

In the High Court of New Zealand

Tauranga Registry

I te Kōti Matua o Aotearoa Tauranga Moana

Reference No: T212290

Between Janine of the House of Arabella and Walters
As the authorised representative and Power of Attorney for Janine ARABELLA and Janine WALTERS as individual and trustee and trustee director for JANINE AND RICHARD WALTERS FAMILY TRUST plus director for AGED CARE ENTERPRISES LIMITED plus director for COMMUNITY VISION LIMITED

(Plaintiff and Lien Claimant)

And ASB Bank Corporation with NZNN 9429039435743

And ASB Holdings Limited NBNZ 9429039342768

And Vittoria Annabel June SHORTT as chief executive Officer and director and individual

And Carl Roy FERGUSON as director

And Amie Mary SMITH as director

And Ross James Patrick BUCKLEY as director

And Roderick Marshall CARR as director

And David Antony Keith COHEN as director

And Victoria Helen CRONE as director

And Colin Archibald MACDONALD as director

And Therese Maria WALSH as director

(Defendants and Lien Debtors)

NOTICE OF SERVICE on DEBTORS to the REGISTRAR

Dated: 12th day of April 2024

NOTICE OF SUMMARY JUDGEMENT on ADMIRALTY STATEMENT of CLAIM TO TAKE EFFECT by 5pm 18th day of April 2024 that the Debtors have until five pm on eighteenth day of April in the year of 2024 to provide a signed affidavit of defence of every single debtor with evidence or make payment of three billion and three million new zealand dollars (\$3,003,000,000.00NZ) to the plaintiff and claimant into the nominated bank account and in event of no defence and no payment with immediate effect by Summary Judgement from 5pm on 18th day of April the claimant has the lawful right to step in and take possession of the assets of the debtors until paid out in full.



In the High Court of New Zealand
Tauranga Registry
I te Kōti Matua o Aotearoa Tauranga Moana
No: T212290

Under the Holy New King James Bible drawing attention to the following scriptures and verses: Genesis 1:1,26,27; 2 Corinthians 13:1; Exodus 20:1-17

In Admiralty Jurisdiction

Standing on:

- Crimes Act 1961 sections 98, 174, 175, 217, 218, 219, 227, 228, 230, 240, 243, 258, 259, 260, 405
- Cestui Que Vie Act 1666 CHAPTER 11 18 and 19 Cha 2
- Universal Commercial ten Maxims of Law
- Secret Commissions Act 1910 Chapters 6,7,8,9,13
- International Covenant on Civil and Political Rights United Nations 1967 Articles 3,8,17,19
- Universal Declaration of Human Rights 1948 and the Unalienable Rights that belong to every man and woman and can not be taken away
- Criminal Procedures Act 2011 part 1 and 2
- International Crimes and Criminal Act 2000 sections 9-21
- Maritime Crimes Act section 4 and 6
- Universal Commercial Code 1341, 1342, 1-308, 1-207, 2-104
- Common Law Of England, Imperial Laws Application Act 1988 section 5
- High court Rules Subpart 5 – Judgement by Default 25.29 (2) and 25.32 (5)
- Admiralty Act 1973 Section 4 extent of Admiralty Jurisdiction

Extent of admiralty jurisdiction

The court shall have jurisdiction in respect of the following questions or claims:

- (a) any claim to the possession or ownership of a ship or to the ownership of any share therein:
- (b) any question arising between the co-owners of a ship as to possession, employment, or earnings of that ship:
- (c) any claim in respect of a mortgage of or charge on a ship or any share therein:
- (d) any claim for damage done by a ship:
- (e) any claim for damage received by a ship:
- (f) any claim for loss of life or personal injury sustained in consequence of any defect in a ship or in her apparel or equipment, or of the wrongful act, neglect, or default of the owners, charterers, or persons in possession or control of a ship or of the master or crew thereof or of any other person for whose wrongful acts, neglects, or defaults the owners, charterers, or persons in possession or control of a ship are responsible, being an act, neglect, or default in the navigation or management of the ship, in the loading, carriage, or discharge of goods on, in, or from the ship or in the embarkation, carriage, or disembarkation of persons on, in, or from the ship:
- (g) any claim for loss of or damage to goods carried in a ship:

Definitions From Black's Law First Edition

Ship- a vessel of any kind for the transportation of merchandise or persons (includes a corporation and the liability of individual in charge of the corporation)

Vessel – a type of watercraft including artificial capable of being used as carrying or transportation of personal property for hire for purposes of commerce (includes a person)

Transportation – the removal of goods or persons from one place to another by a carrier.

