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37. Email from Rod Lambert to Gary Johnston dated 14 May 2014 @ 3:50PM, attaching Amended Statement of Claim-29 08 2013.pdf;
38. Email from Rod Lambert to Gary Johnston dated 14 May 2014 @ 3:52PM;
39. Email from Rod Lambert to Gary Johnston dated 16 May 2014 @ 9:37AM, attaching 20140516092327700.pdf.

The material referred to above evidences Mr Lambert's understandable concern, personally held and expressed on behalf of his wife and Mr Hayes, that Westpac has not done enough (or anything) in relation to their knowledge of the serious criminal conduct undertaken by at least Mr Mario Girardo, Mr Sebastian Muscolino, Mr Tim Dooney, and Mr Damien Ingwersen.

Mr Lambert's concerns are exacerbated by what he now knows to be the fact that the loan to Knight Property Investments Pty Ltd made by Westpac was approved by Mr Sainsbury out of Westpac's offices in Kent Street (as to which I attach a copy of Westpac's letter to Mr Girardo dated 10 November 2006) and that the bank may therefore have acted in contravention of section 316 *Crimes Act 1900 (NSW)*

Against the background outlined above and in the attachments to this letter, I have been instructed to request that you assist my clients in understanding why Westpac seemingly did nothing to "*bring the information to the attention of a member of the Police Force...*" as section 316 *Crimes Act 1900 (NSW)* would in all the circumstances seem to compel it to.

It may be that Westpac formed the view, when it appears to have obtained legal advice (at some stage between the emails referred to at paragraphs numbered 15 to 17 above or some other time), that it had a "*reasonable excuse*" that relieved it of the obligation to bring the information to the attention of the relevant authority in New South Wales, in which case my clients would like to know what that reasonable excuse is said to be.

It will be obvious to you that Mr Hayes and Mr & Mrs Lambert have strong views about the consequences of what they say is Westpac's failure to act appropriately.

If it is in fact the case that you satisfy yourself that there is no reasonable excuse for the bank's failure to bring this information to the attention of the police, then my client's would be satisfied by knowing that you have (albeit belatedly) done so.

Your response as a matter of some priority would be gratefully appreciated.

Yours faithfully  
**LILLAS & LOEL LAWYERS**

  
James Loel  
Sole Director

Direct Email: [jbl@lillasloel.com.au](mailto:jbl@lillasloel.com.au)

John  
Murphy/CORPAU/WBCAU/  
WBG

15/10/2008 08:38 AM

To Stewart Meager/CORPAU/WBCAU/WBG@WBG  
cc

bcc

Subject Re: Fw: Westpac Banking Corporation v Knight Property  
Investments Pty Ltd & Ors

As discussed and based on my review of company operations pre LMU and since trf to LMU it appears the company is a small business classification and would employ less than 20 staff if in fact they have any staff.

Please proceed against Girardo towards bankruptcy ASAP as it is obvious the bank has been subjected to some type of fraud in the original lend and loss will be significant.

Thanks

John Murphy | Senior Relationship Manager, Queensland Credit Centre | Westpac Banking Corporation  
Level 21, 260 Queen Street, Brisbane QLD 4000  
Phone +61 7 3227 (7) 2679 | Fax +61 7 3227 2179 | [johnmurphy@westpac.com.au](mailto:johnmurphy@westpac.com.au)  
Stewart Meager/CORPAU/WBCAU/WBG

Stewart  
Meager/CORPAU/WBCA  
U/WBG

15/10/2008 07:18 AM

To John Murphy/CORPAU/WBCAU/WBG@WBG

cc Genevieve Stafford/CORPAU/WBCAU/WBG@WBG

Subject Fw: Westpac Banking Corporation v Knight Property  
Investments Pty Ltd & Ors

John, is there any information you are aware of which may assist? If not, may I please have your instructions.

Stewart

Stewart A Meager | Manager Legal | Dispute Resolution Group (AMG) Qld | Westpac Banking Corporation | Level  
21, 260 Queen Street Brisbane Qld 4000 |

Ph 07 3227 2285 | Fax 07 3227 2179 | [smeager@westpac.com.au](mailto:smeager@westpac.com.au)

----- Forwarded by Stewart Meager/CORPAU/WBCAU/WBG on 15/10/2008 07:17 AM -----



"Vanmali, Leesa"  
<[Leesa.Vanmali@aar.com.au](mailto:Leesa.Vanmali@aar.com.au)>  
Sent by: "Holme, Krystle"  
<[Krystle.Holme@aar.com.au](mailto:Krystle.Holme@aar.com.au)>

To <[smeager@westpac.com.au](mailto:smeager@westpac.com.au)>

cc

Subject Westpac Banking Corporation v Knight Property Investments  
Pty Ltd & Ors

09/10/2008 04:56 PM

Dear Stewart,

Please see attached.

Regards,

Leesa Vanmali  
Law Graduate  
Allens Arthur Robinson  
Phone: 61 7 3334 3263