and monies disbursed - a salient question remains in my mind; if **ACMS** are trying to enforce an **Order** placed during **2003,** and that I have since the registration of that **Order** made several payments off this debt; is the amount being *claimed true and currently correct*?

Around mid to early 2006 I was notified by a neighbour that, "**the Police** were out looking for me and that he had agreed to tell them when I visited my property again".

I was informed in a phone call from **Lynette Mortgage** (with whom I have a **Vendor's Mortgage agreement**) around **October 2006** that she had received notice of a **Seizure Order** over the land and property I am currently buying from her. She suggested **I contact the local police**. After a few attempts at this I managed to establish contact with **Nice Cop** of the **Princely Police**.

Soon afterwards I went in to see Nice Cop at the **Princely Police Station** where **Nice Cop** gave me a copy of a '**Land Seizure Order' (AAAAA/2003).**

I told **Nice Cop** that I would seek **legal advice and** keep him informed (see supporting email).
I made an appointment to see the **financial counselor** who had previously intervened in this matter during **2003**.

I also made appointments to seek legal aid, obtain legal advice and speak to an appropriate Governmental body that may have jurisdiction in such matters.

I also rang the **Department of Fair Trading** and arranged an interview with them; however, though sympathetic they couldn't help me as I had no paperwork available at that time to support any claims.

I am now considering that I should return to them once again.
Much that occurred went on without there being any supporting paperwork.

On the **31st October 2006** I had appointments with a lawyer and the aforementioned financial counselor at the **Sussex Street Law Centre** where I lodged **an application for legal aid assistance** – which, after a period of time was rejected.

I was told that the main reason that my application was **rejected** was that as **Judgment** had been enacted and passed in **NSW** they would therefore not be able to help me – and advised that I seek **legal aid assistance through their Offices in NSW**. This I also attempted – but was told I couldn't be helped as I was **in WA**.

Subsequently I had several phone conversations with various clerks at the **North Sydney Court** where the **Judgment** was apparently passed. Despite their promises of furnishing me with information via mail this never actually eventuated*. *Much later I did manage to get pertinent documents.
I find it remarkable that Judgment can be passed without my receiving any paperwork.
I was beginning to wonder even if I was *actually dealing with a real* ***Court*** – being that never have I been served letters, summonses etc.
A lawyer friend who later looked at my papers advised me not to pay this debt as it may indeed be actually illegal and that **ACMS** may have perjured themselves even.

I went into the local **Princely Police** station where I was given a copy of a document held there. See attached and scanned document. Under the **Civil Judgments Enforcement Act 2004** it is a form **25: Property Seizure and Sale Order**.

I also went into the **Perth Magistrate's Court** to enquire about this matter. From the **Court Ref No (AAAAA/2003)** I have inferred that this order was initially lodged by **ACMS during 2003**; which I might add may be after the time I had appointed a financial counselor to intervene on my behalf AND had made an agreement to pay $100.00 per month – which I did for a fairly long time. Whether or not these payments have been factored into any charges being claimed I am unaware as I have received only very scattered email and other forms of correspondences with **ACMS**.
How this order was not enacted at the time I sold my home I do not know.
Indeed I have often wondered if this 'whole affair' is based on legally sound principles.

A **Clerk at the Magistrate's Court** told me that I could apply to have this matter heard locally (in Perth) by downloading and completing forms available on the internet; forms applying that the **Order be stayed**, accompanied by **an affidavit outlining my reasons given.**
He also advised I should seek **Legal Counsel**. My attempts to do so are referred to and, in some instances documented later in this document.

He further pointed out that **Judgment** had been made **in another State (NSW**), and that the **Judgment** had been enacted for enforcement within WA. (***1** see attached and scanned document).
From the **North Sydney Court** I received completely ambiguous advice on differing occasions.

On one occasion I remember I asked them about how **Judgments** could be made against me without any input from myself – either by way of being notified or without my being given an opportunity to be heard on such matters.

The **Clerk** I spoke to on that day told me that often debtors came to this **Court** on such matters and that it was commonplace for 'applications for judgments' to be made and '**stamped**' in the absence of a **defendan**t, and that **Judgment Orders** were often sought in this **Court against defendants** who were in **interstate locations**.

Clerks at the **North Sydney Court** did however tell me that my application forms for a '**stay of orders**' had to be lodged in *person*, or by a person duly elected by myself (such as a duly qualified legal representative). As such these have not been lodged by me, although this is a matter I would like to resolve. This task, to me, presented an insurmountable obstacle. I also find it ridiculous that poor people can only defend themselves by traveling interstate and by dealing with cumbersome and complex legal issues for which there is most usually no legal assistance provided by State. Lack of suitable legal assistance is further exacerbated by the problems aforementioned relating *to intra-state* matters.

Sometime during late **2006** I rang up the **Department for Land Administration (DOLA)** to enquire whether there was indeed a **caveat** or other equivalent orders registered against my property. After a search they told me there was nothing registered against my property. I puzzled over this.

I then rang the **settlement agent** who had handled my property settlement. She looked up records in her database and said that there were **no encumbrances currently registered against my property**. Though I made the personal judgment that if the **Princely Police** regarded this **Order** as valid – then perhaps I should too!

The **settlement agent** said that for the small fee of around $11.00 I could access a copy of the records that she looked up. I haven't yet done this. Though, as you will see in the attached documents a friend did a **title search** and the results are *NOT* attached though it can be seen that *something* was eventually lodged against my title. .

Today, 17th July, 2007 whilst perusing documents relating to this matter I noted that the **Seizure Order** had expired so I again rang the **Perth Magistrate's Court**. A clerk there informed me that the **Orde**r had been **renewed** last week – indeed on the day it expired. I requested any documentation she could provide. A relevant email correspondence has been attached.

Today I also again rang the **North Sydney Court**. They told me that in **May, 2003** a **summons** had been delivered to my house and received by a '**male occupant'**; and that the **Judgment Order** was based on my apparent non-attendance in the **North Sydney Court** to answer the **Summons** alluded to. I had no male residents living with me at this time. Perhaps this documentation, if so procured will name this alleged '**male resident'**. Perhaps also might be recorded the name of the **Court Bailiff** who delivered it.

The **Clerk** there told me **to fax** to them a letter requesting the information that the **North Sydney Court** has **on file** re this matter. This letter is attached also.

June, July and **August of 2007** involved much stress. My health suffered very badly. At this point I was dealing with a woman called Dina.

During one conversation with her that I recall I was having a severe panic attack and retching, about to vomit – and she hardly paused in her conversing. I think she rang me several times that day. I told her that I was on a Disability Pension with little capacity at the moment for work.

She then made many suggestions;
She suggested that if my friends and family were unprepared to bail me out then they obviously neither loved or trusted me enough.
She also said that even poor students on very limited income are able to get credit cards – so therefore, if I could be bothered would get one too.
She suggested that I better ring everyone I know and ask them to help me by lending me the money to pay this debt.
She suggested that I refinance my mortgage or get a consolidation loan.
She said that if I couldn't procure money by one of the methods above then I would lose my home.
She said something like, "Anyone can lay their hands on money when they really need to".
Conversations revolving around the suggestions made above went on for about 4 weeks or so.

She seemed to ignore me when I told her that I was too poor to be granted a bank loan, a refinance package or be given a credit card. She also ignored me when I told her most of my family were also poor as were many of my friends.

So, after much gut-wrenching – I did actually ask everyone I knew to loan me money. No-one did. It was so completely humiliating to do this and such a soul destroying thing to go through.
I also accrued a legal bill for around $1,600.00 as a result of the failed re-mortgage application. I have been unable to pay this bill.
Following is an update I wrote to people who were following '***my case***'.