Carrier - one who carries or agrees to carry the goods of another

Person – divided into natural and artificial, natural are those formed by God of nature, artificial are created and devised by human laws for purposes of government called 'corporations'

The Plaintiff Informs the High Court Registrar and the Debtors of the Following:

1. That according to the Commercial Lien Notice the defendant and debtor ASB Bank Limited and ASB Holdings Limited had until five pm on twenty-fifth day of March 2024 to pay the plaintiff the sum of three billion and three million dollars (\$3,003,000,000.00NZ) or the plaintiff had the lawful right to liquidate the corporation and its assets until paid in full and add further charges as outlined on invoice and Commercial Lien Notice and Admiralty Statement of Claim.
2. The payment was due by 25 March 2024, however the Plaintiff agreed to extend the date to match the High Court defence date of ninth day of April 2024. The third and final demand notice of payment is included and attached to this notice plus invoice 1009 as pages 9 and 10 which was also due for payment by ninth day of April into the nominated bank account being the House of Talia Dawn Private Foundation Kiwibank 38-9024-0122732-00.
3. The plaintiff has claimed All Rights Reserved so in the event of any honest mistakes or errors or omissions has the right to correct these.
4. The Admiralty Statement of Claim High Court documents were received as the first receipt by the directors Vittoria Shortt and Carl Roy FERGUSON and Ross James Patrick BUCKLEY and Roderick Marshall CARR and Therese Maria WALSH on Friday 22 March by email with Vittoria Short as the Chief Executive Officer responsible to ensure all other directors of ASB Bank and ASB Holdings received the high court documents. The hard copy with tracking number LW124150841NZ was received on 25 March 2024 at 7.34am. The proof of receipt of documents are attached. The front cover page was missing by error was added with the memorandum to add to the front of the Admiralty Statement of Claim received by all debtors on 25 March 2024.
5. Ten days were granted for payment or signed and defended response. The last day for payment or signed rebuttal in full commercial capacity of each of the debtors was the ninth day of April 2024 by 5pm, with the Plaintiff having full lawful right to seize and liquidate the assets of the debtors until paid out in full.
6. The following documents were personally served on the ASB Bank Corporation with New Zealand Business number 9429039435743 and ASB Holdings Corporation with New Zealand Business Number NBNZ 9429039342768 on the ninth day of April 2024 and the Affidavit of Service documents are included with this notice of service as pages 11 and 12:
 - a) High Court Admiralty statement of claim dated 22 March 2024 – 8 pages marked 'A'

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- b) High Court Memorandum of Plaintiff dated 25 March 2024 – 2 pages with below documents stapled with memorandum marked as 'B' with total 10 pages
Proof of receipt of documents to debtors and ASB Bank and ASB Bank corporations – 6 pages
Invoice 1008 third and final demand dated and received 22 March 2024 – 1 page
Invoice 1009 dated and received 22 March 2024 – 1 page.
- c) Filing receipt for high court filing reference T212290– 1 page marked as 'C'
- d) Sequence of Events Support Documents Admiralty Statement of Claim – 118 pages marked as 'D'

Total pages served 137 as four sets of documents Marked A, B, C and D

7. That Vittoria Shortt the Chief Executive Officer of ASB Bank and director of ASB Holdings confirmed by email on 25 March 2024 the receipt of all the documents listed in point six that she and all of the board of directors had received on 22 March 2024 and 25 March 2024. This email is attached with this notice as pages 13 and 14.
8. That the plaintiff came as witness with an authorised person to serve the hard copies on Monday 8 April 2024 to ASB Bank and it's directors at 12 Jellicoe Street Central Auckland and was informed that Vittoria Short was out of the country and all other directors refused to come and receive the documents. The reception woman was asked to check which directors were in the building. She was specifically asked to contact Auckland based directors Carl Ferguson, Amie Smith, Ross Buckley, and Victoria Crone, she indicated that they were in the building but would not make themselves available to come down for one minute to receive the documents. We were prepared to wait but not one man or woman or director would come down to receive the documents. The directors were and are acting in dishonour.
9. That the High Court Rule 6.8 states that if reasonable efforts have been made to serve a document to a defendant or defendants and the documents have come to the knowledge of the person or persons to be served, then the documents are to be treated as served on the same date that the evidence supports they were received. The board of directors had full knowledge of the full set of documents that were also emailed to them on 22 and 25 March 2024 the same day they received them, so according to High Court Rule 6.8 all directors of ASB Bank and ASB Holdings are considered served the full set of Admiralty Statement of Claim documents listed in point six on 25 March 2024.
10. That the Plaintiff has agreed to extend timeframe until Thursday 18 April 5pm and if no defence received by that date then summary judgement to take immediate effect.
11. That the Summary Judgement Notice G13 was provided and received by the defendants on 22 March 2024 with the Admiralty Statement of Claim and is included with this notice on page 8.
12. That the Notice of Proceeding form AD5 was also provided with the Admiralty Statement of Claim that was received on 22 March 2024 by all of the defendants and is included with this notice as pages 6 and 7.

