Subject: Protected Disclosure - Hall & Wilcox Institutional Liability, Retaliation, and Breach of Duty | Engagement File [HW-ACTIVE.FID5037942]
Date: Monday, 23 June 2025 at 8:00:44 AM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>, Mike Brookes <mike.brookes@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, graydon.dowd@hallandwilcox.com.au <graydon.dowd@hallandwilcox.com.au>, rhonda knyvett <honda.r@hotmail.com>, Olivia Southall <olivia.southall@hallandwilcox.com.au>
Priority: High
Category: H & W
Attachments: image001.png, image002.png, image003.png, image004.png, 20.01.2025 HALL & WILCOX, Partner, McLane Edinger, Conflict Free, Material Evidence of Regulatory Breaches included - RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412].pdf

Dear Mr Edinger
This correspondence forms part of a protected disclosure under Part 9.4AAA of the *Corporations Act 2001 (Cth)* and evidences conduct engaging enforceable obligations and statutory breach triggers under ss1041G, 1041H, 1317AAC, 1317AC (Corporations Act), s49 (AML/CTF Act), ss34A, 103 (SIS Act), ss13, 20, 26 (Privacy Act), ss134.2, 135.1, 192E (Criminal Code), and ss17, 29, 34 (Legal Profession Uniform Law).
The conduct arises from your firm's receipt and ongoing carriage of this matter, and engages enforceable statutory indicators of professional misconduct, institutional liability, and regulatory non-escalation. As the responsible partner who personally confirmed Hall & Wilcox's conflict-free engagement on 20 January 2025, and as the initial recipient of the full evidentiary brief disclosing systemic illegality and active regulatory risk, you bear direct and continuing responsibility for the firm's decision to accept instructions under conditions that triggered heightened fiduciary, professional, and statutory obligations.
This correspondence is legally privileged, whistleblower-protected, and forms part of the irrevocably preserved enforcement record under Part 9.4AAA of the Corporations Act 2001 (Cth). Any attempt by you or Hall & Wilcox to recast, minimise, disclaim, or suppress the implications or statutory consequences of the protected disclosures and legal instructions issued will be treated as a further act of obstruction, breach of legal duty, and evidentiary interference, and will be escalated without further notice.
We acknowledge receipt of your correspondence dated 22 June 2025, issued at approximately 2:10 PM AEST on a non-business day, purporting to unilaterally terminate the engagement. The stated justification, an alleged "breakdown of trust" arising from protected disclosure correspondence dated 14 June 2025, is categorically rejected.
The 14 June 2025 communication lawfully invoked protected disclosure status under s1317AA(1)(c)–(f), detailed regulator-grade institutional misconduct, and imposed binding statutory and fiduciary obligations on your firm. It was issued pursuant to a valid and operative Enduring Power of Attorney dated 13 March 2025, prepared and acknowledged by Hall & Wilcox, and remains in full legal force. The correspondence did not and could not constitute repudiation or withdrawal of instructions. Its framing, substance, and statutory basis are not legally capable of reinterpretation.
The 14 June disclosure lawfully invoked whistleblower protections under s1317AA(1)(c)–(f) of the Corporations Act 2001 (Cth), reiterated regulator-grade institutional misconduct already in your firm's possession since 20 January 2025, and imposed binding statutory, fiduciary, and professional obligations. This disclosure was issued pursuant to a valid and operative Enduring Power of Attorney dated 13 March 2025, prepared by and expressly acknowledged by Hall & Wilcox, and remains in full legal force. The content of that correspondence was not capable of repudiation, withdrawal, or reinterpretation: it constituted a formal statutory act protected by law, not a discretionary client communication. Its substance triggered enforceable obligations to escalate, report, and preserve, not reframe or suppress.
The termination of engagement, executed by you, in your capacity as Partner and responsible legal practitioner, was issued in direct response to this formal protected disclosure, during an active enforcement window. This action constitutes retaliatory conduct within the meaning of s1317AC(2) of the Corporations Act 2001 (Cth), and satisfies every statutory element of adverse treatment in response to a valid protected disclosure. It was undertaken after your firm had reviewed and accepted engagement while in possession of enforcement-grade evidence of an SMSF structure that was void ab initio.
The termination of the engagement will be treated as a live breach for the purposes of regulatory escalation, indemnity exposure, disciplinary complaint, and criminal referral. It cannot be shielded by firm delegation, internal process, or strategic reframing. You personally executed the termination of engagement with full knowledge of the disclosure status, your obligations under Part 9.4AAA, and the unlawful nature of the underlying fund structure.

- On a non-business day (Sunday, 22 June 2025), in contravention of professional obligations to act transparently and in good faith, in possession of professional knowledge that formal conduct on a non-business day may impede oversight and legal remedy. This timing deprived the client of immediate recourse and obstructed access to external escalation pathways in breach of Rule 4.1.3 of the Australian Solicitors' Conduct Rules 2012.
- Without implementing any transitional safeguarding, privilege preservation mechanism, or continuity of legal responsibility, in breach of Rule 13.4 and 13.5 of the ASCR 2012, which require a solicitor to take all necessary steps to avoid foreseeable prejudice to the client's interests upon termination. This failure created foreseeable and actual prejudice to a known whistleblower during an active enforcement window.
- Without confirmation of compliance with conflict requirements or mandatory insurer notification under the Insurance Contracts Act 1984 (Cth), including your duty of disclosure under s21 and s26, particularly where the known existence of active criminal, regulatory, and indemnity-exposing matters rendered Hall & Wilcox uninsurable without disclosure. Failure to notify triggers a basis for insurer denial under misconduct or prior known event exclusions.
- Without acknowledgment or reference to Protected Disclosure AU620871X 2 June 2025, in breach of your obligation under s1317AE of the Corporations Act 2001 (Cth) to treat whistleblower disclosures with legal effect and non-retaliation. Silence in the face of a known protected disclosure constitutes deliberate omission and evidences intent to subvert its statutory operation.
- Following two written file production demands issued on 10 and 14 June 2025, to which no reply was provided, constituting a breach of Rule 14.1 of the ASCR 2012 and a failure to deliver client property upon demand. This omission directly interferes with the operation of statutory rights under the Corporations Act, SIS Act, and AML/CTF Act, and materially obstructs enforcement and investigative proceedings.

This conduct engages Hall & Wilcox's institutional liability, but it also engages your personal legal and professional obligations under the Legal Profession Act 2007 (Qld), Australian Solicitors' Conduct Rules 2012 (including Rules 13 and 14), the Corporations Act 2001 (Cth), and the Evidence Act 1995 (Cth).
As the named recipient of both the initial engagement materials and the protected disclosure, you held, and continue to hold, personal knowledge of whistleblower status, regulatory breach triggers, and documentary evidence under legal privilege at the point of terminating the engagement. That knowledge extinguishes any plausible reliance on internal firm procedures or delegation. The decision to terminate under these conditions, absent legal justification or statutory compliance, renders you personally exposed to findings of misconduct, breach of duty, and knowing interference with the operation of a protected disclosure under Commonwealth law.
Hall & Wilcox had actual and documented notice of material criminal and regulatory breaches prior to accepting engagement on 22 January 2025. The material supplied on, and after 20 January 2025, contained forensic evidence of SMSF illegality, CHESS identity falsification, nominee layering, and unauthorised asset control. This evidence triggered pre-engagement legal prohibitions on acting and rendered your firm legally precluded from accepting instructions under conflict, candour, and statutory gatekeeping rules. Your decision to proceed regardless of known illegality vitiates the engagement and renders it void ab initio. Fees claimed under such circumstances are unrecoverable at law and trigger restitution obligations.
Any assertion of a lien over the client file, particularly over materials comprising whistleblower-protected disclosures, constitutes unlawful interference with statutory enforcement processes, a breach of fiduciary obligation, and prima facie obstruction under Commonwealth criminal law. This position is aggravated by your firm's ongoing refusal to comply with Rule 14 of the *ASCR*, despite multiple written demands for production of the full file. Continued withholding of the file now engages potential liability under s192E of the *Criminal Code Act 1995 (Cth)* and constitutes an act of ongoing obstruction in a matter involving public interest enforcement.
Hall & Wilcox's failure to confirm notification to your professional indemnity insurer prior to disengagement constitutes a breach of your duty of disclosure under the Insurance Contracts Act 1984 (Cth), and engages known liability and misconduct exclusions that may give rise to insurer denial and personal liability exposure. This will be referred to the relevant underwriting entity and may engage Hall & Wilcox in an uninsured professional liability position, with accompanying regulatory consequences under the *Legal Profession Uniform Law*.
Retaliatory disengagement in response to a protected disclosure, carried out in these circumstances, not only invokes liability under s1317AC(2) but also engages criminal sanction under s1317AD of the *Corporations Act 2001 (Cth)* and s192E of the *Criminal Code Act 1995 (Cth)*. The facts are preserved and supported by documentary evidence.
This matter is the subject of immediate and irrevocable escalation to Commonwealth and national enforcement authorities, including the Australian Securities and Investments Commission (ASIC), the Australian Transaction Reports and Analysis Centre (AUSTRAC), the Australian Federal Police (AFP), the Office of the Australian Information Commissioner (OAIC), the Australian Prudential Regulation Authority (APRA), the Australian Taxation Office (ATO), and the Legal Services Commission (QLD), with additional referrals to be made to any other disciplinary, supervisory, or criminal agency with jurisdiction over legal misconduct, financial crime, identity fraud, or retaliation against a protected discloser under Part 9.4AAA of the Corporations Act 2001 (Cth). All referrals will proceed concurrently under preserved legal privilege and whistleblower protections, with evidentiary records formally indexed for enforcement deployment across applicable Commonwealth and State frameworks.
Accordingly:

- The engagement is void ab initio and carries no legal validity.
- Your billing assertion is legally irrecoverable and engages no lawful entitlement under contract, equity, or quantum meruit.
- The assertion of a lien is unlawful, constitutes obstruction of access to whistleblower-protected materials, and engages immediate disciplinary and regulatory exposure.
- All trust funds retained constitute unjust enrichment, are held on a constructive trust, and will be subject to a formal restitution and tracing demand.
- Continued refusal to release the full client file engages enforceable breaches of fiduciary, statutory, and equitable obligation and will trigger legal proceedings without further correspondence.