BRIEF UPDATE: MONDAY 27TH AUGUST 2007

During August I visited the **Shopfront Lawyer** who said there was little to do except pay it.
I applied for a mortgage from a non-prime lender. Sheesh – what a lot of running around and processing and scanning of forms that all was., and very, very difficult from someone suffering a prolonged, acute stress induced agoraphobic episode.

I was given a conditional approval. The mortgage broker told Dina, my Case Manager at **ACMS** that I had been approved and that she was confident I would get the mortgage.
That was a little over a month ago.
On the day I was expecting settlement I got a phone call to say the loan had fallen through.

My life fell apart again all over again.
It had fallen through cos the lender said the valuer had said it would be too hard to sell my property.

I rang one of my brothers who is a mortgage broker to see if he could help. I sent him some documents.

He told me he would talk to his boss; then got back to me to say that if Liberty Finance had deemed my place too hard to sell then it was the end of the line for getting a consolidation situation happening.

THEN – the next day **ACMS** started ringing. They told me that unless I could get **6 grand** (these debt figures sure seem to jump around a great deal) real quick – within the next 40 hours that another level of proceedings would start – and that this could add to my costs by up to **40 grand**!!! Because they would pursue me until they got their money , "whatever that takes".

I had about 2 dozen phone calls with my Case Manager over 2-3 days.
She applied much pressure that made me sick and weak – yet I felt I had to fight for my life.
She told me to ask everyone I knew. She told me that people rarely disclose their access to finance – and that if my friends or family wouldn't help me then it must be cos they don't trust me. I told her I thought she lived on a different planet to the one I live on.
When she told me I was gonna lose my home I told her I'd rather be dead. She didn't flinch – despite the fact I was deadly serious. Pun not really intended. She didn't stop pressurizing me even when I told her I was gonna pass out and needed to vomit.

SO – I rang everyone I knew. And I rang many of them dozens of times until I caught them.
I even rang one of my brothers who I had sworn to never talk to again. I rang another brother who I rarely talk to. He said he never lends money to family. He did however talk to **ACMS** on my behalf. He wanted to understand what was happening.
I asked every person I knew for money in lieu of selling my car.
That in itself was an interesting experience.

People I know who would usually have that kind of money available at short notice told me that due to unusual circumstances of the time they didn't currently have access to this kind of money.

I felt humiliated, embarrassed and forced into discarding any pride.
At one point I rang up Today Tonight. They were interested in my story – and asked for an update the next day; which I haven't *yet* given them.
I will email the link to this e-book to them.

The one phone call I got that stopped the constant, unrelenting panic was from the lawyer who deals with my current vendor mortgage. He told me to stop panicking, sell my car and when I have the money he will advise me how to pay out the debt. His inference was that their constant threats were just a device to maintain pressure and that I should inform him when I could pay and that he would facilitate payment to them. In other words it was the intent of **ACMS** to keep me in a constant state of panic by imposing deadlines that kept shifting. Also the payout amounts kept changing too. .

When I mentioned to my case manager one morning that I had rang the media she asked me, "Why do something negative like that"?
And in every phone call we had after this she referred to this fact.

One friend I have is a kind of 'bush lawyer', now studying Law.

She has fought a similar case of her own – and finally after years she won it. She said there is no Court Order in Australia that cannot be appealed or overturned – other than a High Court Ruling.
I have sent her copies of all my documents. She has offered to fly to NSW to contest this – if I can find the money to send her. Hmmm. She thinks that **ACMS** may have even perjured themselves in the **North Sydney Court.**
She suggested I needed further documentation from the North Sydney Court; such as any transcripts and a copy of the original judgment.
I intend to fax a signed copy requesting such info to the North Sydney Court in the next few days.

When my Case Manager received a copy of the fax (below) she retorted, "Why did you need to send that – you didn't need to – we are talking aren't we"?
I told her I had taken the advice of someone who sounded wise.

All correspondences, emails etc have been inserted in chronological order.

FOOTNOTES:

*** 1.** I noted that this **Seizure Order** had expired on 10th July 2007 – so I rang the **Perth Magistrate's Court** to check. A woman clerk there told me it had been renewed last week on the **10th July 2007**.
How such things can occur without my being informed or given an opportunity to deal with this matter eludes me!

*** 2** **Around 2004**, after I again became unemployed I returned once more to try surviving solely on **Social** payments, **Social** sent me for medical and psychological assessment. I was diagnosed with a mental illness that had been previously latent and I was placed onto a **Disability Support Pension**; able only to work part time.
My medical diagnosis has been such that for a number of years I have only been able to work part time. Up until the stresses concomitant with this whole **ACMS** affair my genetically predisposed mental illness had been latent, and I feel my incapacity has been much further advanced by the stress of this matter and an inability to reach a viable solution with **ACMS**.
I obtained the report sent to Social via FOI legislation; but cannot currently locate it.
My genetic disposition has, in the cases of some of my sisters, resulted in both claustrophobia and agoraphobia – these both being conditions I have become very prone to suffering since 2001. An agoraphobic tendency manifested in a morbid fear of dealing with certain officials and, in particular, with this matter.
I developed a penchant for requesting that as many dealings as possible be conducted via email or the internet so that everything could be on record, whilst also placing what I considered to be a safer distance between myself and **ACMS.**
The stress of this ongoing affair has often resulted in me being unable to sleep for weeks at a time; further damaging my chances of securing work that may enable and empower me to enter into financial agreements.
I feel that I am just unable to see a way out of this whole mess.
Despite prior efforts to do so I have thus far been unable to obtain legal assistance.

*** 3** I also found out that Mercantile Agents are not covered by a compulsory **Code of Practice** but that, instead, it is advised by the **ACCC** and **ASIC** to adhere to a **Code of Practice** as set out by the ACCC. I note that **ACMS** has on a number of issues disregarded this Code.
The ACCC website provides information and **guidelines for mercantile agents**.
I note that **ACMS** is owned by the AVCO company, and they are not a member of the **Institute of Mercantile Agents**.

A 'goggle' search using only the keywords "**AVCO"** yields some interesting results;
AVCO fined.
AVCO breaches consumer credit laws.
NSW Legal Aid website article; **AVCO's** lending laws exposed.
Class action Case against AVCO.
AVCO harasses debtors.
Consumers need protection **from AVCO practices**.

*** 4** At this point in time I cannot find these correspondences; though my technical daughter is examining my previous Hard Drive which was 'fried", looking for these correspondences. From memory Ms I Can't I find a better job basically said that no further negotiations could be considered by **ACMS**. Unfortunately my daughter had been unable to retrieve further emails, apart from the one that has been attached.

