

Darren Lewis
Cape Bridgewater Coastal Camp
1721 Blowholes Road
Portland 3305

13th December 2008

Registrar Caporale
The Federal Magistrates Court of Australia
305 William Street
Melbourne Vic 3000
AUSDOC: DX435

Dear Registrar Caporale

Re: File No: (P) MLG1229/2008

The following chronology of events, including points 1 to 7, have been provided here at the suggestion yesterday (Friday 12th December), by Ms Lauren McCormic, Manager, Client Services, Federal Court of Australia.

Yesterday I telephoned Ms McCormic because I was concerned I had not received clarification from the Federal Court that they had received my latest submission dated 2nd 3rd December 2008 prepared in support of my petition **File No (P) MLG1229/2008** before the Federal Magistrates Court.

I was advised by Ms McCormic that the Federal Magistrates Court had only received on 5th December 2008, an affidavit prepared by Alan Smith dated, 2nd December 2008. PLEASE NOTE: I originally enclosed with Alan Smith's affidavit in the (envelope) overnight mail the following documents:

1. Two 29 page transparent s/comb bound reports titled SVT & BCI – Federal Magistrates Court File No (P) MLG1229/2008 prepared by Alan Smith in support of my claims that I had inherited the ongoing telephone problems and faults when I purchased the Cape Bridgewater Holiday Camp;
2. Two s/comb transparent bound documents titled *Exhibits 1 to 34*
3. Two s/comb transparent bound documents titled *Exhibits 35 to 71* (the attached 71 *Exhibits* was enclosed in support of Alan Smith's 29 page report);
4. Three CD Disks which incorporated all of the submitted material.

On learning from Ms McCormick that the information discussed above in points 1 to 4 had not been received by the Federal Magistrates Court I again had a stress attack seizure, a problem I have been suffering with for quite some time due to the predicament I now find myself in and the disbelief that once again my mail as been intercepted. I have attached herewith dated 3rd December 2008, a copy of the Australia Post overnight mail receipt docket numbers: **SV0750627** and **SV0750626** confirming the total cost to send the above aforementioned information was \$21.80. I am sure Australia Post would confirm that a large amount of documents would have been enclosed in these two envelopes when they left Portland.

As you are probably aware, our business is telephone-dependent and trying to keep it afloat without an adequate phone service has been extremely stressful. The events that have transpired

12-A

since my Taxation matters have been before the Federal Magistrates Court have only added to that stress.

Originally we had intended our submission of 18th November 2008 to include our belief that we had become victims of fairly brazen and decidedly underhanded tactics related to our on-going problems with Telstra but we left these issues out of our submission for fear of being branded as paranoid, particularly since we are aware that Mr Smith has, in the past, been accused of being a 'vexatious litigant'. On the attached copy of page 33 of the transcript of Mr Smith's AAT hearing on 3rd October 2008 however, the Senior AAT Member, Mr G D Friedman (who was hearing Mr Smith's case) noted: "Let me just say, I don't consider you, personally, to be frivolous or vexatious -- far from it." This comment has reassured us that there is now less chance of anyone seeing our concerns as paranoid and provided us with the confidence to raise invasion of privacy matters in relation to our Federal Magistrates Court matters: the various mail problems that have come to light in the last week or so have produced fresh evidence that clearly supports our fears of continuing illegal interference in our Telstra and Court matters.

The two CDs enclosed, and the attached copies of pages 50 to 52, 65 and 122 to 123, relate to Alan Smith's AAT Statement of Facts and Contentions of 26th July 2006 and show that Mr Smith raised similar invasion of privacy issues in his AAT claim, including examples of unauthorised interference in some of his Telstra-related documents and in other people's documents during their various litigation processes, all within the State of Victoria.

No-one can now say that the latest mail/privacy issues are not related, in some way, to our Taxation issues and my wife and I therefore believe we have solid grounds on which to base this formal request for an adjournment of our Tax Office matters to give us enough time to request the Legal Aid assistance we need before submitting further information pertaining to these invasion of privacy issues and so that these latest invasion of privacy events can be properly investigated because they are directly linked to the stresses that my wife and I have suffered ever since we purchased the Cape Bridgewater Holiday Camp.

When considering this request I would ask that you please taken into consideration two letters dated 3rd December 2008; one from me and the other from Alan Smith, and that you are aware that these invasion of privacy events have been documented as occurring in Victoria at various times between 1994/98, 1999 and the present time (in my case).

Sincerely


Darren William Lewis


Jennifer Eve Lewis

12-A

Alan Smith
1703 Bridgewater Road
Portland 3305
Phone: 03 55 267 170

24th April 2008

Administrative Appeals Tribunal
P.O. Box 9955
Melbourne
3001

Dear Madam/Sir

I have just discovered that, unfortunately, the submission I forwarded to you on 23rd April was still in draft format and had not been fully proof read. I am now attaching the final version, which includes the same information but has been corrected where necessary.

I also hope that you understand why I used a friend's name and address on the envelope when I first sent my submission, and my apparent paranoia won't affect your assessment of my claim. As further support for my concern, please also read the last paragraph on page ten of my submission, which discusses Telstra's Tony Watson and how he was reluctant to talk to the new owner of my business, Darren Lewis, because Darren was in contact with me. My submission's Exhibit 4 is a letter from the TIO to Telstra, which also relates to this same issue.

Telstra's own CCAS data dated 23rd May 1994 (when Tony Watson was Telstra's fault case manager during my arbitration), confirms that, as part of Telstra's defence of my claim, Mr Watson swore that the documents I faxed to the arbitrator on that particular day did not go through Telstra's network because the arbitrator's fax line was busy at the time I allegedly sent the faxes. My fax journal, Telstra's CCAS data and my Telstra fax account confirm however that five transactions did travel from my office to the arbitrator's correct fax number. The arbitrator's secretary has confirmed, to Tony Watson, that the faxes did not arrive at her end, even though I was charged for them being sent. To date, no one has ever investigated where these five sets of claim documents vanished to or where a further 41 similar Telstra related faxes disappeared to on route to the same arbitrator. My Melbourne based secretary, Ronda Fienberg, will attest that during 2006, when the Federal Government was investigating my unresolved Telstra issues, emails between our two offices often got lost in cyber space for days, and in some incidences weeks, before arriving at their designated destination, all were Telstra related documents.

Two separate Communications experts have since signed sworn statements attesting to their belief that a third person has interfered with fax transmission sent by COT claimants over the years. These two statements can be supplied on request.

I understand that your organisation has many issues to deal with, and I apologise for the extent of the information I am forwarding, but it is important that you have a full background regarding these matters to help with your assessment of my case.

I hope the earlier draft version of my submission has not caused too many problems and I apologise again for accidentally sending the draft version.

Sincerely

Alan Smith

12-B