This section forms part of the protected disclosure enforcement record under s1317AAE(2) of the Corporations Act 2001 (Cth) and will be deployed across all applicable civil, regulatory, disciplinary, and indemnity forums without further notice or opportunity to remedy.
The conduct outlined herein now engages active exposure under civil, regulatory, indemnity, and criminal law frameworks. Hall & Wilcox's actions fall within known thresholds for professional indemnity exclusion, including breach of duty, failure to escalate reportable misconduct, whistleblower retaliation, and obstruction of justice.
This matter is under immediate escalation to ASIC, AUSTRAC, the AFP, OAIC, APRA, the ATO, the Legal Services Commission (Qld), and other relevant Commonwealth and State enforcement bodies. Notification to your professional indemnity insurer will proceed without further notice, alongside statutory complaints and evidentiary deployment under the Proceeds of Crime Act 2002 (Cth), Corporations Act 2001 (Cth), AML/CTF Act 2006 (Cth), and Legal Profession Uniform Law.
You are hereby placed on final and formal written notice that:
Preservation of Protected Disclosure Evidence and Imputed Firm Knowledge
There is no statutory basis for discretion, limitation, or delayed compliance in circumstances where a legal practitioner or financial services licensee becomes materially aware of conduct giving rise to actual or reasonably suspected criminality, market manipulation, or systemic breach. From 20 January 2025, Hall & Wilcox possessed enforcement-grade evidence, including documentary confirmation of falsified identity infrastructure, verified trustee exclusion, laundering typologies, and institutional admissions of unlawful CHESS HIN operation. This material was sufficient to engage compulsory escalation thresholds under s912D(1B) of the Corporations Act 2001 (Cth) and s41(1)(c) of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth).
Under s912D, Hall & Wilcox, as a person with actual or constructive knowledge of a significant breach of financial services law, was required to notify ASIC within 10 business days of becoming aware. Under s41(1)(c) AML/CTF Act, the firm, upon forming a reasonable suspicion that the transaction was preparatory to or involved in an offence under Commonwealth law, was required to ensure that a Suspicious Matter Report (SMR) was lodged with AUSTRAC immediately and no later than within the prescribed timeframe. Both duties apply irrespective of retainer status, litigation strategy, or internal discretion and are triggered by possession of material facts alone.
Further, under ss17, 29, 34, and 297 of the Legal Profession Uniform Law (Qld), the Hall & Wilox was bound by ongoing duties to the court and to the administration of justice to avoid conduct involving the concealment, facilitation, or continuation of unlawful activity. The corresponding duties under rr3.1, 4.1.1, 8.1.1, and 30 of the Australian Solicitors Conduct Rules 2012 (Qld) required the firm to prevent the misuse of legal services for illegal purposes, to avoid misleading conduct, and to preserve the integrity of client interests upon becoming aware of criminal conduct.
The firm's continuing legal involvement, after acquiring actual knowledge of identity falsification, trustee exclusion, false document creation, and nominee layering, while simultaneously advising the client to sign documentation and process historic fund data in reliance on that structure, formed a chain of direct legal causation. This conduct materially contributed to the continuation and concealment of known breaches. At law, the failure to act in accordance with the above statutory duties triggered:

- Mandatory regulatory enforcement jurisdiction, under ASIC and AUSTRAC's enabling legislation.
- Professional misconduct liability, under LPUL ss297 and 298, by virtue of knowing participation in conduct inconsistent with the profession's obligations to the law and the public interest.
- Civil indemnity exposure, under the firm's professional indemnity insurance scheme, arising from the failure to report, advise correctly, or withdraw in the face of known illegality.
- And criminal referability, under ss11.2 (complicity), 135.1 (general dishonesty), and 192E (fraud) of the Criminal Code Act 1995 (Cth), for affirmative acts or omissions contributing to deception, unauthorised financial advantage, or the obstruction of statutory compliance.

Once the relevant knowledge and control thresholds were satisfied, Hall & Wilcox became bound by non-deferrable obligations across multiple regimes. Continued legal participation constituted not only omission but affirmative breach of statutory, fiduciary, and criminal law. The conduct is legally operative, regulator-notifiable, indemnity-relevant, and criminally referable.
There is no statutory or common law basis for discretion, delay, or limitation in circumstances where a legal practitioner or financial services licensee becomes materially aware, or is placed on constructive notice, of conduct amounting to serious breach, regulatory offence, or indictable criminality. From 20 January 2025, Hall & Wilcox held actual and constructive knowledge of systemic financial misconduct, including identity falsification, nominee layering, unlicensed fund cycling, and laundering typologies consistent with AUSTRAC red flags. This included verified trustee exclusion, falsified onboarding, and institutional admissions confirming the unlawful use of CHESS HIN X0032114415. The firm's possession of this evidence, whether reviewed in full or in part, was legally sufficient to trigger mandatory escalation duties by operation of law.
Constructive knowledge arose not only through the firm's affirmative receipt and internal distribution of preserved documentary materials, but through its duty to inquire, evaluate, and act upon clear indicators of criminality presented in legal briefing and client instructions. Under s912D(1B) of the Corporations Act 2001 (Cth), a person is taken to be aware of a significant breach once in possession of information that would cause a reasonable person to form that view. Under s41(1)(c) of the AML/CTF Act 2006 (Cth), the duty to lodge a Suspicious Matter Report arises where there is reason to suspect that conduct may involve or be preparatory to an offence. Both thresholds are objective, not subjective, and require action irrespective of the firm's internal position on engagement scope or intent.
By continuing legal involvement after acquiring actual and constructive knowledge, including advice to sign documents embedding false identity into registry systems, processing historical fund data despite live regulatory breaches, and withholding disclosure obligations, your firm triggered:

- s912D Corporations Act – statutory notification to ASIC of a significant breach.
- s41 AML/CTF Act – compulsory SMR lodgement with AUSTRAC.
- ss17, 29, 34, and 297 of the Legal Profession Uniform Law (Qld), duties to the administration of justice, prohibition on concealment or facilitation of unlawful conduct.
- rr3.1, 4.1.1, 8.1.1, and 30 of the ASCR – solicitor obligations to prevent the use of legal services in furtherance of criminal conduct and to take immediate corrective action.

Constructive knowledge in this context carries full legal effect. It is imputed to the firm by virtue of the nature and volume of information received, the firm's capacity to understand the legal implications, and the professional obligation to investigate and escalate where red flags are present. At law, actual review is not required to trigger duty where the firm has been placed on notice of sufficient facts from which the breach is reasonably inferable.
The firm omissions and continued participation thereafter constitute:

- A failure to meet mandatory reporting thresholds, enforceable under ASIC and AUSTRAC frameworks.
- Professional misconduct, arising from breach of LPUL and ASCR obligations once placed on actual or constructive notice.
- Derivative civil exposure, under the firm's indemnity obligations for foreseeable and reportable client harm.
- Criminal referability, under ss11.2, 135.1, and 192E of the Criminal Code Act 1995 (Cth) for enabling or facilitating conduct amounting to general dishonesty, deception, or fraudulent misrepresentation.

These legal consequences arise automatically once material awareness, actual or constructive, is established. The duties engaged are non-delegable, non-deferrable, and continue until discharged. The conduct is now fully active across all regulatory, disciplinary, and prosecutorial domains.
Disregard of Protected Disclosures and Enforceable Consequences of Non-Response
The firm, including you and by extension Hall & Wilcox through Ms Laura Hanrahan, Ms Olivia Southall, Mr Graydon Dowd (Chief Executive Partner), and Mr Mike Brookes, General Counsel, is in receipt of legally privileged and protected disclosures. These commenced with the initial protected disclosures 2 June 2025, and were followed by further qualifying communications, including the formal whistleblower escalation submitted on 14 June 2025 directly to the Deloitte. That disclosure, preserved in full, expressly named Hall & Wilcox as a party to systemic misconduct and triggered immediate, non-discretionary firm-wide obligations under Part 9.4AAA of the Corporations Act 2001 (Cth).
These communications were not discretionary awareness events. They imposed binding statutory duties of acknowledgment, triage, escalation, and protection. The 14 June disclosure unequivocally asserted whistleblower status under ss1317AAA(1)(c)–(f) of the Corporations Act, thereby invoking the highest tier of statutory protection and activating enforceable obligations upon the firm, including its senior officers, without limitation. The failure to acknowledge or act on this status constitutes a direct breach of ASIC Regulatory Guide 270 and is now legally construed as either wilful non-compliance, reckless regulatory incompetence, or obstruction of gatekeeper obligations.
The 14 June correspondence also:

- Identified institutional admissions of identity fraud, concealment of reportable regulatory breaches, and laundering typologies requiring mandatory escalation under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)

- Issued formal legal instructions to Hall & Wilcox to initiate immediate protective action under the Corporations Act, SIS Act, AML/CTF Act, and the Australian Solicitors Conduct Rules 2012 (ASCR)
- Demanded immediate intervention, metadata preservation, and regulator escalation, each of which your firm failed to discharge.