Supporting Documents

LETTER OF DEMAND
INITIAL CONTACT WITH MY FINANCIAL COUNSELLOR: 13TH MARCH 2001
LETTER SENT TO ACMS REPRESENTATIVE FROM FINANCIAL COUNSELLOR, 13TH MARCH 2001
LETTER FROM DAISY SIM REGARDING THIS DEBT; 27TH MARCH, 2001
FURTHER CORRESPONDENCES FROM FINANCIAL COUNSELING SERVICE, 17TH APRIL, 2003
EMAIL CORRESPONDENCE TO MERCANTILE AGENT SQUAD; 1ST MAY, 2003. 1505HRS
EMAIL NOTIFICATION THAT THIS EMAIL WAS UNDELIVERABLE; 1ST MAY, 2003. 1505HRS
COPY OF COURT JUDGMENT MADE 13TH AUGUST 2003
EMAIL FROM MS CAN I FIND A BETTER JOB: 20TH SEPTEMBER 2005; 1821HRS
COPY OF SEIZURE ORDER GIVEN ME BY NICE COP, PRINCELY POLICE AROUND LATE OCT 2006
EMAIL CORRESPONDENCE TO NICE COP; 27TH OCTOBER, 2006. 1522HRS
EMAIL CORRESPONDENCE FROM NICE COP; 27TH OCTOBER, 2006. 1525HRS
EMAIL CORRESPONDENCE TO MYSELF; 30TH OCTOBER, 2006. 1130HRS
EMAIL CORRESPONDENCE WITH IDONTGIVEA @ MOSSENSONS; 30TH OCTOBER, 2006. 1540HRS
EMAIL CORRESPONDENCE MYSELF; 30TH OCTOBER, 2006. 1546HRS
EMAIL CORRESPONDENCE WITH IDONTGIVEA @ MOSSENSONS; 30TH OCTOBER, 2006. 1549HRS
EMAIL CORRESPONDENCE TO NICE COP; 30TH OCTOBER, 2006. 1557HRS
EMAIL NOTIFICATION THAT EMAIL TO GOOD COPWAS READ; 30TH OCTOBER, 2006. 1603HRS
EMAIL TO MYSELF WITH PHONE NUMBER FOR FAIR TRADING; 31ST OCTOBER, 2006. 0859HRS
EMAIL CORRESPONDENCE FROM SUSSEX STREET LAW CENTRE; 31ST OCTOBER, 2006. 1804HRS
EMAIL CORRESPONDENCE TO NICE COP; 13TH NOVEMBER, 2006. 0920HRS
EMAIL CORRESPONDENCE TO IDONTGIVEA; 13TH NOVEMBER, 2006. 0936HRS
EMAIL CORRESPONDENCE FROM NICE COP; 13TH NOVEMBER, 2006. 1056HRS
EMAIL CORRESPONDENCE TO NICE COP; 13TH NOVEMBER, 2006. 1147HRS
EMAIL NOTIFICATION THAT EMAIL TO GOOD COP WAS READ; 13TH NOVEMBER, 2006. 1148HRS
EMAIL CORRESPONDENCE TO NICE COP; 13TH NOVEMBER, 2006. 1147HRS
EMAIL CORRESPONDENCE TO IDONTGIVEA; 13TH NOVEMBER, 2006. 1203HRS
TITLE SEARCH CONDUCTED IN MAY 2007
EMAIL CORRESPONDENCE FROM PERTH MAGISTRATE COURT CONFIRMING RENEWAL OF FORM 25; 17TH JULY, 2007. 1622HRS
REQUEST FAXED TO NORTH SYDNEY COURT REQUESTING INFORMATION: 17TH JULY 2007
EMAIL CORRESPONDENCE TO MYSELF; July 19th, 2007 1809hrs
BRIEF UPDATE 27TH August 2007
LETTER TO ACMS 23RD AUGUST 2007

DOCUMENT 1:
COPY OF DEMAND LETTER ISSUED BY ACMS, 19TH FEB, 2001;

ACMS

ACCOUNTS CONTROL MANAGEMENT SERVICES

A.B.N. 85 127 491 938 PTY LTD

IAS-ANZ

benchmark

19/02/01

[redacted]

Re: ACCOUNTS CONTROL MANAGEMENT SERVICES P/L (GE FINANCE)
Your Reference:6007093130097103
Our Reference: 3332316
BALANCE DUE: $2205.67

48 HOUR DEMAND LETTER

We have received instructions from our client to commence collection action to obtain settlement of the balance due.

THIS ACTION WILL COMMENCE 48 HOURS FROM DATE OF THIS NOTICE.

We recommend that you urgently forward your remittance to
:ACMS
G P O BOX 7561
CLOISTERS SQUARE WA 6000
OR

Contact LORRAINE on 0893222682 to discuss a satisfactory arrangement to settle this account.

UNLESS PAYMENT IS RECEIVED WITHIN 48 HOURS LEGAL PROCEEDINGS THROUGH OUR SOLICITORS MAY BE COMMENCED WITHOUT FURTHER NOTICE AND RESULTANT COSTS MAY BE PAYABLE BY YOU.

Yours faithfully

LORRAINE

HEAD OFFICE
LEVEL 9
447 KENT STREET
SYDNEY NSW 2000
TELEPHONE: (02) 9267 1616
FACSIMILE: (02) 9264 9555

SYDNEY OFFICE
LEVEL 9
447 KENT STREET
SYDNEY NSW 2000
TELEPHONE: (02) 9267 1616
FACSIMILE: (02) 9264 9555

MELBOURNE OFFICE
LEVEL 5
455 BOURKE STREET
MELBOURNE VIC 3000
TELEPHONE: (03) 9607 4650
FACSIMILE: (03) 9602 4461

BRISBANE OFFICE
LEVEL 11
123 CREEK STREET
BRISBANE QLD 4000
TELEPHONE: (07) 3221 8280
FACSIMILE: (07) 3211 3999

PERTH OFFICE
LEVEL 4
178 ST GEORGES TERRACE
PERTH WA 6000
TELEPHONE: (08) 9322 2709
FACSIMILE: (08) 9322 2681

DOCUMENT 2:
MY INITIAL CONTACT WITH MY FINANCIAL COUNSELLOR: 13TH MARCH 2001;

Sussex Street
Community Law Service Inc.

Telephone: (08) 9470 2676 Facsimile: (08) 9470 1805
Postal Address: Locked Bag 2, EAST VICTORIA PARK, WA. 6981
29 Sussex Street, EAST VICTORIA PARK, WA. 6101
A.B.N: 94 676 872 055

www.sscls.asn.au
[redacted]@sscls.asn.au

13 March, 2001

Your Ref:
Contact: [redacted]

Attention [redacted]
Accounts Control Management Services
Level 6
178 St Georges Terrace
PERTH WA 6000

Dear [redacted]

Re: [redacted] Our Ref No 3332316

[redacted] *was referred to our financial counselling service for assistance in* dealing with their financial problems. This service is free and confidential and offers information and assistance to people who are attempting to resolve financial difficulties. A client Authorisation is enclosed.

[redacted] recently received a letter from you stating she owed $2205.67. This is an old debt which our client had to go to the Local Debtors' court as she was unable to pay it. The judge asked the creditor not to pursue it because Ms Johnson could not offer any payment.

[redacted]' financial situation has not improved. She is currently working part time but as you can see from her income / expenditure statement she has no surplus. Her work is casual and only six hours per week as this is what her doctor recommends. She has tried to reduce her expenditure but its at a level she can't move.

[redacted] has requested we ask on her behalf that the debt can be put on 'hold' and reviewed in 12 months time or written off. Meanwhile if she wins on the lotto or has any other windfall you will be immediately notified.

DONATIONS OVER $2.00 ARE TAX DEDUCTIBLE

DOCUMENT 2: PAGE 2/-

I look forward to hearing from you at your earliest convenience I am available at this service on Mondays and Tuesdays if you require further information.

Yours sincerely

COPY

[redacted] (Mrs)
Financial Counsellor

DONATIONS OVER $2.00 ARE TAX DEDUCTIBLE

DOCUMENT 3:
LETTER FROM DAISY SIM REGARDING THIS DEBT; 27TH MARCH, 2001;

Sussex Street
Community Law Service Inc.

