



**Senate Select Committee on
Superannuation and Financial Services**

**Main Inquiry
Reference (a)**

Submission No. 166

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18 May 2001

The Chairman
Select Committee on Superannuation and Financial Services
Parliament House
CANBERRA ACT 2600

OUR REF:
YOUR REF:

PJL:JS

BY FAX (02) 6277 3130

Dear Sir

re: **Senate Inquiry into Solicitors' Mortgage Schemes in Tasmania
and Submission No. 142 – J. Dalrymple & J. Meyer**

We acknowledge receipt of your letter dated the 17th instant addressed to the writer. The writer wishes to express at the outset my appreciation for the Submission being brought to my attention.

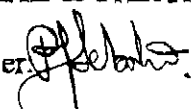
I have perused the terms of reference of your Committee and do not believe that the Submission need in any way be considered by your Committee as in my view it does not fall within your Terms of Reference.

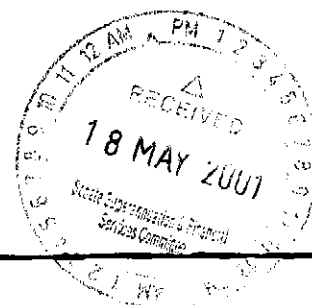
Notwithstanding my view as to the relevance of the Submission, it ought to be clear to your Committee that in essence the issue as to whether or not Mr Meyer is entitled to the return of funds that are presently held by the Supreme Court of Tasmania is dependent upon the outcome of litigation that to the best of my knowledge is still before the Supreme Court of Tasmania. In summary, this firm and the writer in particular accepted instructions from Mr Meyer in relation to the completion of his property purchase in Tasmania. Certain advice was given in relation by the writer and the writer's partner, Mr Ross Hart, as to the course of action that Mr Meyer should adopt to pursue to terminate the contract and have the purchase moneys returned to him. Mr Meyer chose not to initiate such action based upon our advice as to his legal rights and since that time he has, we believe, continued to act on his own behalf in subsequent proceedings that were instituted by Falcone in the Supreme Court of Tasmania.

In conclusion therefore, as to whether or not Mr Meyer is successful in the Supreme Court of Tasmania is a matter for the normal judicial process to determine.

I thank you for bringing this matter to our attention.

Yours faithfully
RAE & PARTNERS

Per 
P.J. LEBSKI



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