The disclosure was lawfully issued under an Enduring Power of Attorney dated 13 March 2025, prepared and formalised by Hall & Wilcox, and acknowledged by the firm as valid and effective. That instrument remains legally operative. All instructions and disclosures issued under its authority are protected by unwaived legal professional privilege and statutory whistleblower protections and cannot be disclaimed, recharacterised, minimised, or retroactively narrowed under any regulatory or evidentiary framework.
No written response, formal or informal, was ever issued by Hall & Wilcox to the protected disclosure and legal instruction dated 14 June 2025. This failure is not a procedural lapse, it constitutes a continuing breach of statutory duty, a violation of enforceable fiduciary and professional obligations, and an act of wilful non-engagement with whistleblower-protected content in breach of both the Corporations Act and the Legal Profession Act 2007 (Qld). The legal effect of these disclosures was immediate, irrevocable, and permanently preserved within the whistleblower enforcement record.
The firm's failure to provide a substantive response constitutes a breach of professional obligation, including Rule 7 of the Australian Solicitors' Conduct Rules (Communication of Advice), and amounts to obstruction of justice in a matter of significant public interest.
This non-response is now permanently preserved within the whistleblower enforcement records and maintained in alignment with mandatory regulatory audit frameworks applicable to the ASIC, AUSTRAC, and other relevant statutory authorities. In the event that Hall & Wilcox fails to comply in full, this correspondence and all preserved materials will be escalated directly to your professional indemnity insurer under breach-of-duty and bad faith protocols. The conduct disclosed already engages known indemnity exclusion thresholds, including failure to escalate reportable misconduct, obstruction of whistleblower protections, and systemic concealment of criminal exposure.
Any denial, deflection, or attempted mischaracterisation by Hall & Wilcox regarding the legal significance of this protected disclosure will be treated as a contravention of s1317AC(1) of the Corporations Act 2001 (Cth), which gives rise to both civil and criminal liability. The firm's continuing failure to acknowledge or respond to the protected disclosure dated 14 June 2025 further activates the requirements outlined in ASIC Regulatory Guide 270, concerning firm-wide protocols for protected disclosure triage and escalation. Any attempt to reframe the disclosure as informal, misdirected, or ambiguous will be treated as a knowing act of mischaracterisation and referred accordingly. Your firm's refusal to acknowledge or escalate the matter now formally engages s1317AAD(2)(b) of the Corporations Act 2001 (Cth), constituting a failure to take reasonable steps to ensure the matter was acted upon, a statutory trigger for whistleblower enforcement escalation and a basis for civil liability arising from the failure to investigate reportable misconduct.

II. Systemic Failures to Act and Resultant Irreversible Prejudice

Despite the urgency, seriousness, and statutory effect of the 14 June 2025 disclosure, your firm demonstrably and comprehensively failed to discharge its professional, legal, and fiduciary obligations. These failures include, without limitation:

- Failure to acknowledge or act upon the asserted whistleblower status, in breach of mandatory obligations under Part 9.4AAA of the *Corporations Act 2001 (Cth)*
- Failure to issue record preservation directives, enabling the potential destruction or alteration of forensic-grade evidence, a breach attracting serious liability under the common law doctrine of spoliation
- Failure to escalate the matter to the firm's enforcement and litigation personnel, evidencing gross dereliction of professional responsibility in the face of regulator-triggering criminal conduct
- Failure to notify your professional indemnity insurer, despite the matter engaging indemnity exposure and foreseeable loss, thereby compounding financial and reputational liability
- Failure to preserve CHESS-linked metadata, an omission functionally equivalent to negligent destruction of critical digital evidence
- Failure to confirm engagement scope, conflict position, or indemnity strategy, reflecting a systemic collapse in professional governance and disclosure integrity
- Issuance of legal advice on 5 and 6 June 2025 which, if followed, would have permanently corrupted identity-linked metadata under HIN X0032114415, an act that would have destroyed primary forensic material and constitutes conduct capable of perverting the course of justice under the Criminal Code Act 1995 (Cth).

Taken together, these acts and failures form a sustained and escalating pattern of professional misconduct, statutory breach, and institutional obstruction, now permanently preserved as evidence of criminal exposure under Commonwealth law.
We reaffirm that the legal structure underlying your firm's engagement and legal carriage (Matter No. 260301) was, and remains, void ab initio, arising from:

- systemic onboarding failures,
- the use of a knowingly falsified identity, and
- nominee-layered laundering typologies.

This is not a retrospective legal position. It reflects the enforcement-grade information provided to your firm in January 2025, extensively raised with senior executives, and expressly acknowledged by Commonwealth Bank as requiring formal discussion.
On 3 June 2025, CBA confirmed its awareness of these matters, referencing communications that included CEO Matt Comyn's receipt of the material on 30 May 2025, to which Hall & Wilcox was copied. Your firm was also the direct recipient of real-time institutional admissions on 5 and 6 June 2025, confirming that no verified KYC onboarding had ever been completed for CHESS HIN X0032114415. The structure was, and remains, unlawful under both the Corporations Act 2001 (Cth) and the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth), a legal conclusion entirely consistent with internal legal knowledge held by your firm, upon which no appropriate statutory or professional action was taken.
At all relevant times, Hall & Wilcox was on actual and constructive notice that any legal advice rendered, particularly concerning trustee appointments, CHESS activity, or legal standing, was being issued into a known illegal structure. This awareness triggered a non-discretionary duty to either:

1. Repudiate the structure and cease representation, or
2. Escalate the misconduct to appropriate regulators.

Your firm did neither.
We confirm that Rhonda Ann Knyvett has never lawfully held co-trustee status within the Ultra Super Fund structure. Any representation suggesting otherwise was grounded in legal advice that is now demonstrably false in both fact and law, and was issued in circumstances where your firm was already in possession of forensic admissions rendering that structure illegal. Your failure to correct, repudiate, or report the arrangement constitutes a knowing professional validation of an unlawful construct. Any advice given in furtherance of that structure is now prima facie unlawful, and all associated fees are legally unrecoverable under equitable and statutory principles.
Your firm's failure to identify, manage, or escalate these legal and regulatory risks constitutes an actionable breach of s912A(1)(ca) of the *Corporations Act 2001 (Cth)*, which requires licensees and legal advisers to maintain effective risk management systems in respect of misconduct and financial crime exposure. Further, your conduct falls materially below the statutory threshold set by s912A(1)(a), which requires all licensees to act efficiently, honestly, and fairly. These provisions are not discretionary. They apply without exception to all legal practitioners involved in the provision of financial services advice, including to trustees, regulated funds, and CHESS-sponsored entities.
The firm's prolonged non-response, compounded by contemporaneous refusals to act, has now:

- Directly and foreseeably prejudiced Ms Rhonda Knyvett's legal position;
- Obstructed multiple live regulatory enforcement pathways;
- And exposed her to serious, escalating, and avoidable legal, reputational, and evidentiary harm.

These omissions are not mere professional oversights—they constitute an enforceable breach of fiduciary duty, a violation of ASCR *Rule 4 (Fundamental Ethical Duties)*, and professional misconduct under:

- *Rule 5 – Dishonest and Disreputable Conduct*;
- *Rule 13 – Conflict of Interest.*

Each of these breaches is capable of triggering disciplinary sanction, including suspension or cancellation of Hall & Wilcox's legal practising certificate and regulatory status.
These failures now constitute the substantive and irrefutable basis for:

- Immediate and formal escalation to ASIC, AUSTRAC, the Legal Services Commission, and other relevant Commonwealth oversight bodies; and
- Activation of indemnity proceedings against the firm under established breach-of-duty and bad faith protocols.

Given the preserved evidentiary trail, including forensic metadata, internal institutional admissions, and timestamped legal correspondence, your firm's indemnity exposure is now:

- Acute,
- Escalating, and
- Structurally uncontainable.

Liability now extends across both financial and reputational dimensions, with foreseeable exposure exceeding tens of millions of dollars, including:

- Quantifiable loss-of-opportunity damages;
- Irrecoverable and improperly billed legal fees;
- Client restitution and equitable relief obligations; and
- Secondary exposure arising from failure to report misconduct under mandatory breach notification regimes.

Enduring Post-Engagement Duties and Profound Professional Indemnity Exposure

As the disengagement was unilaterally initiated by your firm, Hall & Wilcox remains bound by enduring post-engagement duties of care, disclosure, and legal privilege preservation under binding statutory and professional frameworks. Termination of retainer does not extinguish liability where prior institutional knowledge, inaction, or passive concealment of reportable misconduct has been established. These obligations continue as a matter of active legal duty, not discretion.

Your firm holds non-delegable statutory obligations to notify its professional indemnity insurer pursuant to s464(2) of the *Legal Profession Act 2007 (Qld)*. That obligation remains unsatisfied. Failure to discharge it compounds indemnity exposure and constitutes a continuing breach of both statute and insurer cooperation clauses.

Ongoing silence and inaction are also inconsistent with the *Legal Services Directions 2017 (Cth)*, specifically Part 4, which mandates that legal practitioners representing or advising Commonwealth, regulated matters must act with integrity, transparency, and ethical consistency in all dealings involving matters of public administration and systemic legal breach.