Telephone: (08) 9470 2676 Facsimile: (08) 9470 1805
Postal Address: Locked Bag 2, EAST VICTORIA PARK, WA. 6981
29 Sussex Street, EAST VICTORIA PARK, WA. 6101
A.B.N: 94 676 872 055

www.sscls.asn.au
[redacted]@sscls.asn.au

27 March, 2001

Your Ref:
Contact: [redacted]

COPY

[redacted] PARK
WA 61[redacted]

Dea[redacted]

Re: Accounts Control Management Services

As we discussed on the telephone today Anthea from A.C.M.S. has agreed to accept $5 per month towards your debt.

Payment can be made at the Commonwealth bank in the payment booklet which is being sent out to your home address. The first payment is due on 6 April 2001.

I am available on Mondays and Tuesdays if you want to discuss this or any other financial problems you may have in the future.

Yours sincerely

[redacted] (Mrs)
Financial Counsellor

DONATIONS OVER $2.00 ARE TAX DEDUCTIBLE

DOCUMENT 4:
FURTHER CORRESPONDENCES FROM FINANCIAL COUNSELING SERVICE, 17TH APRIL, 2003;

Sussex Street
Community Law Service Inc.

Telephone: (08) 9470 2676 Facsimile: (08) 9470 1805
Postal Address: Locked Bag 2, EAST VICTORIA PARK, WA. 6981
29 Sussex Street, EAST VICTORIA PARK, WA. 6101
A.B.N: 94 676 872 055

www.[redacted]n.au
[redacted]@sscls.asn.au

17 April, 2003

Contact: [redacted]

[redacted]

Dear [redacted]

Re: ACMS

I am writing to update you on my activities regarding your matter with ACMS and the alleged Myercard debt. I discussed your matter with Iris Watt of this office and located your file. It appears you requested that [redacted] deal with this matter in 2001 after being contacted by a woman named Lorraine at ACMS. The result of that contact was that you offered $5.00 per month in April 2001 on the debt and it was accepted, but no payments were made.

I spoke with GE Capital Finance (Myercard) and thy confirmed you did have a debt with them. This being the case It appears that you have little argument that you do not owe the money.

Tony from ACMS is only prepared to accept a one off payment of $2500.00 or an up front payment of $100.00 with weekly instalments of $50.00 on the full amount.

If you can not accept this offer I request that you complete the attached statement providing full information on your financial circumstances including rent/board paid to you by the people you claim live with you.

I have attached a letter that I send to all my clients explaining my role as Financial Counsellor and what I expect from my clients.

I will not be available for the next two weeks. Iris is happy to speak with you while I am away. If you receive a summons from ACMS during this time I recommend that you make an appointment to see a civil solicitor at this service immediately.

Yours sincerely

COPY

[redacted]
Financial Counsellor

DONATIONS OVER $2.00 ARE TAX DEDUCTIBLE

DOCUMENT 5/CONT/-: ADDENDUM TO LETTER ABOVE;

Form 9
(Pt 5 r2)

STATEMENT OF LIQUIDATED CLAIM

In the Local Court
(Civil Claims)

Issued at: North Sydney Local Court,
94 Pacific Highway, North Sydney

Number: of 2003

Plaintiff: **ACCOUNTS CONTROL MANAGEMENT SERVICES PTY LTD**
ACN 050 268 141

of: Level 3, 287 Elizabeth Street
SYDNEY NSW 2000

Name of solicitor acting: Warwick Pryce Jones

of: Jones King Lawyers
Level 15, 9 Hunter Street
SYDNEY NSW 2000

ref: WPJ: DB: 0310580

Defendant:
of:

The plaintiff claims	$3,886.03	
Interest	$2,175.05	pursuant to s39A of Local Courts (Civil Claims) Act 1970 from 30 August 1997 to 7 May 2003 at the prescribed rate, which is accruing at a rate of $0.96 per day.
Issue and service fees	$119.00	
Solicitors costs	$324.06	
Total claimed	$6,504.14	

Date of issue:

DOCUMENT 6:
EMAIL CORRESPONDENCE TO MERCANTILE AGENT SQUAD; 1ST MAY, 2003. 1505HRS.

Subject: debt collector - Nasty Dick
From: me@wetnest.com.au
Date: Thu, 1 May 2003 15:05:06 +0800
To: commercial.agent@police.wa.gov.au

TO: WHOM IT MAY CONCERN

FROM: Ms NICE WILSON

RE: Debt Collector Behavior

DATED: 1st may 2003

Further to our recent phone conversation I am writing to officially complain about the behavior of a debt collector. His name is Nasty Dick, and he works for a company called ACM (Advanced Credit Management) in Sydney.
I have spoken to this man about 3-4 times - he has rang me at my home. On one occasion he said something like, "if I sent the police around there now - would they be able to verify your identity". He also mentioned that he was an ex policeman - and I thought this remark was designed to intimidate and scare me..
I do not recall the debt in question - and have not assumed liability yet. He told me that he could force me to sell my house in order to see this debt paid. He then probed to ask if I could borrow against my mortgage, sell my goods or borrow from family and/or friends. I told him I did not even have a working vehicle - that many household items were broken and that borrowing was just out of the question - despite my not being sure if this is business that he is entitled to know.
He has told me on every occasion that ,"I may lose my house", or "what about after you have lost your home" etc etc. Or he has alluded to having the power to enforce loss of household goods, cars, etc.
He consistently claims "to be fair, accommodating and making every effort to resolve this matter". However - when I offer (with the proviso that this debt is proven to be legally mine) to make payments appropriate to my current circumstances he retorts that such payments would not even cover the interest costs - and are hence completely out of the question. He then asks me for a minimum payment of over $100.00 per week.
I find him to be very smooth, aggressive and completely unable to listen to me. I feel like I am being treated like some kind of criminal - and that he just doesn't believe me or really listen to me.

EMAIL CORRESPONDENCE TO MERCANTILE AGENT SQUAD; 1ST MAY, 2003. 1505HRS/CONTINUED – PAGE 2.

I found him so scary and intimidating that a couple of weeks ago I sought the advice and intervention of a financial counselor - at the Sussex Street Community Law Centre who has agreed to act on my behalf in this matter.
This morning Nasty Dick rang me again - despite my having signed a form authorizing the financial counselor to deal with this matter on my behalf. He appears to have ignored my attempts to put a financial counselor into the equation.
He threatened that today he was going to enact further legal proceedings if I had not made satisfactory arrangements before 3pm today Perth time. So I tried to ring my (Financial) counselor - to find that she was on holidays this week. I feel he may have known this - and that could possibly be even why he rang me direct to threaten me again today.
I rang back his company this afternoon (still being afraid of what might happen if I didn't get back before the deadline Nasty Dick had set) and talked to someone else there (Mathew). I told him that I was finding it extremely difficult to deal with Nasty Dick - and that I was going to report Nasty Dick. I pointed out that I have appointed a financial counselor and would like that another person be appointed to deal with this matter.
This letter to you supports this.
How can you help me - and what do you think I should do next ?

Thanks - Me.

DOCUMENT 7:
EMAIL NOTIFICATION THAT THIS EMAIL WAS UNDELIVERABLE; 1ST MAY, 2003. 1505HRS

Your message

To: commercial.agent@police.wa.gov.au
Subject: debt collector - Nasty Dick
Sent: Thu, 1 May 2003 15:05:06 +0800

did not reach the following recipient(s):

commercial.agent@police.wa.gov.au on Thu, 1 May 2003 14:55:38 +0800
The recipient name is not recognized
The MTS-ID of the original message is: c=au;a= ;p=wa police servic;l=EXHINET0305010655JCKVP25T
MSEXCH:IMS:WA Police Service:site1:EXHINET 0 (000C05A6) Unknown Recipient

****
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If you have received this message in error, please notify the sender immediately and delete it from your Inbox.