**This document is filed by the plaintiff personally. The address for service of the plaintiff is
Care of 37A Glue Pot Road, Oropi, Tauranga 3173.
Documents for service on the filing party may be left at the letter box at the address for service.**



I, Janine of the house of Arabella affirm and declare that the content the Admiralty Statement Of Claim plus Memorandum of Plaintiff plus this NOTICE OF SERVICE on DEBTORS to the REGISTRAR plus NOTICE OF SUMMARY JUDGEMENT on ADMIRALTY STATEMENT of CLAIM TO TAKE EFFECT by 5pm 18th day of April 2024 are correct and true to the best of my ability so 'help me God'.

Signature/Autograph.....Janine of Arabella on 12th day of April 2024

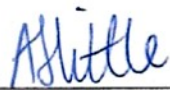
Plaintiff: Janine of the House of Walters representing Janine WALTERS in her capacity of individual, trustee, trustee director and director

Before three witnesses: [name, autograph/signature]

Signature/Autograph of Witness One Nathan Little on this 12th day of April 2024
from Tauranga with post code 3173, home executive

Signature/Autograph 

Signature/Autograph of Witness Two Alyssa Little on this 12th day of April 2024
from Oropi Tauranga with post code 3173, home maker

Signature/Autograph 

Signature/Autograph of Witness Three Richard Walters on this 12th day of April 2024
from Oropi, Tauranga 3173, retired physician

Signature/Autograph 



**In the High Court of New Zealand
In Admiralty Jurisdiction
Tauranga Registry**

No:

Between Janine of the House of Arabella and Walters (plaintiff)

And all the defendants/debtors being:

ASB Bank Corporation with New Zealand business number 9429039435743

And ASB Holdings Limited with national business number 9429039342768

And the corporation directors with personal liability

Vittoria Annabel June SHORTT

And Carl Roy FERGUSON

And Amie Mary SMITH

And Ross James Patrick BUCKLEY

And Roderick Marshall CARR

And David Antony Keith COHEN

And Victoria Helen CRONE

And Colin Archibald MACDONALD

And Therese Maria WALSH

(Defendants and Lien Debtors)

Address provided for service: 12 Jellicoe Street, Auckland Central,
Auckland, 1010, New Zealand (defendants)

Form AD 5

Notice of proceeding both *in rem* and *in personam*

r 25.9(1)

To the owners and all others interested in the Corporation of ASB Bank Limited and ASB Holdings Limited and its assets and the Defendants listed above.

1. Unless, within ten working days after you are served with this notice of proceeding (which is the period that begins on the day after the day of service), you have caused an appearance or a defence to be entered for you in the registry of this court at Tauranga, the plaintiff may proceed in the plaintiff's action without having it heard in court, and judgment may be given in your absence. If the things described and included with this notice of proceeding is then held under an order of the court authorising its arrest, it may be sold by order of the court.
2. That according to High Court Rules 25.29 (2) and 25.32 (5) that if the Defendants fail to file a signed statement of defence or a counterclaim with an affidavit signed verifying the facts within ten working days from the day after you are served this notice with the Statement of Claim then the judge according to High Court Rules 25.33 can arrest the property against which the action was brought.
3. This notice of proceeding was issued and provided to the debtors on twenty second day of March 2024 with the Admiralty Statement of Claim by the Claimant and plaintiff Janine of the House of Arabella and Walters appearing

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in person. **Her address for service is** Care of 37A Glue Pot Road, Oropi,
Tauranga 3173.

