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* * URGENT * *

Mr David Andrew Brown
2 Vaughan Crescent
Kew
VIC 3101

Dear Mr Brown

RE: **CASE - E11516635 - PSIO OBTAINED AGAINST JOANNE MARGARET COCHRANE
[20140812 DAB VEXATIOUS PSIO.DOCX]**

We refer to your Application for an Interim Intervention Order on 09 May 2014 and note that you have made a number of false and deliberately misleading statements in order to pervert the course of justice.

The primary purpose of a Personal Safety Intervention Order is to protect the Applicant from the immediate fear of physical violence, or to a lesser extent psychological harm. Psychological harm is very difficult to ascertain and a Court cannot correctly ascertain that effect without Expert Testimony, which the Court has not requested and yourselves have not provided.

The e-mail that JMC sent was neither defamatory nor harassing and quite matter of fact in fact - perhaps you have forgotten that you sent two process servers to JMC's house on two separate evenings who served the same document - is that not harassment?

JMC was neither fazed nor upset - and it certainly did not drive her to anything apart from analyse the transcripts of various cases in Western Australia and Victoria in which you have made a series of false and deliberately misleading statements and to assist our in-house counsel and instructing attorneys to prepare various cases against yourself and your partner.

Obviously 'place' does not mean 'computer screen' otherwise every time a newspaper article appears which causes someone, somewhere, some stress, then it would necessitate the Police getting involved.

Please review the following paragraphs and provide ACTUAL EVIDENCE of the following in relation to the same, providing ACTUAL EVIDENCE and not your usual baseless conjecture. The letter to your de facto partner is also attached and those virtually identical claims you have made need the ACTUAL EVIDENCE as well.

Additional Evidence Required 01

You have stated that *'She has sent emails to over 3000 of my partner's Facebook and LinkedIn contacts'*. Your statement is false and deliberately misleading because JMC simply did not do so.



We therefore hold you to STRICT PROOF to provide direct evidence supporting the allegations you have made.

Additional Evidence Required 02

You have stated *'My mother has noticed someone in a baseball cap driving around her house for hours and is terrified of what may happen.'* Your statement is false and deliberately misleading. You have provided no actual evidence that JMC has been driving around the house of your 'mother' though in any event your 'mother' as an individual over the age of 18yrs would need to swear her own affidavit if she is to be properly considered.

We therefore hold you to STRICT PROOF to provide direct evidence supporting the allegations you have made.

Additional Evidence Required 03

You have stated *'My children are also afraid of her as she has previously said my daughters and I "will pay".'* Your statement is false and deliberately misleading because the context of JMC's statement in June 2013 was in relation to a legal case and unjust enrichment - this is clearly obvious from the e-mail that JMC sent in open correspondence.

However the reason that your children have waited almost a year until May 2014 to do anything about their 'imminent danger' demonstrates the 'after-thought', and as your children have reached the age of 18yrs, they would need to swear their own affidavits if they are to be properly considered.

We therefore hold you to STRICT PROOF to provide direct evidence supporting the allegations you have made.

Additional Evidence Required 04

You have stated *'She has hacked into my partner's email and has access to personal information about us and I'm afraid of what she may do with it.'* Your statement is false and deliberately misleading because you are aware that JMC could not in fact have hacked into the aforementioned e-mail account.

On or around 26 January 2013 you wrote an aggressive e-mail to JMC referring to her as 'a personal trainer masquerading as a big wig company director'. Clearly a personal trainer would not have the prerequisite technical competence to bypass the security protocols of multi-billion dollar multinationals such as Facebook and Microsoft.

In fact it is yourself who has significant issues with aggression, including but not limited to your utterly disgraceful aggression towards Dr Praxy de Saram on 26 January 2013, the 70yr old mother of Joseph S R de Saram ("JDS"), in the property of 127-129B Brisbane Street, Berwick after yourself and your partner were exposed as liars.

In any event JMC did NOT access any e-mail account in an unauthorised manner and neither did any of her colleagues, JDS included, who does in fact have the technical expertise to circumvent the security protocols of multi-billion dollar multinationals such as Facebook and Microsoft. However JDS did not.