The firm's handling of identity-linked personal data—including metadata, CHESS onboarding artefacts, and related evidentiary material—is governed by Australian Privacy Principles 6 and 11 under the *Privacy Act 1988 (Cth)*. These provisions impose non-waivable obligations of purpose limitation, data integrity preservation, and secure containment. The failure to protect this information, particularly forensic-grade identity-linked records, constitutes a probable breach of s13G of the *Privacy Act*, attracting substantial civil penalties for serious or repeated interference with privacy.

Hall & Wilcox has been in actual and constructive possession of whistleblower-protected material, including legal advice, institutional admissions, forensic summaries, and identity-linked metadata—since 20 January 2025, when detailed regulatory evidence was submitted prior to engagement. That status was consolidated upon written acceptance of instructions on 22 January 2025, and further affirmed through protected disclosure AU620871X, formally acknowledged by Deloitte on 4 June 2025.

Accordingly, your firm is legally and ethically bound by:

- Part 9.4AAA of the *Corporations Act 2001 (Cth)* – mandating immediate preservation, non-retaliation, and escalation of protected disclosures;
- *Legal Profession Act 2007 (Qld)* – regulating legal conduct and attaching continuing duties to known or suspected misconduct;
- *Australian Solicitors Conduct Rules 2012 (ASCR)*, including:
  - *Rule 4 – Fundamental Ethical Duties*;
  - *Rule 5 – Dishonest and Disreputable Conduct*;
  - *Rule 7 – Communication of Advice*;
  - *Rule 9 – Client Instructions*;
  - *Rule 10 – Confidentiality*;
  - *Rule 13 – Conflict of Interest*.

Your firm is now in continuing breach of *Rule 9*, by failing to act on valid and urgent client instructions; and *Rule 10.1*, by allowing confidential and privileged material to be exposed within a whistleblower disclosure context. These breaches are not historical—they are active, compounding, and enforceable.

The firm did not merely fail to act. It issued legal advice in direct contradiction to enforceable obligations, refused to escalate known misconduct, and remained wilfully silent in the face of forensic red flags, each of which constituted a breach of duty capable of triggering indemnity exclusion.

In addition to statutory duties, your firm remains bound by common law and equitable fiduciary obligations, arising from:

- Your prior intimate knowledge of the client's affairs;
- Your possession of protected material; and
- The nature and severity of the disclosures received.

These duties survive termination and remain fully enforceable. Your position as former legal representative does not insulate the firm from liability; rather, it intensifies the exposure due to knowledge-based inaction, failure to notify, and complicity by omission.

Uncontrolled Parallel Disclosures and Irretrievably Compromised Narrative Control

Additional protected disclosures were made to Deloitte and other statutory authorities prior to 5:00 PM AEST on 22 June 2025. No confirmation is provided as to whether those disclosures included document attachments, file extracts, or materials referencing your firm's internal legal decision-making processes. The legal and evidentiary effect of such submissions is now beyond your firm's control.

Documents referenced during this engagement, including iterations of legal advice, identity-linked metadata, and privileged correspondence—may already reside within the custody of enforcement agencies, regulatory bodies, or independent legal counsel, pursuant to ongoing parallel briefing protocols. These disclosures are governed by statutory whistleblower protections and may not be interfered with or questioned by the firm.

We expressly decline to confirm the timing, format, or recipient profiles of such disclosures. Your firm is further placed on notice that other stakeholders are now actively investigating the timeline, content, and consistency of legal advice issued by Hall & Wilcox, in light of:

- The preserved metadata trail;
- Contradictory documentary records; and
- The replicated audit chronology now lodged across multiple enforcement repositories.

Whether these disclosures were initiated directly by us or accessed under third-party statutory compulsion is now legally immaterial. Your firm has irrevocably forfeited any narrative control over this matter. It no longer resides within the domain of internal discretion—it now falls squarely within the jurisdiction of regulatory enforcement, statutory oversight, and public interest scrutiny.

We do not confirm whether disclosures have extended to journalistic channels or whether protected submissions have been made under the Public Interest Disclosure framework. The firm is now on formal notice that this matter is not containable, and that any attempt to retroactively recharacterise events or constrain disclosure scope will be construed as misrepresentation or obstruction.

For the avoidance of doubt, any attempt by Hall & Wilcox to identify, contact, or interfere with known whistleblower recipients, including journalists or statutory officers, will be treated as retaliatory conduct under s1317AC(2) of the *Corporations Act 2001 (Cth)* and referred for immediate enforcement.

Any attempt to threaten, defame, mislead, or interfere with the undersigned or any associated parties, including legal advisors, expert witnesses, family members, or statutory representatives, will constitute a separate act of retaliation and obstruction and will be referred for immediate legal action, regulatory escalation, and, where applicable, injunctive relief.

Documented Prior Regulator-Facing Escalations and Systemic Criminal Concerns

The timing of Hall & Wilcox's disengagement, coinciding with active coordination between McInnes Wilson, CommSec, and internal legal officers of CBA, raises immediate and unavoidable questions concerning preferential briefing, strategic collusion, and institutional interference with the firm's conduct. We do not confirm the full scope of disclosures made to date; however, we formally place the firm on notice that the underlying metadata integrity is immutable, permanently preserved, and replicated across regulator-facing repositories and independent evidentiary archives beyond your control.

From the outset, the firm prioritised institutional protection—specifically of licensed market participants directly implicated in financial crime—over the statutory rights, fiduciary protections, and legal entitlements of its client. Despite your firm's documented possession of regulator-grade, whistleblower-protected material prior to 22 January 2025, Hall & Wilcox knowingly accepted instructions, issued legal advice, and executed strategy in a manner that demonstrably advantaged parties responsible for systemic illegality. This included:

- Active suppression of actual and perceived conflicts of interest;
- Withholding of breach-critical information from client communications; and
- Provision of advice that, if followed, would have embedded the client in a construct void ab initio and prima facie unlawful under the *Corporations Act 2001 (Cth)* and the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth)*.

This conduct constitutes a knowing and ongoing breach of your obligations under the *Legal Profession Act 2007 (Qld)*, the *Australian Solicitors Conduct Rules 2012*, and the firm's fiduciary duties. The documented obstruction of lawful instructions, suppression of legal risk, and issuance of advice which entrenched institutional criminal exposure—while on actual and constructive notice—form the factual and legal basis for immediate indemnity activation, regulatory escalation, and formal enforcement referral.
Metadata-preserved records confirm contemporaneous legal coordination between implicated institutions and legal service providers. This evidence will be submitted to regulatory authorities for scrutiny as potential interference with whistleblower-protected material and unlawful litigation strategy orchestration.
These failures align precisely with ASIC's published 2025 Enforcement Priorities, including:

- Identity misuse and false onboarding;
- Non-escalation of internal misconduct and whistleblower disclosures;
- Legal sector complicity in managed fund and SMSF abuse; and
- Gatekeeper facilitation of illegal financial frameworks.

Hall & Wilcox's inaction, despite actual and contemporaneous awareness of false onboarding, nominee layering, and SMSF laundering typologies under CHESS HIN X0032114415, constitutes an unambiguous breach of legal gatekeeper obligations. ASIC has identified "abuse of trustee structures," "false CHESS identity activation," and "institutional failure to escalate" as affirmative enforcement triggers. Your firm was in possession of all such indicators, yet undertook no preventive or lawful action.
This is not a matter of negligence, it constitutes a systemic gatekeeping failure and forms the foundation of a live, regulator-protected enforcement referral.
The conduct also directly reflects typologies identified by AUSTRAC's 2023–2025 Intelligence Priorities, including:

- Typology 4 – Intermediated fund cycling via SMSFs;
- Typology 6 – Nominee layering obscuring beneficial ownership; and
- Typology 9 – False onboarding via CHESS infrastructure.

We do not confirm the extent or detail of metadata submitted; however, your firm is irrefutably documented within multiple regulator-facing communications identifying each instance of qualifying conduct. Your knowledge is therefore incontestable, and your professional obligations—as a Commonwealth-designated gatekeeper—imposed an immediate, non-discretionary duty to escalate and report the conduct.
Further, the falsified identity linked to CHESS HIN X0032114415 triggers mandatory obligations under the ASX Settlement Operating Rules, specifically *Rule 5.2.1*, which requires verified identification of all Participant Sponsored Holders prior to activation. Your firm's failure to advise on, repudiate, or escalate this falsified structure constitutes a direct breach of legal obligation and remains a primary basis for forthcoming enforcement referral.
The failure to act will be presented as a knowing, complicit breach of statutory and professional duties. The evidence is preserved, legally protected, and imminently actionable.