DOCUMENT 8:

COPY OF COURT JUDGMENT MADE 13TH AUGUST 2003.

(Note; this Judgment was not seen my me until November, 2006)

[redacted]

USER ID/DOC NO: IB364/6583 Form 49

Local Courts (Civil Claims) Act, 1970

CERTIFICATE OF JUDGMENT

(Pt 26 r. 7.)

LOCAL COURT NORTH SYDNEY

Issued from the Local Court at: 94 PACIFIC HWY
NORTH SYDNEY
in the State of New South Wales
Telephone no: 9463 3800

File no: 634/03

Judgment Creditor: ACCOUNTS CONTROL MANAGEMENT SERVICES PTY LTD ACN: 050 268 141
Ref: WPJ:DB:0310580

Judgment Debtor: [redacted]

1. In this matter the plaintiff recovered judgment against the defendant on 03/07/2003

in the sum of $ 6,703.66

2. I am informed by the judgment creditor that
$0.00
has been paid in respect of the judgment debt.

3. Interest is payable on the judgment debt at the rate PRESCRIBED FOR THE PURPOSES OF SECTION 95(1) OF THE SUPREME COURT ACT, 1970.

4. The judgment creditor has incurred costs of attempting to enforce the judgment, recoverable against the judgment debtor, in the amount of $0.00

Registrar

CERTIFICATE

I CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ENTRY OF THE ABOVEMENTIONED JUDGMENT IN THE RECORDS OF THIS COURT.

Dated: 13/08/2003

A FEE OF $11.00 HAS BEEN PAID FOR THIS CERTIFICATE.

Registrar

ACCOUNTS CONTROL MANAGEMENT SERVICES PTY LTD
ACN: 050 268 141
WARWICK PRICE JONES
JONES KING LAWYERS
LEVEL 15/9 HUNTER STREET
SYDNEY NSW 2000

W Price to

FAX 029463 3838

DOCUMENT 9:
EMAIL FROM MS I CAN'T FIND A BETTER JOB: 20TH SEPTEMBER 2005; 1821HRS

----- Original Message -----
From: [redacted]@advanced-credit.com.au>
To: <[redacted].com.au>
Sent: Tuesday, September 20, 2005 6:21 PM
Subject: ACMS ref# 3332316

>
> [redacted]
>
> In regards to your ACMS reference number 3332316, please be advised that
a
> Land & Title Warrant has been issued against your property at
> [redacted]ngelly, WA 6308 for an estimated amount of
> $5,100.00
>
> Please contact myself as soon as possible to arrange payment on this
> account to avoid any further legal action.
>
> Regards,
>
> [redacted]
> Team Leader/G.E.-AVCO Division
> ACMS (NSW)
> (02) 9284 1645
> 1800 673 668
>
>
>

DOCUMENT 10:

COPY OF SEIZURE ORDER GIVEN TO ME BY NICE COP, PRINCELY POLICE AROUND LATE OCTOBER 2006;

9425 2222

WESTERN AUSTRALIA

Civil Judgments Enforcement Act 2004, Part 4 Division 6 Subdivision 2
FORM 25 - PROPERTY (SEIZURE and SALE) ORDER

Magistrates Court

LOCATION: Perth

Court Ref No:
PER/RG[redacted]/2003

LAND

Judgment Creditor	Name: ACCOUNTS CONTROL MANAGEMENT SERVICES PTY LTD
Lawyer	Name: MOSSENSONS
File Ref No	13555020.IM.SEG
Contact/Address Details	MOSSENSONS 4th Floor, Mint House 326 Hay Street, PERTH, 6000 Phone Sonia 9325 4988

Judgment Debtor	Name: [redacted]

Judgment Debtor	Name: [redacted]HNSON 1st 1st Defendant Address where seizable goods may be found: [redacted], 6308

Date of Judgment: 3/07/2003

AMOUNT OWED	Judgment Sum	$6,703.66
	Less Paid / Credit Amount	$2,058.15
	Balance of Judgment Sum	$4,645.51
	Interest to last payment	
	Previous Enforcement Costs	$479.95
ENFORCEMENT COSTS	Court Application Fee	$0.00
	Sheriff's Fee	$69.00
	Sheriff's Kilometreage	$2.10
	Lawyers Costs	$143.00
	SUB TOTAL Judgment Debt	$5,339.56
	Sheriff's Enforcement costs	*$92.50 REGISTER OF C/TITLE
	Sheriff's Poundage	*$232.27
	Total Judgment Debt	*$5664.33
	* To be assessed by Sheriff/Bailiff	

CONCURRENT ORDERS in this matter have been issued to Bailiffs at Pingelly and MADDINGTON. All orders and costs must be taken into account before executing this order or releasing seized property.

To the Sheriff of Western Australia and the Bailiff delegate a[redacted]

You are authorised and commanded by this property (seizure and sale) order to seize and sell the judgment debtor's saleable interest in property to wholly or partially satisfy the judgment debt.

Interest payable at 6. % pa, on $4645.51, being a daily rate of $0.76 from 3/07/2005 until final payment.

Date: 16/08/2005

Court Seal

Received by Sheriff/Bailiff
Date 29./8./20.05
At 8.00 am/~~pm~~
PTO

No application Expiry 10/07/07

Spoke 17/7/07

DOCUMENT 11:
EMAIL CORRESPONDENCE TO NICE COP; 27TH OCTOBER, 2006. 1522HRS

From: me [mailto:Me@westnet.com.au]
Sent: Friday, 27 October 2006 15:22
To: Princely Pol Stn SMAIL
Cc: me@wetnest.com.au
Subject: Attn:Nice Cop

Hi Nice Cop,
Being that you are so hard to catch via phone the Albany Police gave me your email address - when I asked them for it. Can you just let me know you have actually received this - in other words I haven't got the address wrong ?

Tis Me here - just wanting to give you an update re that Seizure order.
I have been running round trying to get legal aid and representation. I am putting in an application for aid - which takes a couple of weeks to get an answer with.

Today I went to the Court in St George's Tce - and asked for copies and transcripts relating to this matter. They gave me a copy of "Certificate of Judgment' - and it turns out that this judgment was made in the Local Court in Sydney. The clerk advised me to ring that Office to obtain further info - transcripts, etc plus a copy of the documentation relating to the 'serving of the order'. I will get onto this on Monday morning - as it is now too late for NSW dealings.

I would like to apply to have this overturned or 'stopped' - whatever. Or heard in a WA Court. The Court in Perth gave me a Form 9 - 'Application for Suspension Order' - which I cannot fill out until I have further info from the Local Sydney Court.

Would you like that I keep you informed ? And let you know any developments and progress etc ?

Thanks - Me.

****
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printing or publication of this message or attached files is strictly forbidden, as is the disclosure of
the information contained therein. If you have received this message in error, please notify the sender
immediately and delete it from your Inbox.
****

DOCUMENT 12:
EMAIL CORRESPONDENCE FROM NICE COP; 27TH OCTOBER, 2006. 1525HRS

Subject: RE: Attn:Nice Cop
From: " Nice Cop []" <nice.cop@police.wa.gov.au>
Date: Fri, 27 Oct 2006 15:25:02 +0800
To: "Me" <me@wetnest.com.au>

That would be great

Nice Cop
Officer in Charge
Princely Police Station
25 Queen Street
Princely WA 6308
PH: 9887 1008
Fax: 9887 1401

DOCUMENT 13:
EMAIL CORRESPONDENCE TO MYSELF; 30TH OCTOBER, 2006. 1130HRS.