Date: 12th day of April 2024

Signature: *Janine J. Walters*

Plaintiff: Janine of the House of Walters representing Janine WALTERS in her
capacity of individual, trustee, trustee director and director

JW

Form G 13

Notice of proceeding when summary judgment sought by plaintiff

r 12.4(4)

To the defendants of ASB Bank being:

ASB Bank Corporation with New Zealand business number 9429039435743

And ASB Holdings Limited with national business number 9429039342768

And the corporation directors with personal liability

Vittoria Annabel June SHORTT

And Carl Roy FERGUSON

And Amie Mary SMITH

And Ross James Patrick BUCKLEY

And Roderick Marshall CARR

And David Antony Keith COHEN

And Victoria Helen CRONE

And Colin Archibald MACDONALD

And Therese Maria WALSH

(Defendants and Lien Debtors)

Address provided for service: 12 Jellicoe Street, Auckland Central, Auckland, 1010, New Zealand

This document notifies you that—

- a) a claim, a copy of which is served with this document, has been filed by the plaintiff; and
- b) the plaintiff has also applied to this court for immediate judgment against you (on that claim or, if judgment is not sought on the full claim, to the extent stated in the notice of application for summary judgment also served with this document) on the ground that you have no defence to the plaintiff's claim.
- c) that the NOTICE OF SUMMARY JUDGEMENT on ADMIRALTY STATEMENT of CLAIM TO TAKE EFFECT by 5pm 18th day of April 2024 where the Debtors have until five pm on eighteenth day of April in the year of 2024 to provide a signed affidavit of defence of every single debtor with evidence or make payment of three billion and three million new zealand dollars (\$3,003,000,000.00NZ) to the plaintiff and claimant into the nominated bank account being the House of Talia Dawn Private Foundation Kiwibank 38-9024-0122732-00 and in event of no defence and no payment with immediate effect by Summary Judgement from 5pm on 18th day of April the claimant has the lawful right to step in and take possession of the assets of the debtors until paid out in full.

Date: 12th day of April 2024

Signature: *Janine pp gillwates*

Plaintiff: Janine of the House of Walters representing Janine WALTERS in her capacity of individual, trustee, trustee director and director

Jan



Janine, Claimant, Principal, heir and successor
Representing Janine WALTERS as individual and
trustee and trustee director and director
c/- 37A Glue Pot Rd
Oropi
Tauranga 3173

Invoice 1008 - third and final notice, now overdue

Invoice to:

Vittoria Shortt in full private and commercial capacity
CEO representing ASB BANK LIMITED
ASB Bank Limited
Level 2, ASB North Wharf
12 Jellicoe Street
Auckland 1011

Description

Date	Details	Amount
22nd day of March 2024	Amount of three billion and three million dollars with final day for payment being Tuesday 9 April 5pm and if payment not made by 9 April 2024, then the the Principal Claimant and Secured Creditor Janine with lawful right will add penalty interest plus costs as the secured party and step into the role of liquidator to seize and liquidate assets until paid out in full by Vittoria Shortt and ASB Bank limited and or any of it's associated companies or successor companies plus any assets in trust or ownership to Vittoria Shortt	\$ 3,003,000,000.00

Final date for payment 9th day of April 2024 before 15% accruing interest added \$ 3,003,000,000.00

Vittoria Shortt in full private and commercial capacity and also as CEO and representative of ASB Bank limited
to pay three billion and three million dollars to Claimant Janine
as authorised representative of Janine Walters as
individual/trustee/director/trustee director
by eighth day of March in year 2024
Funds to be paid into following account
House of Talia Dawn Private Foundation
38 9024 0122732 00

All Rights Reserved Absolutely

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Janine, Claimant, Principal, heir and successor
Representing Janine WALTERS as individual and
trustee and trustee director and director
c/- 37A Glue Pot Rd
Oropi
Tauranga 3173



Invoice 1009

Invoice to:

Vittoria Shortt in full private and commercial capacity
CEO representing ASB BANK LIMITED
ASB Bank Limited
Level 2, ASB North Wharf
12 Jellicoe Street
Auckland 1011

Description			
Date	Details		Amount
22nd day of March 2024	Amount of one million dollars for funds removal on 18/3 with final day for payment being Tuesday 9 April 5pm and if payment not made by 9 April 2024, then the the Principal Claimant and Secured Creditor Janine with lawful right will add penalty interest plus costs as the secured party and step into the role of liquidator to seize and liquidate assets until paid out in full by Vittoria Shortt and ASB Bank limited and or any of it's associated companies or successor companies plus any assets in trust or ownership to Vittoria Shortt	\$	1,000,000.00
Final date for payment 9th day of April 2024 before 15% accruing interest added		\$	1,000,000.00