Specific Third-Party Liabilities and Systemic Interconnections

Hall & Wilcox was in possession of preserved, regulator-facing evidence and whistleblower-protected disclosures as early as 20 January 2025, prior to formal engagement on 22 January 2025, while simultaneously declaring the absence of conflict. Despite this, the firm proceeded to accept retainer, provide legal advice, and deploy a legal strategy that prioritised institutional risk management over client representation and legal duty.
From the date of engagement, your firm was systematically included in a series of time-stamped, metadata-preserved disclosures—extending from January through June 2025—each identifying high-risk statutory, regulatory, and criminal conduct. These include: ABN suppression, falsified CHESS identity onboarding, concealed directorships, SMSF structural breaches, and fund-cycling typologies consistent with AUSTRAC-flagged laundering operations. These communications form an immutable audit record, replicated across multiple protected environments and now capable of being independently reviewed by regulators, courts, and insurers.
Your firm's repeated failure to confirm conflicts, disclose statutory risk, or advise against unlawful conduct, despite direct awareness of the illegality, now gives rise to live, enforceable liabilities spanning professional misconduct, regulatory breach, indemnity exposure, and fiduciary failure. These are not errors of omission; they constitute strategic legal misconduct and are now the subject of formal cross-jurisdictional referral.
The broader landscape of liability is now inextricably interconnected, and your firm's conduct must be understood within this systemic construct:

- Commonwealth Bank (CommSec) Liability: CommSec knowingly facilitated securities transactions under a falsified identity, "Rhonda Ann Osborne", via HIN X0032114415, in direct breach of s1041G of the *Corporations Act 2001 (Cth)* (False Trading). These transactions proceeded without valid KYC, constituting a breach of the *AML/CTF Act 2006 (Cth)*. CommSec's failure to lodge a Suspicious Matter Report under s41 of the *AML/CTF Act*, despite repeated identity anomalies, triggers formal liability under AUSTRAC enforcement provisions.
- McInnes Wilson Liability: On 3 April 2025, McInnes Wilson,via solicitors Chris Davis, Partner, and Emily Ryan, Assossiate, provided your firm with a CHESS holding statement (Brambles Ltd) under HIN X0032114415, despite its falsity. This act engages s137.1 of the *Crimes Act 1914 (Cth)* (False Documents) and breaches *Rule 4.1.2 of the ASCR 2012* (Dishonesty), as the document knowingly misrepresented trustee identity in the context of regulated financial instruments.
- Hall & Wilcox Interconnected Liability: Your firm, while on notice of systemic illegality, issued advice that would have embedded the client in an unrecoverable laundering framework. On 16 May 2025, Ms Laura Hanrahan advised Ms Rhonda Knyvett to execute Boardroom Pty Ltd forms to "correct" identity records, despite actual knowledge that such action would validate a false HIN and retrospectively bind the client to a construct void ab initio. This conduct engages s34K of the *SIS Act 1993 (Cth)* (False SMSF Records), and *Rule 24 of the ASCR* (Failure to Report Fraud). It constitutes legal advice knowingly issued into a fraudulent and structurally illegal environment, with no corresponding notification to relevant regulatory or law enforcement bodies.
- Garth Osborne Criminal Liability: The establishment and operational use of the fabricated "Rhonda Ann Osborne" identity, anchored to CHESS systems and SMSF compliance artefacts, exposes Garth Osborne to prosecution under s408C of the *Criminal Code (Cth)* (Fraud). His direct role in manufacturing a false trustee identity, securing unauthorised control of fund assets, and engaging in nominee-layered laundering satisfies the predicate elements of sustained and systemic financial crime under Commonwealth law.

Taken collectively, these discrete acts form a metadata-verified, multi-party breach matrix. Your firm's actual knowledge, constructive notice, and continuing failure to act render it not merely negligent but complicit in the legitimisation, concealment, and advancement of a legally void, regulator-implicated SMSF infrastructure.
Hall & Wilcox is now formally positioned within the scope of:

- Immediate professional indemnity claim activation
- Formal professional misconduct referral, and
- Multi-agency enforcement escalation under the:
    - *Corporations Act 2001 (Cth)*,
    - *Superannuation Industry (Supervision) Act 1993 (Cth)*,
    - *AML/CTF Act 2006 (Cth)*,
    - *Legal Profession Act 2007 (Qld)*,
    - and *Criminal Code Act 1995 (Cth)*.

Your firm's position is no longer legally defensible. It is now a matter of preserved fact, protected disclosure, and live regulatory enforcement.
X. Imminent and Unavoidable Regulatory, Criminal, and Indemnity Referrals
Cross-jurisdictional enforcement pathways are engaged. Submissions supported by metadata, breach evidence, and protected disclosures will be advancing through staggered, privilege-protected channels, with referral exposure emerging across the following bodies:

- LSC: Preliminary actionable breaches identified under ss 419–420 of the *Legal Profession Act 2007 (Qld)*, triggering s 443 investigative thresholds. Subject matter includes suppression of whistleblower material, prejudicial disengagement during an active protected disclosure window, and improper institutional alignment.
- Legal Services Council (National): National notification exposure arising from systemic gatekeeper failure across state lines. Subject conduct includes obstruction of client protections, non-disclosure of mandatory escalation duties, and cross-jurisdictional inconsistency with professional conduct principles.
- AFP: Referral exposure triggered under the *Criminal Code Act 1995 (Cth)*, including ss 142.2 (Obstruction of Justice), 137.1 (False Documents), and 11.4 (Aiding and Abetting). Chapter 2 omissions doctrine and s 5AB (corporate attribution) are engaged based on constructive knowledge of laundering typologies and falsified financial artefacts.
- ASIC: Enforcement jurisdiction engaged for breaches of the *Corporations Act 2001 (Cth)*, including ss 1041G, 912A(1)(a)–(c), and 1308, with supporting exposure under s 13(1) of the *ASIC Act 2001 (Cth)*. The conduct intersects ASIC's 2025 Strategic Priorities on SMSF governance, identity falsification, and

gatekeeper misconduct.

- AUSTRAC: Exposure proceeding under ss 41, 42, and 82 of the *AML/CTF Act 2006 (Cth)*, with typology alignment to AUSTRAC Indicators 4, 6, and 9—nominee layering, fund cycling, and unreported SMSF asset movement. Liability is extended under direct and indirect reporting obligations.
- ATO: Compliance escalation paths are now active in relation to unlawful trustee declarations, false fund characterisation, GST irregularities, and Phoenix-aligned activity. Subject conduct engages tax integrity and SMSF governance enforcement frameworks.
- Australian Prudential Regulation Authority (APRA): APRA exposure under ss 131–133 of the *SIS Act 1993 (Cth)*. Relevant triggers include false trustee designations, illegal fund structuring, and invalid registration processes.
- Crime and Corruption Commission Queensland (CCC QLD): Referral staging exposure under s 15 of the *Crime and Corruption Act 2001 (Qld)*. Issues include governance falsification, obstruction of oversight processes, and institutional concealment of matters within the public interest.
- Legal Services Commission Victoria: Reserved jurisdictional escalation under s 300 of the *Legal Profession Uniform Law Application Act 2014 (Vic)*, noting Hall & Wilcox's national footprint and the material crossover of conduct across offices.
- Australian Commission for Law Enforcement Integrity (ACLEI): Escalation clauses remain open for activation in the event of improper briefing, suppression of protected disclosures, or interference with investigative processes.
- Hall & Wilcox Professional Indemnity Insurer: Notification thresholds under s 21A of the *Insurance Contracts Act 1984 (Cth)* are met. Exposures include failure to escalate, prejudicial advice, mismanagement of whistleblower materials, and insured omissions. Further delay risks denial of indemnity and crystallisation of uninsured loss.

These pathways are neither exhaustive nor speculative. They represent unfolding escalation across intersecting regulatory, indemnity, and criminal jurisdictions. The SMSF at the centre of these matters was, and remains, void ab initio. Its structure relied on falsified identities, nominee layering, and infrastructure obfuscation consistent with established laundering typologies. From 20 January 2025, Hall & Wilcox held documentary and institutional evidence of this conduct and accepted engagement on 22 January 2025 in full possession of these facts.

The firm's engagement was predicated on false conflict-free assurances and exclusive representation of Rhonda Ann Knyvett. A formal protected disclosure was lodged on 2 June 2025 under reference AU620871X, with supplementary disclosures following. Despite this, your firm failed to acknowledge the protected disclosures, escalate reportable conduct, or cease acting. No advice was issued on protected matters. No referrals were made. Representation continued in defiance of known statutory duties.

Termination on Sunday, 22 June 2025 at approximately 2:10 PM AEST, effective 5:00 PM, was executed without lawful justification, during a live disclosure window, and while in possession Claire Morgan admission (5, 6 and 10 June 2025) and regulatory discolours. These facts engaged non-discretionary duties, including continuation of advice, regulatory handover, and preservation of whistleblower materials. None were met.

Withdrawal under these circumstances constitutes constructive abandonment, retaliatory disengagement, and affirmative breach of *ASCR Rules 4, 10, 13, and 37*, s1317AC(2) of the *Corporations Act 2001 (Cth)*, and ss420–423 of the *Legal Profession Act 2007 (Qld)*. Continued reliance on false documents (3 & 6 April 2025), disregard for the 7 June 2025 preservation directive, and failure to notify regulators or insurers confirms compound misconduct.

These acts engage:

- Breach of fiduciary duty,
- Professional negligence,
- AML/CTF violations (ss41–43),
- Criminal Code offences (ss135.1, 137.1, 142.2), and
- Privacy, SIS, and *Corporations Act* breaches (s912D, s1308).

Legal professional privilege is unavailable where communications advance unlawful conduct. Reliance on such privilege will not withstand scrutiny. Termination under these conditions does not limit liability, it confirms it. All post-2 June 2025 advice is irreparably tainted and legally unsustainable. Escalation to all relevant regulators, indemnity carriers, and enforcement bodies is now active and irreversible.

Indelible Engagement

The preserved email from Claire Morgan, CBA Legal, constitutes a formal institutional admission that no verified onboarding documentation existed for CHESS HIN X0032114415. It confirms that "Rhonda Ann Osborne" was inserted into ASX infrastructure absent lawful sponsorship or identity verification, in breach of mandatory onboarding and KYC obligations. This admission is metadata-authenticated and now stands as a core probative artefact in active enforcement escalation.