Subject: debt collector affair update
From: "me" <me@wetnest.com.au>
Date: Mon, 30 Oct 2006 11:30:27 +0800
To: <me@wetnest.com.au>
CC: <me@wetnest.com.au>

CHRONOLOGY OF ACTION;

OCT 27/28 Spent weekend browsing surfing thru ACCC debt collector code of practice - and highlighting possible breaches etc.
Lynette Mortgage has a letter from Nice Cop asking for balance of mortgage. she is sending a copy to RMB 239.

Mon 29th Oct Rang Sydney Court asking for further info. They are sending a copy of the info submitted by **ACMS** that led to the judgment.
Made an Appt to once again see Daisy at the Sussex Street Community Law Centre. Got appt tomorrow 2.30 pm.
Have made several attempts to call Idontgivea at the Law firm listed on the Seizure Notice. Will keep trying.
Have printed off a copy of an email sent to an undeliverable police address regarding my attempt to report Nasty Dick.

DOCUMENT 14:
EMAIL CORRESPONDENCE WITH IDONTGIVEA @ MOSSENSONS; 30TH OCTOBER, 2006. 1540HRS

Subject: Me here - please respond to confirm contact.
From: "Me" <Me@wetnest.com.au>
Date: Mon, 30 Oct 2006 15:40:16 +0800
To: <idontgivea@mossensons.com.au>

Idontgivea - are you there ?

Thanks :-)

DOCUMENT 15:
EMAIL CORRESPONDENCE MYSELF; 30TH OCTOBER, 2006. 1546HRS

Subject: Re: debt collector affair update
From: "me" <me@wetnest.com.au>
Date: Mon, 30 Oct 2006 15:46:34 +0800
To: "me" <me@wetnest.com.au>

(Updated) CHRONOLOGY OF ACTIONS;

OCT 27/28
Spent weekend browsing/surfing thru ACCC debt collector code of practice - and highlighting possible breaches etc.

Lynette Mortgage has a letter from Nice Cop asking for balance of mortgage. She is sending a copy to RMB 239.

Mon 29th Oct
Rang Sydney Court asking for further info. They are sending a copy of the info submitted by **ACMS** that led to the judgment.

Made an Appt to once again see Daisy at the Sussex Street Community Law Centre.
Got appt tomorrow 2.30 pm.
Have made several attempts to call Idontgivea at the Law firm listed on the Seizure Notice. Will keep trying.

Have printed off a copy of an email sent to an undeliverable police address regarding my attempt to report Nasty Dick.

Rang North Sydney Court again, Clerk informed me that a summons was delivered in May, 2003 to a male resident. He is sending me a copy. He also informed me that there is an application form at www.lawlink.nsw.gov.au (notice of motion to set aside judgment).

Rang Perth Magistrate's Court, spoke to a Clerk who told me I could lodge a Form 9, with an accompanying Form 23 (an affidavit setting out reasons for applying for the Order to be set aside). He also pointed out that **ACMS** did not request a Statement of Means', but requested that a judgment be made.

Finally got in touch with Idontgivea (after about 8 phone calls). I asked her to provide me with a complete history of this matter, including how and when the debt occurred, any payments made and copies of all summonses, judgements etc etc. She said she would get in touch with the clients and then get back to me via email to inform me 'how much it would cost me to provide such info". I gave her my email address for any further contact.

DOCUMENT 16:
EMAIL CORRESPONDENCE WITH IDONTGIVEA @ MOSSENSONS; 30TH OCTOBER, 2006. 1549HRS

Subject: Re: Me here - please respond to confirm contact.
From: "DCP" <idontgivea@mossensons.com.au>
Date: Mon, 30 Oct 2006 15:49:50 +0800
To: "Me" <Me@wetnest.com.au>

yes I am. Thank you

----- Original Message -----
From: Me
To: idontgivea@mossensons.com.au
Sent: Monday, October 30, 2006 3:40 PM
Subject: Me here - please respond to confirm contact.

Idontgivea - are you there ?

Thanks :-)

DOCUMENT 17:
EMAIL CORRESPONDENCE TO NICE COP; 30TH OCTOBER, 2006. 1557HRS

Subject: Re: Attn:Nice Cop
From: "Me" <Me@wetnest.com.au>
Date: Mon, 30 Oct 2006 15:57:37 +0800
To: "Nice Cop []" <nice.cop@police.wa.gov.au>

Hi Nice Cop,

I've decided to keep a list of everything I do in relation to the matter in hand - and have pasted (below) a copy of what I've done thus far.
I have pretty well decided I am going to lodge a Form 9 (application for Suspension Order) and a Form 23 (accompanying relevant info as an affidavit) in the Magistrate's Court, but before I can do this I am waiting for records alluded to in the Chronology to arrive. I'll lodge these asking that this matter be heard in the Perth Court, so that I may get an opportunity to defend myself and present a case.

CHRONOLOGY OF ACTIONS;

OCT 27/28
Spent weekend browsing/surfing thru ACCC and ASIC debt collector code of practice - and highlighting possible breaches etc.
Lynette Mortgage has a letter from Nice Cop asking for balance of mortgage.
She is sending a copy to RMB 239.

Mon 29th Oct
Rang Sydney Court asking for further info. They are sending a copy of the info submitted by **ACMS** that led to the judgment.
Made an Appt to once again see Daisy at the Sussex Street Community Law Centre.
Got appt tomorrow 2.30 pm. In 2003 I authorized her, on my behalf to act in my interests re this matter.
As such she has records of contact etc.
Have made several attempts to call Idontgivea at the Law firm listed on the Seizure Notice.
Will keep trying.

EDITORIAL NOTE(not part of this email) – managed to contact her – see email correspondence above.

Have printed off a copy of an email sent to an undeliverable police address regarding my attempt to report Nasty Dick.

Rang North Sydney Court again, Clerk informed me that a summons was delivered in May, 2003 to a male resident. Interesting being that there were no male residents at my address. The Clerk is sending me a copy. He also informed me that there is an application form at www.lawlink.nsw.gov.au (notice of motion to set aside judgment).
Rang Perth Magistrate's Court, spoke to a Clerk who told me I could lodge a Form 9, with an accompanying Form 23 (an affidavit setting out reasons for applying for the Order to be set aside - such as the fact that judgment can be made against me without representation

and opportunity to defend myself). He also pointed out that **ACMS** did not request a "Statement of Means', but requested that a judgment be made.
Finally got in touch with Idontgivea (after about 8 phone calls). I asked her to provide me with a complete history of this matter, including how and when the debt occurred, any payments made and copies of all summonses, judgements etc etc. She said she would get in touch with the clients and then get back to me via email to inform me 'how much it would cost me to provide such info". I gave her my email address for any further contact.