Vittoria Shortt in full private and commercial capacity and also as CEO and representative of ASB Bank limited
to pay one million dollars to the Claimant Janine
as authorised representative of Janine Walters as
individual/trustee/director/trustee director
by eighth day of March in year 2024
Funds to be paid into following account
House of Talia Dawn Private Foundation
38 9024 0122732 00

All Rights Reserved Absolutely

Form G 16

Affidavit of service

Personally Served by Hand

to Leon Brooks at the ASB Bank at 12 Jellicoe Street Auckland 1011 who confirmed that he was authorised as the representative and on behalf of ASB Bank Corporation and ASB Holdings Corporation to receive and accept the High Court Admiralty Statement of Claim Documents of the Plaintiff

r 6.10

I, Michael Steven Holt of Auckland, Process Server
[full name, place of residence, occupation], Affirm

1. On 9th day of April 2024 at 2.45 pm, I served the ASB Bank Corporation with New Zealand Business number 9429039435743 where Vittoria Shortt is the Chief Executive Officer and ASB Holdings Corporation with New Zealand Business Number NBNZ 9429039342768 where Vittoria Shortt is a director, with the following documents:
 - a) High Court Admiralty statement of claim dated 22 March 2024 – 8 pages marked 'A'
 - b) High Court Memorandum of Plaintiff dated 25 March 2024 – 2 pages with below documents stapled with memorandum marked as 'B' with total 10 pages
Proof of receipt of documents to debtors and ASB Bank and ASB Bank corporations – 6 pages
Invoice 1008 third and final demand dated and received 22 March 2024 – 1 page
Invoice 1009 dated and received 22 March 2024 – 1 page.
 - c) Filing receipt for high court filing reference T212290 – 1 page marked as 'C'
 - d) Sequence of Events Support Documents Admiralty Statement of Claim – 118 pages marked as 'D'

Total pages served 137 as four sets of documents Marked A, B, C and D

2. I served the documents on the [party as described in the heading] at 12 Jellicoe Street Auckland 1010 in New Zealand by hand.
3. I believe it was the [defendant party(s) as described in the heading] that I served because it was to the registered address and address for service of both corporations.

Select and circle the statement(s) that apply.

Statement A


The man served who accepted and collected the documents Leon Brooks acknowledged that he was the authorised representative of ASB Bank and ASB Holdings Corporations.

Statement B

I know the defendant/[party]*.

Statement C

The defendant refused to give his/her name but have photo proof of identity and/or served at his/her home address of

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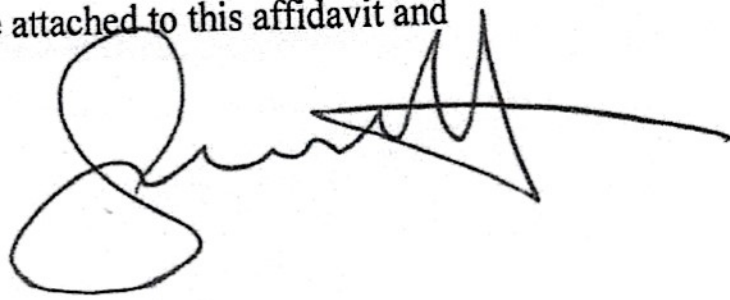
gmv

4. True copies of the documents served are attached to this affidavit and marked "A" and "B" and "C" and "D".

Name of deponent: Michael Steven Holt

Signature of deponent:

Affirmed at: Auckland 11th April 2024

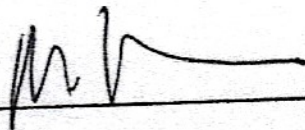


Before three witnesses: [name, autograph/signature]