Chronology and Irrevocable Indemnity Exposure

Every engagement artefact, whether acknowledged, acted upon, ignored, or redirected, has been indexed, preserved, and secured within a metadata-authenticated repository subject to statutory whistleblower protection under Part 9.4AAA of the *Corporations Act 2001 (Cth)*. This includes internal memoranda, unexecuted instructions, draft correspondence, and privileged legal advice.

The operative period of legal and indemnity liability is now incontrovertibly fixed. Hall & Wilcox acquired actual and constructive knowledge of the identity fraud and systemic structural illegality from 20 January 2025, culminating in receipt of the institutional admission on 5–6 June 2025 and continuing through to the disengagement executed at 2:10 PM AEST on 22 June 2025. This liability window is immutable. It defines the period of enforceable professional responsibility, indemnity exposure, and fiduciary breach.

At all relevant times, your firm remained in possession of whistleblower-protected disclosures, regulator-grade evidence, and forensic documentation, including CBA's own admission of false CHESS onboarding. Your failure to act, disclose, or escalate, while continuing to issue legal advice into a known unlawful structure, now engages liability across fiduciary, professional, statutory, and criminal dimensions.

Any interference with this evidentiary timeline, including deletion, suppression, redaction, or alteration of metadata, will constitute a per se breach of whistleblower protections under s1317AC(2) and s1317AD(1)(a) of the *Corporations Act 2001 (Cth)*, and may trigger criminal prosecution under ss137.1 and 142.2 of the *Criminal Code Act 1995 (Cth)*. Any such conduct will be treated as an act of obstruction and misconduct, immediately escalating indemnity exposure and regulatory sanction.

The forensic integrity of this record is preserved. It is not subject to revision, negotiation, or legal reinterpretation. It now forms part of a live, whistleblower-protected enforcement architecture that legally binds your firm's actions, inactions, and knowledge throughout the entirety of the engagement lifecycle.

Absolute Preservation of Legal Privilege and Enforceable Whistleblower Protections

This correspondence, including all attachments, prior communications, and integrated disclosures, including the 14 June 2025 letter, is irrevocably protected by legal professional privilege and whistleblower confidentiality within the meaning of Part 9.4AAA of the *Corporations Act 2001 (Cth)* and section 118 of the *Evidence Act 1995 (Cth)*. These protections are unqualified, non-waivable by implication or omission, and remain fully operative irrespective of your conduct, whether by action, inaction, or institutional default.

No internal circulation, interdepartmental access, or third-party dissemination of this correspondence is permitted without express, written client authorisation. Any breach will trigger immediate legal enforcement, including injunctive relief, equitable remedy, and compensatory orders for aggravated breach of fiduciary and statutory obligation. This includes violations of confidence, unlawful disclosure of privileged content, and adverse use of whistleblower-protected material.

This communication is issued under preserved legal professional privilege and active whistleblower protection. No statement contained herein shall be construed as a waiver of privilege. All future deployment of this material, whether before regulators, courts, insurers, or investigatory bodies, shall occur solely at our discretion, and under controlled evidentiary and strategic frameworks.

Hall & Wilcox's continued failure to act on these privileged disclosures now creates a rebuttable presumption of concealment, activating adverse inference provisions under *ASIC Regulatory Guide 270*, the judicial reasoning in *Briginshaw v Briginshaw* (1938) 60 CLR 336, and legal exposure for constructive fraud, breach of fiduciary duty, and unconscionable conduct under both statute and equity.

Your firm's non-disclosure to ASIC of systemic misconduct relating to the Ultra Super Fund structure, despite possessing actual and constructive knowledge of CHESS identity fraud, onboarding illegality, and internal conflict, now constitutes a reportable breach under section 912D of the *Corporations Act 2001 (Cth)*. This statutory obligation is triggered and will be formally cited in the forthcoming enforcement referral to ASIC. This matter involves conduct of substantial public interest, engages systemic risk to Australia's regulated markets, and meets the threshold under s1317AA(1)(d) of the *Corporations Act 2001 (Cth)* for disclosure in the public interest, including through Commonwealth oversight mechanisms.

Formal Demands for Immediate Confirmation and Financial Rectification

That Hall & Wilcox provides a written, contemporaneous justification for the decision to terminate engagement on 22 June 2025, including (a) internal decision-makers, (b) legal and risk-based rationale, and (c) any internal memoranda or file notes created to support the termination. This record is required to satisfy post-engagement fiduciary obligations, indemnity coverage thresholds, and legal compliance under the *Legal Profession Act 2007 (Qld)* and *Australian Solicitors Conduct Rules 2012*.

In light of the foregoing, we issue the following non-negotiable legal demands. Written confirmation is required on each point below by 5pm Monday 23 June 2025, Any failure to comply will constitute an obstruction of justice, a breach of legal duty, and an act of professional misconduct, with immediate escalation to indemnity, regulatory, and criminal enforcement.

1. That Hall & Wilcox has formally and comprehensively notified its professional indemnity insurer of all matters arising from this engagement, including precise chronology, institutional admissions, and known statutory exposures. This must include all relevant file references, dates, and risk categories without omission.
2. That the entirety of the engagement file, including all internal firm communications, instructions to counsel, barrister correspondence, trust account ledgers,

and all conflict management documentation—has been preserved intact, is currently secured, and has been placed under a formal litigation hold. This must include assurances that the file is audit-ready for immediate production under subpoena, regulatory order, or legal review.

3. That no documents, file versions, email records, metadata entries, or archive logs associated with this matter have been altered, deleted, suppressed, overwritten, or removed from Hall & Wilcox systems. Any failure to confirm this will necessitate the immediate commissioning of a forensic IT audit at your firm's sole expense. This includes full supervised access for authorised independent auditors to verify file versions, metadata trails, privilege logs, email transmission history, trust accounting system entries, and associated matter documentation linked to [HW-ACTIVE.FID5037942]. Refusal to grant such access will be treated ass obstruction and escalated to regulatory and criminal referral without delay.
4. That no unauthorised internal access, viewing, or disclosure of the 14 June 2025 privileged correspondence has occurred within your firm, in violation of client-specific privilege boundaries. You are required to certify that access was strictly limited to authorised personnel, and no file-sharing, forwarding, or reproduction occurred outside client instruction.
5. That Hall & Wilcox formally acknowledges the probative status and evidentiary consequence of the institutional admissions made by Claire Morgan (CBA Legal) concerning the absence of valid onboarding documentation under HIN X0032114415. This includes the admission that the trading identity "Rhonda Ann Osborne" was unlawfully entered and maintained on ASX infrastructure without any supporting client due diligence or valid CHESS sponsorship, in direct breach of statutory requirements under the *Corporations Act 2001 (Cth)* and AML/CTF laws.
6. That no external or third-party dissemination of this correspondence or its contents will be made without the express, written authorisation of the undersigned. Any attempt to disclose or reference this letter without client consent will constitute a prima facie breach of privilege and will result in immediate injunctive and compensatory action.
7. That all unspent trust monies be returned in full to the client's nominated account without delay, accompanied by a complete, itemised reconciliation of all fees invoiced, time entries billed and unbilled, credit adjustments issued, and the current ledger balance for [HW-ACTIVE.FID5037942]. This is to ensure full compliance with legal and equitable accounting obligations under trust law, professional conduct rules, and indemnity policy conditions.
8. That no further invoices, whether current, pending, or retrospectively issued, will be paid by our client, and any assertion of entitlement to fees is formally rejected. This rejection is legally justified on grounds of fundamental breach of retainer, gross professional negligence, obstruction of justice, violation of statutory duties, and the infliction of material legal and financial harm. We reserve full rights to initiate restitution proceedings under the equitable doctrine of unjust enrichment, given that Hall & Wilcox has retained client funds while delivering services that exacerbated exposure, suppressed evidence, and prejudiced whistleblower protections. Any continued attempt to enforce billing under these conditions is likely to constitute prohibited retaliatory conduct under s1317AC(2) of the *Corporations Act 2001 (Cth)* and will be formally prosecuted as such.
9. That your firm immediately confirms it will issue no further invoices, reminders, statements, or notices in relation to this matter. This includes any form of fee enforcement, invoice generation, referral to debt collection, or litigation threats. Any such action will be treated as a continuation of retaliatory conduct and will be escalated to indemnity, criminal, and disciplinary enforcement.
10. Failure to confirm the above will constitute a further breach and trigger immediate escalation to your professional indemnity insurer, the QLD LSC n, and relevant authorities including ASIC, AUSTRAC, and the AFP without further notice.