Furthermore you have failed to provide any information as to the date and time that this alleged 'hack' took place and its relevance to yourself obtaining a Personal Safety Intervention Order against JMC.

We therefore hold you to STRICT PROOF to provide direct evidence supporting the allegations you have made.

Unsurprisingly you have also failed to specify any dates and times when these alleged incidents are meant to have occurred and you have also failed to demonstrate any evidence linking JMC to these alleged incidents which necessitated an immediate Personal Safety Intervention Order.

You have stated that '*The Police recommend me to seek immediate protection*'. There is once again no doubt whatsoever that your false and deliberately misleading statements to the Police are the sole reason that the same Police then suggested an Intervention Order - your argument is therefore circular in construction and something we see repeatedly in all matters involving yourself and your partner.

You both create problems and then when the other party responds to your aggression, your use that natural response to your aggression to propagate lies stating that they were the aggressor.

Having reviewed that which you wrote to obtain the PSIO it is patently obvious that the only matters of real concern to yourself is the alleged defamation and how it impacts on the perceived reputation of your partner, which further underlines the true reason for your obtaining the PSIO against JMC.

You have miserably failed to detail any matters which pose an immediate threat to your Personal Safety and the only concern is the exposure of yourself and your partner as liars, which JMC's e-mail certainly does in no uncertain terms.

In view of the total absence of any information linking JMC to matters of Personal Safety, the obtaining of a Personal Safety Intervention Order, as a tool to shield yourself from defamation, was a malicious abuse of process and utterly disgraceful in the circumstances.

And finally, we note that the documentation you have filed to obtain the Personal Safety Intervention Order ("Originating Process") is deficient because you cannot use two different Acts for the same matter.

9. May. 2014 14:28 Criminal Co-ord +61366153820 No. 8386 P. 4/7
BDMZ CRIMINAL CO COUNTER PSO1
MAGISTRATES' COURT PERSONAL SAFETY INTERVENTION ORDERS ACT 2010
APPLICATION AND SUMMONS FOR AN INTERVENTION ORDER

Case Nr. **E11516655**
Date of Hearing **28/5/2014**
At **09:30 AM**

Who makes the application? **BROWN , DAVID A .**
(Applicant)



9. May. 2014 14:29

Criminal Co-ord +61386153820

No. 8386 P. 5/7

BDMZ

CRIMINAL CO COUNTER

FV1c

MAGISTRATES' COURT FAMILY VIOLENCE PROTECTION ACT 2008

Case Nr. **E11516655**

(continued)

Your Page 4/7 references the Personal Safety Intervention Orders Act 2010 and its continuation sheet 5/7 references the Family Violence Protection Act 2008. JMC is thankfully not related to yourself by any stretch of the imagination.

Clearly because an order cannot exist across two opposing Acts at the same time, there is actually NO VALID Intervention Order before the Court at this time that JMC needs to comply with.

If a Court of [competent] jurisdiction has made a [deficient] order then JMC will respectfully comply with that [deficient] order until she challenges it and/or is directed otherwise.

However, since JMC was never the aggressor here and was merely responding to years of persistent harassment and psychological harm from yourself and/or your partner, the absence of the PSIO will have no effect on her dealings with yourself and/or your partner and she will go about her business as she has always done as a God-fearing Christian.

NEEDLESS TO SAY, YOUR ACTIONS ARE AN INCREDIBLY VEXATIOUS ABUSE OF PROCESS.

In order to preserve JMC's position please furnish us with the Evidence Required WITHOUT FAIL by 17:00 Melbourne Time today, 12 August 2014, to legal.au@rhodium.com. Please note that JMC is bringing a civil claim against yourself and your partner for defamation, notwithstanding the Police complaint that JMC is also preparing against yourselves, for Perjury.

Yours sincerely


LEGAL RESOLUTION

CR 10-08-2014 22:38:00 ■ LS 12-08-2014 10:25:00 ■ T77 ■ W1410 ■ 1017K ■ LEGAL