DOCUMENT 18:
EMAIL NOTIFICATION THAT EMAIL TO NICE COPWAS READ; 30TH OCTOBER, 2006. 1603HRS

Subject: Read: Re: Attn:Nice Cop
From: " Nice Cop []" <nice.cop@police.wa.gov.au>
Date: Mon, 30 Oct 2006 16:03:01 +0800
To: "Me" <Me@wetnest.com.au>

Your message

To: Nice Cop []
Subject: Re: Attn:Nice Cop
Sent: Mon, 30 Oct 2006 15:57:37 +0800

was read on Mon, 30 Oct 2006 16:03:01 +0800

****
This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your Inbox.
****

Final-Recipient: RFC822; nice.cop@police.wa.gov.au
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: hh/rVnvO0UmhpHYuR/+Vvw==
Original-Message-ID: <008c01c6fbf9$124c5a20$0200a8c0@jaadaeyf0e5b6v>

DOCUMENT 19:
EMAIL TO MYSELF WITH PHONE NUMBER FOR FAIR TRADING; 31ST OCTOBER, 2006. 0859HRS

Subject: Re: commercial agents squad to report debt collectors 9231 7199
From: "me" <me@wetnest.com.au>
Date: Tue, 31 Oct 2006 08:59:32 +0800
To: "me" <me@wetnest.com.au>

----- Original Message -----
From: Me
To: me@wetnest.com.au
Sent: Tuesday, October 31, 2006 8:51 AM
Subject: commercial agents squad to report debt collectors 9231 7199

9231 7199

DOCUMENT 20:
EMAIL CORRESPONDENCE FROM SUSSEX STREET LAW CENTRE; 31ST OCTOBER, 2006. 1804HRS

Subject: Seizure and Sale of Property
From: "financial counselor
Date: Tue, 31 Oct 2006 16:04:31 +0800
To: <me@wetnest.com.au>
CC: <Me@west.com.au>

Dear Ms Nice Wilson,

You attended an appointment with our Financial Counselor Daisy Sims today and asked for advice in relation to a Property (Seizure and Sale) Order for a debt incurred back in 1997.

The Property (Seizure and Sale) Order that you brought in to the office is dated 16 August 2005. Unless the creditor has applied for the Order to be extended or has registered the Order under the Transfer of Land Act 1893 then the Order may have expired on 16 August 2006 and cannot be enforced.

However; if the Order has been extended or has been registered under the Transfer of Land Act 1893 then the Bailiff does have the power to seize and sell enough property to cover the total amount of the debt. Please note that the total of the debt will be more now as another 12 months worth of interest has been added to the original debt.

Without having further details it is difficult for me to provide more advice; however, I would suggest that if the Order is current, or if the creditor applies for it to be made enforceable again, that you find a way to pay the debt off or you could well find that your land is sold to cover the debt.

As you are outside of our boundary for legal advice I suggest that you contact the Bunbury Community Legal Centre for further assistance on 9791 3206.

Copies of the documents you are legally entitled to will be forwarded shortly.

Regards,

A different financial counselor

General Manager and Principal Solicitor, Sussex Street Community Law Service

Ph: (08) 9470 2676

DOCUMENT 21:
EMAIL CORRESPONDENCE FROM SUSSEX STREET LAW CENTRE; 3RD NOVEMBER, 2006. 1108HRS

Subject: Scanned file documents
From: "bossman there>
Date: Fri, 3 Nov 2006 11:08:36 +0800
To: <Me@wetnest.com.au>

<<01-Nov-06 (1).pdf>> <<01-Nov-06 (2).pdf>> <<01-Nov-06 (3).pdf>>
<<01-Nov-06 (4).pdf>> <<01-Nov-06 (5).pdf>> <<31-Oct-06 (1).pdf>>
<<31-Oct-06 (2).pdf>>
Hello Fran,

Please find attached scanned documents from your file as arranged by Daisy.

Boss man
Administrator
Sussex Street Community Law Service Inc

DOCUMENT 22:
EMAIL CORRESPONDENCE TO NICE COP; 13TH NOVEMBER, 2006. 0920HRS

Subject: Re: Attn:Nice Cop
From: "Me" <Me@wetnest.com.au>
Date: Mon, 13 Nov 2006 09:20:36 +0800
To: " Nice Cop []" <nice.cop@police.wa.gov.au>

HI again Nice Cop,

An update - well basically I wish more had happened. I spent a whole week running around like a bee in a bottle.

I haven't yet heard back re the application I made for legal aid - so still waiting.

The papers requested from the North Sydney Court haven't arrived either - so today I rang again- the fellah I spoke to said he was going to follow it up to trace what happened - and then ring me back to let me know. He said that his court have to send a request to another gov' dept for the records to be released. He's following this up to see if they did release them, send them back to his court, etc, etc.

The solicitor dealing with this matter (Idontgivea) on behalf of the creditors has not gotten back to me either - so I will contact her again today too. I had asked her to furnish me with any documents/statements etc. So still waiting on this too.

I did manage to get some documents through FOI from the financial counseling service who have acted on my behalf in the past. So - 1 little plus. I'm hoping that all these documents will arrive before I hear back from legal aid - as they need this stuff.

Thanks - Me.

DOCUMENT 23:
EMAIL CORRESPONDENCE TO IDONTGIVEA; 13TH NOVEMBER, 2006. 0936HRS

Subject: Re: Me here - please respond to confirm contact.
From: "Me" <Me@wetnest.com.au>
Date: Mon, 13 Nov 2006 09:36:16 +0800
To: "DCP" <idontgivea@mossensons.com.au>

Calling Idontgivea,

Has there been any progress re getting those documents and records requested ??
Please let us know what's happening.

Thanks - Me

----- Original Message -----
From: who
To: Me
Sent: Monday, October 30, 2006 3:49 PM
Subject: Re: Me here - please respond to confirm contact.

yes I am. Thank you
----- Original Message -----
From: Me
To: idontgivea@mossensons.com.au
Sent: Monday, October 30, 2006 3:40 PM
Subject: Me here - please respond to confirm contact.

Idontgivea - are you there ?

Thanks :-)

DOCUMENT 24:
EMAIL CORRESPONDENCE FROM NICE COP; 13TH NOVEMBER, 2006. 1056HRS

Subject: RE: Attn:Nice Cop
From: " Nice Cop []" <nice.cop@police.wa.gov.au>
Date: Mon, 13 Nov 2006 10:56:02 +0800
To: "Me" <Me@wetnest.com.au>

Fran,

Good luck as they are pushing hard for me to sell, I will give a little time.

Nice Cop

DOCUMENT 25:
EMAIL CORRESPONDENCE TO NICE COP; 13TH NOVEMBER, 2006. 1147HRS

Subject: Re: Attn:Nice Cop
From: "Me" <Me@wetnest.com.au>
Date: Mon, 13 Nov 2006 11:47:52 +0800
To: " Nice Cop []" <nice.cop@police.wa.gov.au>

Thanks.
Since emailing you this morning I've had further communication from the North Sydney Court - apparently they have no records and have now had to write to the client's solicitors to get copies of theirs. They Will send them ASAP they say.

----- Original Message -----
From: Nice Cop []
To: Me
Sent: Monday, November 13, 2006 10:56 AM
Subject: RE: Attn:Nice Cop

Fran,

Good luck as they are pushing hard for me to sell, I will give a little time.

Nice Cop

DOCUMENT 26:
EMAIL NOTIFICATION THAT EMAIL TO NICE COP WAS READ; 13TH NOVEMBER, 2006. 1148HRS

Subject: Read: Re: Attn:Nice Cop
From: " Nice Cop []" <nice.cop@police.wa.gov.au>
Date: Mon, 13 Nov 2006 11:48:24 +0800
To: "Me" <Me@wetnest.com.au>

Your message

To: Nice Cop []
Subject: Re: Attn:Nice Cop
Sent: Mon, 13 Nov 2006 11:47:52 +0800

was read on Mon, 13 Nov 2006 11:48:24 +0800

****
This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your Inbox.
****

Final-Recipient: RFC822; nice.cop@police.wa.gov.au
Disposition: automatic-action/MDN-sent-automatically; displayed
X-MSExch-Correlation-Key: ruXR6zn7a06iilIOLH31Sg==
Original-Message-ID: <006001c706d6$7f3b9e10$0200a8c0@jaadaeyf0e5b6v>

PREFACE TO THIS EMAIL: When I hadn't heard of any progress having been made in regards to accruing statements etc I rang Idontgivea who then told me, over the phone, that I needed to prepare an email following the proforma used below so that she could forward it on to her client.
I never received any further correspondences, other than the ones recorded below.