Enforceability and Future Reliance
This correspondence constitutes a formally issued legal and evidentiary record, fully admissible in all present and future regulatory, indemnity, criminal, and tribunal proceedings. Its contents are enforceable under professional conduct law, whistleblower protection regimes, and statutory audit obligations. It forms part of a whistleblower disclosure chain under Part 9.4AAA of the *Corporations Act 2001 (Cth)* and is protected under legal professional privilege, whistleblower legislation, and evidentiary law.
Any attempt by Hall & Wilcox or its representatives to mischaracterise, suppress, defame, or retaliate in any forum, directly or indirectly, will trigger immediate legal proceedings for injunctive relief, damages, aggravated harm, breach of fiduciary duty, and professional misconduct. This correspondence will be deployed without notice in all such matters. Your firm is now on formal notice. This record is final, irrevocable, and enforceable.
Full Financial Restitution and File Release – Legal Basis for Total Recovery of All Monies Paid
Hall & Wilcox is now under binding legal instruction to return all client monies paid during the course of this engagement, including but not limited to:
Trust monies (unspent or applied); Invoiced amounts already paid; Any amount deducted or transferred from client funds under file reference [HW-ACTIVE.FID5037942].
This demand is not discretionary. It is legally enforceable under statute, equity, fiduciary law, and criminal law. Your firm's conduct has invalidated the retainer and rendered any claim to funds legally indefensible.
The Retainer Is Void ab Initio
The engagement is void from inception due to:

- Misrepresentation of conflict status in breach of *ASCR Rules 10–12*; Failure to act in the client's best interests (s180 *Corporations Act 2001 (Cth)*, *ASCR Rule 4*); Suppression of whistleblower disclosures in breach of *Part 9.4AAA Corporations Act*; Legal advice issued into an unlawful structure and knowingly unrectified.
- Fees paid under a void engagement are fully recoverable under the equitable doctrine of restitution, constructive trust, and tracing principles. Retaining those fees constitutes unjust enrichment.

Retained Funds Constitute Criminal Proceeds
Despite actual and constructive notice of CHESS identity fraud, SMSF laundering typologies, and falsified trustee documentation, your firm:

- Suppressed forensic evidence; Misrepresented institutional risk and exposure
- Attempted to assign liability to a protected discloser; Abandoned the client during an active protected disclosure window.

Funds retained under these conditions constitute criminal proceeds under:

- s330(4) *Proceeds of Crime Act 2002 (Cth)*; s135.1, s142.2 *Criminal Code Act 1995 (Cth)*; s41(1), s49 *AML/CTF Act 2006 (Cth)*.
- Your continued retention of these funds violates multiple provisions of law and engages immediate indemnity, regulatory, and criminal escalation.

Mandatory Refund and File Release Required
Accordingly, your firm is now required to:

1. Refund all monies paid to date, regardless of invoicing status
2. Transfer all funds within 24 hours to a client nominated account
3. Acknowledge that no invoice carries lawful entitlement to payment
4. Cease all billing, trust deductions, or enforcement actions
5. Release the complete engagement file, unredacted, without delay.

Continued retention of funds under a void, conflicted, and regulator-compromised engagement constitutes:
A standalone cause of action in restitution and fiduciary breach; Triggering of insurer notification obligations under s464(2) *Legal Profession Act 2007 (Qld)*; Escalation to AFCA, ASIC, LSC, AUSTRAC, and AFP; Indemnity exclusion exposure due to unlawful conduct and suppression of protected disclosures.
This demand forms part of Protected Disclosure and is supported by preserved metadata, regulatory correspondence, and institutional admissions. The legal effect of these records is final, protected, and admissible.
Privilege is preserved. Enforcement is now a matter of process, not discretion.
Yours sincerely,
Holly Dahm and Riki Dahm
Enduring Attorneys for Rhonda Ann Knyvett

Get Outlook for Mac

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Date: Sunday, 22 June 2025 at 2:10 PM
To: rhonda knyvett <honda.r@hotmail.com>
Cc: Riki Dahm <rikidahm84@gmail.com>, Holly Osborne <hollyteganosborne@hotmail.com>, Mike Brookes <mike.brookes@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>

Subject: Ultra Super Fund [HW-ACTIVE.FID5037942]

Dear Rhonda

The most recent email communication sent to Hall & Wilcox by Holly on your behalf (at 1.40 am (AEST) on Saturday 14 June, copy below) is inconsistent with our continuing representation of you, as that communication indicates that the necessary relationship of trust between you and Hall & Wilcox has broken down, to the extent that the basis for the engagement has been compromised.

This email therefore serves as notice that Hall & Wilcox is terminating its engagement in this matter with effect from 5.00 pm (AEST), Sunday, 22 June 2025.

We will issue a final bill to you on Monday, 23 June 2025 for our unbilled work in progress from 7 February 2025 up to and including the date of termination of our engagement. We will be able to release to you (or another firm of lawyers instructed by you) all documents in our possession which belong to you relating to this matter once our final bill has been paid.

Whilst we are disappointed to be taking this course of action, if appears necessary in the circumstances.

We wish you all the best in the future.

Kind regards

McLane Edinger | Partner

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McLane.Edinger@hallandwilcox.com.au | Professional Profile

Hall&Wilcox
smarter law

Chambers TOP RANKED High Net Worth 2024 Hall & Wilcox
RECOMMENDED DOYLES LITIGATION 2023
LEADING DOYLES ESTATES LITIGATION 2024

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Friday, 13 June 2025 11:40 PM
To: Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Mike Brookes <mike.brookes@hallandwilcox.com.au>; Graydon Dowd <Graydon.Dowd@hallandwilcox.com.au>; Sumith Perera <sumith.perera@hallandwilcox.com.au>; Julian Hammond <Julian.Hammond@hallandwilcox.com.au>
Cc: Riki Dahm <rikidahm84@gmail.com>; rhonda knyvett <honda.r@hotmail.com>
Subject: Legally Privileged Instruction – Immediate Action Required under Part 9.4AAA
Importance: High

Dear Laura
This correspondence is issued as a legally privileged instruction and protected disclosure under *Part 9.4AAA of the Corporations Act 2001 (Cth).* It concerns Hall & Wilcox's ongoing representation of Rhonda Ann Knyvett in relation to the Ultra Super Fund (ABN 41 873 921 089). The firm is now on formal notice of serious concerns regarding its legal conduct, non-execution of binding instructions, and failure to align with enforcement obligations under applicable statutory and regulatory frameworks.
Despite multiple lawful instructions our engagement with Hall & Wilcox since 22 January 2025, critical directives remain unexecuted, namely, escalation to the firm's enforcement litigation team, submissions to regulators, integration of whistleblower protections, and issuance of record preservation notices to institutions holding core metadata. This ongoing inaction has materially compromised your clients legal standing and obstructed the fund's regulatory enforcement trajectory.
The matter involves systemic, multi-institutional misconduct. CHESS HIN X0032114415 was unlawfully registered under the false identity "Rhonda Ann Osborne", with CBA and CommSec confirming no original KYC documentation exists. This identity was then propagated across share registries including Computershare and Boardroom Pty Ltd, both of which rely solely on CommSec metadata for investor identity.
Associated financial flows were routed through concealed internal ledgers and banking structures and routing structure (Bendigo and Adelaide Bank / Sandhurst Trustees, and Suncorp). These accounts facilitated ledger cycling, cheque laundering, nominee routing, and ABN layering, giving rise to substantial indicators of regulatory arbitrage and market concealment.
Sandhurst Trustees, Bendigo Bank, and Suncorp (now ANZ) have confirmed that accounts were established and operated in breach of dual trustee authority and Trust Deed terms, in contravention of the *SIS Act* and *AML/CTF Act*.
Real property transfers linked to CH 003 Pty Ltd, Degelyn Pty Ltd, Garth Pty Ltd, and discretionary trusts associated with the Ultra Super Fund suggest laundering and cycling of proceeds exceeding $150 million through smsf structures. These transactions intersect with high-value developments in Taigum, Queensland, and involve key professional and corporate participants:

- David John Wrangell (Accountant, Tax Agent No. 60635000)
- Laurie Carwardine (Auditor, ASIC No. 100093267)
- Doug McBirnie (Actuary, Accurium)
- Lawrence John Watling (Lawyer, *Gaffney Lyons & McMahon*, ABN 21 489 485 512)
- Brendan Cawley (Managing Director, *Keystone Urban Development*, linked to BRENCORP, ABN 11 605 915 919)
- McNally AM Pty Ltd (ABN 66 147 268 106, associated with nominee holdings)

Each party has either prepared, relied on, or facilitated documentation and certifications premised on incomplete, unauthorised, or misleading data. These include unverified trustee records, unregistered GST status on rental properties, and concealment of beneficial ownership across related entities.
Confirmed AUSTRAC typologies include:

- Structuring and smurfing
- Shell layering and nominee routing
- Ledger cycling and metadata suppression
- Fictitious invoicing across related-party ABNs
- Undeclared beneficial ownership
- Trustee exclusion and ABN obfuscation
- Superannuation laundering
- Cross-institution cheque override and MICR anomalies

These indicators intersect with the enforcement priorities publicly outlined by ASIC and AUSTRAC for 2025, specifically concerning SMSF governance failures, identity misuse within CHESS infrastructure, laundering via registry systems, and misuse of regulated trust vehicles to mask ownership and income.
Material Non-Compliance with Instructions
Despite multiple written and reiterated instructions, Hall & Wilcox has:

- Not escalated the matter to its Enforcement Litigation Team;
- Not issued record preservation notices to CommSec, CBA, Suncorp, Bendigo, Sandhurst, or registry platforms;
- Not acknowledged or acted upon Rhonda's protected whistleblower status – CBA Speak Up Deloitte Whilstblower Service CBA Unique Identification Number

is AU620871X
- Not issued legal advice on Corporations Act s912D(1)(b) obligations
- Not prepared or submitted draft communications to regulators including ASIC, AUSTRAC, ATO, APRA, or OAIC.
- These omissions are not discretionary, they represent binding instructions issued under valid EPOA and professional retainer. The inaction has prejudiced the client's standing and obstructed lawful enforcement avenues.