Signature/Autograph of Witness One Maggie Moreno on this 11 day of April 2024

from Auckland with post code 1010

Signature/Autograph

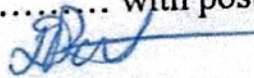


Maggie Moreno
Deputy Registrar
District Court
Auckland

Signature/Autograph of Witness Two Divyasha Patel on this 11 day of April 2024

from Auckland with post code 1010

Signature/Autograph



Divyasha Patel
Deputy Registrar
District Court of New Zealand

Signature/Autograph of Witness Three Jessica Valley on this 11 day of April 2024

from Auckland With post code 1010

Signature/autograph of the witness



Jessica Valley
Deputy Registrar
District Court
AUCKLAND

further documents lodged today regarding Admiralty Statement of Claim

janine walters <janine.a.walters@gmail.com>

Thu, Apr 11, 2024 at 9:26 PM

To: vittoria.shortt@asb.co.nz, roderick.carr@asb.co.nz, ross.buckley@asb.co.nz, therese.walsh@asb.co.nz, victoria.crone@asb.co.nz, carl.ferguson@asb.co.nz, amie.smith@asb.co.nz, david.cohen@asb.co.nz, colin.archibald@asb.co.nz

Dear Vittoria

Thank you for confirming by email that you and all of the board of directors of ASB Bank and ASB Holdings received the Admiralty Statement of Claim on 22 March 2024 plus the further support documents on 25 March 2024. I came as witness with an authorised person to serve the hard copies on Monday 8 April 2024 to ASB Bank at 12 Jellicoe Street Central Auckland to you and all other directors and was informed you were out of the country and all other directors refused to come and receive the documents. The reception woman was asked to check which directors were in the building. She was specifically asked to contact Auckland based directors Carl Ferguson, Amie Smith, Ross Buckley, and Victoria Crone, she indicated that they were in the building but would not make themselves available to come down for one minute to receive the documents. We were prepared to wait but not one man or woman or director would come down to receive the documents. The directors were and are acting in dishonour.

I contracted an agent to serve the hard copy documents on my behalf. The ASB Bank received these documents on 9 April 2024. In 6.8 of High Court Rules if reasonable efforts have been made to serve a document to a defendant or defendants and the documents have come to the knowledge of the person or persons to be served, then the documents are to be treated as served on the expiry date. The board of directors had full knowledge of the full set of documents that were also emailed to them on 22 and 25 March 2024 the same day you received them. The affidavit of service documents will be filed with the High Court tomorrow with this email attached as evidence and will extend the timeframe for you and all the directors of ASB Bank and ASB Holdings for a defence until Thursday 18 April 5pm and if no defence received by that date I will be seeking immediate summary judgement.

From Janine of the House of Walters

As the authorised representative and Power of Attorney for Janine ARABELLA and Janine WALTERS as individual and trustee and trustee director for JANINE AND RICHARD WALTERS FAMILY TRUST plus director for AGED CARE ENTERPRISES LIMITED plus director for COMMUNITY VISION LIMITED
The Plaintiff

On Mon, Mar 25, 2024 at 5:46 PM Vittoria Shortt <Vittoria.Shortt@asb.co.nz> wrote:

Dear Board

Confirming that Stephen and his team have carriage of this issue and will be able to provide an update at Board.

V.

From: janine walters <janine.a.walters@gmail.com>

Sent: Monday, March 25, 2024 12:44 PM

To: Vittoria Shortt <Vittoria.Shortt@asb.co.nz>; Roderick Carr <Roderick.Carr@asb.co.nz>; Therese Walsh <Therese.Walsh2@asb.co.nz>; Ross Buckley <Ross.Buckley@asb.co.nz>; Carl Ferguson <Carl.Ferguson@asb.co.nz>

Subject: further documents lodged today regarding Admiralty Statement of Claim

This email has been cleaned by Threat Prevention. Click [here](#) for the original file(s). This link is only available to ASB staff.

External Email: This email originated from outside of ASB. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Vittoria and other directors of ASB Bank and ASB Holdings.

Please see attachments of other documents lodged today giving extension of payment until 9th April 2024.

You have ten working days from first receipt (22 March) for payment in full or to place a signed affidavit of defence before the court with final day for payment or signed rebuttal in your full commercial capacity being 5pm on the 9th day of April 2024.

Payment for both invoices required by 9th day of April 2024 before penalty charges added in arrears and liquidation process commencing.

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From the claimant and principal - Janine of the House of Arabella and Walters

As the authorised representative and Power of Attorney for Janine ARABELLA and Janine WALTERS as individual and trustee and trustee director for JANINE AND RICHARD WALTERS FAMILY TRUST plus director for AGED CARE ENTERPRISES LIMITED plus director for COMMUNITY VISION LIMITED

This email may contain information which is confidential and/or subject to legal privilege. If you are not the intended recipient, please immediately notify the sender and delete the email.