DOCUMENT 27:
EMAIL CORRESPONDENCE TO IDONTGIVEA; 13TH NOVEMBER, 2006. 1202HRS

Subject: request for further documentation
From: "Me" <Me@wetnest.com.au>
Date: Mon, 13 Nov 2006 12:02:47 +0800
To: <idontgivea@mossensons.com.au>
CC: <Me@wetnest.com.au>

FROM ME

RE **ACMS**

DCP REF 13555020 I.M. SEG Court Ref No PER/ROO/AAAAA/2003

TO Idontgivea c/- Mossensons Solicitors

Hi Idontgivea,

Could you please furnish me with documentation; court orders, summonses, statements etc re this account.

Thanks - Me (dob believe me I'm getting on a bit).

DOCUMENT 28:
EMAIL CORRESPONDENCE TO IDONTGIVEA; 13TH NOVEMBER, 2006. 1203HRS

Subject: Attn - Idontgivea
From: "Me" <Me@wetnest.com.au>
Date: Mon, 13 Nov 2006 12:03:23 +0800
To: <idontgivea@mossensons.com.au>

Hi Idontgivea - was the email just sent sufficient ?

Thanks. Me

NOTE: I received no notification that this email correspondence was even read !!

DOCUMENT 29

TITLE SEARCH 2007, This is a copy of the Seizure Order listed against my property;

PROPERTY (SEIZURE AND SALE) ORDER (COURT RI
REGISTERED 22.8.2006.

DOCUMENT 30:
EMAIL CORRESPONDENCE FROM NICE CLERK AT PMC AT PERTH MAGISTRATE COURT CONFIRMING RENEWAL OF FORM 25; 17TH JULY, 2007. 1622HRS.

Subject: FW: order made 10/07/07
From: "Nice clerk" <Nice.Clerk@justice.wa.gov.au>
Date: Tue, 17 Jul 2007 16:22:37 +0800
To: <me@wetnest.com.au>

MC/CIV/PER/ROO/0AAAAA/2003

Upon the application of the claimant filed 3 July 2007 IT IS ORDERED THAT:

1. the service of this application be dispensed with

2. the application be heard ex parte

3. the Property (Seizure and Sale) Order is extended for a further period of 12 months from 10 July 2007

4. there be no order as to costs on this application

Dated this 10th day of July 2007.

Nice clerk

Magistrates Court Perth Civil Registry

Level 3, 32 St George's Terrace Perth

Ph: 9425 2244 Fx: 9421 1075

DOCUMENT 31:
REQUEST FAXED TO NORTH SYDNEY COURT REQUESTING INFORMATION: 17TH JULY 2007.

TO: Clerk, North Sydney Local Court,
94 Pacific Highway, North Sydney.

FROM: [redacted]
c/- [redacted], WA 6308

DATED: July 17th, 2007

RE: Civil Claims Matter. FILE NO; 634/03

This is my (signed) request for a copy of background information that led to the granting of a Judgment against me that was granted on July 3rd, 2003.
As mentioned to a Clerk of this court in a phone conversation today I would like to see who (allegedly) sighted and signed the summons.
I also request any further background information that led to this Jedgement that your Court is in possession of.
THANKS,
[redacted]

SIGNED:

and

DATED:

17th July, 2007.

Fax to 02 9463 3838

Please return reply by fax to 08[redacted]

DOCUMENT 32:
EMAIL CORRESPONDENCE TO MYSELF; July 19th, 2007 1809hrs

Subject: Things done today re **ACMS**
From: Me <me@wetnest.com.au>
Date: Thu, 19 Jul 2007 18:09:23 +0800
To: Me <me@wetnest.com.au>

Emailed document, **ACMS** Affair to;
Lynette Mortgage,
Jenny, and Phil

1 - Spoken to Lynette who, at this point in time hasn't discussed with me her reading of the document.
2 - Spoken to Phil a number of times. At one stage he suggested ringing the Perth Magistrate's Court to ask if there were any processes or assistance that could be gotten from them.
This I did; it was a fruitful exercise. A Clerk there called Robert suggested I download a Form 9 and write an accompanying affidavit, along with a Form 23 - with an accompanying affidavit and lodge them with the PMC applying for a 'stay of proceedings (making the Seizure Order currently unenforceable in WA) and request time to lodge whatever forms required by the North Sydney Court asking that the NSW Order be stayed, and applied to be heard in WA.
I have downloaded the forms and partially filled them in. I will take the form to the PMC tomorrow and lodge them (presumably for a fee).
3 - Robert also suggested I ring the 'Shopfront Lawyer' to get an appointment - so it could be clarified what might be suitable info to write onto forms etc.
I have an appointment tomorrow afternoon. Another fee due.
4 - I spoke with a friend who is a JP; he was reciting stuff he was reading from the AUSTLII Site about due processes in serving orders. I haven't yet been to find on the site what he was reading to me. Suffice to say that it **APPEARS DUE PROCESS MAY NOT HAVE BEEN FOLLOWED** - IE ISSUING of registered mail and orders etc.
5 Have merged into this **ACMS** affair doc a print screen of the forms I plan to lodge tomorrow.
6 - Did a google search looking for legal aid numbers in NSW to see if I could somehow find someone who could lodge forms on my behalf. Also tried finding an advocacy group who may help me. Was too late at the time to ring them.
7 - Phil , after reading the doc suggested doing a summary.
8 - Jenny suggested going to PMC 1st, then Shopfront lawyer before returning to PMC for final lodgment of forms.

LETTER SENT THURSDAY 24TH AUGUST, 2007

FROM: ********

TO: **** **(Case Manager) ACMS/AVCO**
(Phone 02 9287 1615) (Fax 02 9283 7125)

RE: Claim: Civil Claims Matter 634/03

DATED: Thursday 23rd August, 2007

REGISTERED MAIL To; Level 3/287 Elizabeth Street Sydney, NSW 2000

To Whom It May Concern,

I have faxed this letter today to the fax number given to me by my Case Manager ***** (surname not known to me). I also have sent this letter by Registered Post to the Company postal address above; also given me by Dina. These company details were given to me today over the phone by Dina.

In regards to a debt I am being pursued for by this Company I am ***formally requesting*** that no further legal proceedings be instituted against me regarding this matter.

I have listed my car for sale in an online forum at www.quokka.com.au and also intend to list it in the paper version of this paper. When I have sold it I will again make contact with your company to arrange how I can settle this debt.
I have been informed by Dina that on August 24th it is intended that *the* Company will institute further legal action and that Dina has hinted such actions could or may cost me up to an extra $40,000.00 being entered against me. Please refer to my plea stated above.

I reiterate here that I am making mammoth efforts in my attempts to raise sufficient funds to settle this debt. Such efforts currently involve the action listed above. The car being sold has a market value considerably higher than the debt.

Thank You,
**********.

and witnessed by

****

THE FINAL PAYOUT LETTER WHICH THEY ACCEPTED AND SENT CONFIRMATION BY EMAIL OF THEIR ACCEPTANCE IS NOT LISTED HERE.
IT IS ON A DIFFERENT COMPUTER. IT CAN BE ACCESSED LATER.