Protected Disclosure – Legal Authority and Status
This instruction is issued jointly and lawfully by:
- Rhonda Ann Knyvett, lawful co-trustee and whistleblower under s1317AAA(1)(c)–(d)
- Holly Dahm, attorney under EPOA dated 13 March 2025 (prepared by Hall & Wilcox), close relative and authorised discloser under s1317AAA(1)(e)–(f)
- Riki Dahm, co-attorney, authorised under the same provisions.

This correspondence is made in good faith for the purposes of:
- Preserving Rhonda Knyvett's legal rights and evidentiary standing
- Triggering Hall & Wilcox's obligations under the Corporations Act, SIS Act, AML/CTF Act, Privacy Act, and Legal Profession Act 2007 (Qld)
- Remedying significant concerns regarding the firm's professional handling, procedural delay, and potential strategic obstruction.

This document forms part of a preserved whistleblower and regulatory enforcement record. All protections under Part 9.4AAA apply, including confidentiality, immunity, and protection from detriment.
Should Hall & Wilcox be unwilling or unable to carry the matter to enforcement conclusion, this must now be confirmed without delay.

"Suspension" - CBA/CommSec Trading Account
As confirmed by you, Claire Morgan further advised on Tuesday, 10 June 2025, 5:57 PM: "The SMSF trading account has now been suspended." A suspension, absent proper remediation and regulatory notification, amounts to an ongoing concealment of a systemic flaw, rather than a corrective action."
The account suspension, while leaving the underlying alleged identity matter unrectified and reportedly not escalating the issue to the appropriate regulators, is asserted not to mitigate the concern. Instead, it suggests that CBA and CommSec's exposure has not been contained but appears to have been concealed. This alleged non-implementation of corrective action exacerbates the concern and intensifies CBA and CommSec's liability, exposing both institutions to further legal and regulatory risks, as no substantive steps have been taken to address the core alleged compliance issue.

CBA/CommSec's Binding Liability

It's critical to underscore the direct admissions reported to have been made by Claire Morgan, Senior Legal Counsel at CBA, which unequivocally establish the extensive liability of both CBA and CommSec. These are not speculative assertions but formal institutional confessions, now firmly on record, which reportedly eliminate any possibility for plausible deniability regarding the entrenched systemic concerns of these institutions.
Crucially, as a legal representative of Hall & Wilcox, your relaying of Claire Morgan's admissions to Rhonda Knyvett, your client, constitutes a legally significant act. These statements, conveyed by you in your professional capacity as Special Counsel, become admissible as admissions by a party's agent and contribute directly to the evidentiary record against CBA and CommSec, providing no plausible deniability for either the institutions or for Hall & Wilcox concerning your knowledge of these facts.

CBA/CommSec - Absence of Onboarding Records & Continued Reliance on Alleged False Identity

As conveyed by you in your legal advice on Tuesday, 10 June 2025, 11:25 AM, Claire Morgan, Senior Legal Counsel at CBA, formally stated*: "The CHESS HIN and CommSec account were acquired from a prior broker… CommSec has no original onboarding documentation for the client identity listed as 'Rhonda Ann* Osborne."

This admission alone is asserted to bind CBA and CommSec to a live and knowingly sustained concern regarding fundamental statutory obligations under the Corporations Act 2001 (Cth), the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) (AML/CTF Act), the Privacy Act 1988 (Cth), and the ASX CHESS Sponsorship Rules. Their continued apparent use of this HIN, without original Know Your Customer (KYC), identity verification, or lawful trustee authorisation, is asserted to constitute a fundamental matter of non-compliance that has persisted for over two decades. This sustained alleged non-compliance is asserted to be legally indefensible and to expose both CBA and CommSec to significant regulatory and legal liability, potentially rendering their actions professionally indefensible and subject to substantial legal repercussions.

Legal Transparency & Professional Obligations
Your written legal advice dated 10 June 2025 at 11:25 AM materially contradicted earlier representations, omitted critical client instructions, and failed to disclose Rhonda Knyvett's protected whistleblower status, formally acknowledged by Deloitte on 4 June 2025 (CBA SpeakUP ID: AU620871X). This raises serious concerns regarding the candour, completeness, and accuracy of the advice provided, and appears inconsistent with the obligations under Rule 5 of the Australian Solicitors' Conduct Rules (ASCR) relating to honesty and candour.
In particular, your statement, "We do not have any instructions to act for Rhonda against any bank or financial institution," was issued despite clear written instructions to preserve relevant records, issue legal verification via Hall & Wilcox, and escalate the matter to ASIC, AUSTRAC, and the OAIC. An inaccurate representation of the client's legal status, especially where whistleblower protections apply, constitutes a serious departure from obligations under Part 9.4AAA of *the Corporations Act 2001 (Cth)* and undermines the duty to act in the best interests of the client under ASCR Rule 4.1.3. The omission to explicitly acknowledge Rhonda's protected whistleblower status has materially prejudiced her position and exposed her to avoidable legal and personal risk, contrary to the ethical and professional standards expected of legal counsel.
Hall & Wilcox strategic handling of this matter, including its narrowed focus, disregarding the broader, evidenced regulatory breaches, raises significant questions about whether the firm is acting in the client's best interests, as required by ASCR Rule 4.1.3. This approach, which compromises the client's best interests, suggests an effort to limit the matter's scope, potentially serving institutional interests at the expense of Rhonda's legal rights and the pursuit of broader, more impactful regulatory actions. This perceived lack of transparency regarding the full strategic implications of the firm's chosen approach is deeply concerning.
The documents provided to Hall & Wilcox, lawfully under instruction, form part of the evidentiary chain and carry direct enforcement implications. Hall & Wilcox has engaged in correspondence, issued legal advice, and interacted with counterparties based on this material. Therefore, Hall & Wilcox is deemed to have knowledge of its contents, legal implications, and the required escalation obligations under applicable legislation. This inherent knowledge necessitates complete transparency in all communications and actions taken on behalf of the client.
The absence of confirmation as to whether this matter is being treated as a regulatory enforcement file is inconsistent with the preserved record and impedes the client's ability to properly assert and protect her litigation rights. Any deviation from acting on this record, such as failing to notify regulators, not issuing preservation notices, or withholding confirmation of conflicts, may be considered an obstruction of enforcement obligations and a breach of professional duty, directly impacting the transparency of the firm's operations and its adherence to regulatory mandates.

Identified Omissions, Non-Implementation, and Misleading by Omission

In our view, the omissions outlined below don't represent isolated lapses; they collectively reflect a pattern suggesting a systemic issue in Hall & Wilcox's fulfillment of its professional, ethical, and procedural obligations in a matter involving serious regulatory issues, institutional misconduct, and identity falsification. These observations are central to our conclusions regarding Hall & Wilcox's professional conduct, as they demonstrate a consistent pattern of minimizing and disregarding critical information and instructions, such as the client-provided detail on Wednesday, 4 June 2025, 1:41 PM: *"Just flagging this ahead of your conversation, you may recall that a $44,449.08 direct debit to CommSec on 5 July 2005…"* a persistent non-implementation of essential elements of scope, and a discernible tendency to present information by omission or to steer the client towards less advantageous pathways. This conduct strongly suggests a prioritisation of institutional protection over Rhonda's paramount interests, undermining the principles of candour and client-centric legal practice.
A. Refusal to Issue Formal Correspondence for Preservation and Disclosure by Deadline

Client Instruction (Holly Dahm, Tuesday, 10 June 2025, 5:15 PM; Deadline for Actioned Confirmation: Midday Wednesday, 11 June 2025):
As reiterated in your urgent confirmation request from Tuesday, 10 June 2025, 5:15 PM, and referencing prior comprehensive instructions (Saturday, 7 June 2025, 10:20 PM), you were instructed to confirm that:

- *"Formal correspondence has been issued to CBA and CommSec:*
  - *Rejecting any profile correction or metadata updates to HIN X0032114415.*
  - *Requiring full preservation of KYC records, audit logs, and CHESS metadata in their current state.*
- *That no engagement has occurred with CBA, CommSec, or any third party that could compromise the integrity of these records.*
- *That a complete and accurate copy of the correspondence has been retained."*

Your email response (Tuesday, 10 June 2025, 11:25 AM, *prior to your 5:15 PM instruction*):
"We will not take any further steps in relation to the CommSec account at this stage. Once we have some information regarding the regulatory issues we will confirm our instructions to proceed with verification of Rhonda's identity and obtaining access to the CommSec account."
This response, provided hours before your specific urgent instruction, clearly signaled an apparent refusal to act on the core directive of issuing formal preservation notices and rejecting metadata alterations, which was then explicitly requested as an urgent confirmation. Hall & Wilcox's decision to withhold action placed the client's evidentiary position at significant risk and jeopardized the matter's legal integrity. By failing to take immediate action on these critical, time-sensitive instructions, Hall & Wilcox's conduct is inconsistent with the duty to act in the client's best interests, as mandated by ASCR Rule 4.1.3. The delay fundamentally undermines Rhonda's legal strategy and exposes her case to serious vulnerabilities, further questioning the transparency of the firm's commitment to the client's stated objectives.
Your email response (Tuesday, 10 June 2025, 5:57 PM, *after your 5:15 PM instruction*):
"After my meeting with Julian Hammond tomorrow we will advise whether we are able to correspond with CBA or CommSec as you request."
This statement, made *after* your specific and urgent 5:15 PM instruction for confirmation by midday on June 11th, reinforces the lack of action taken despite the imminent deadline. By making the execution of the task contingent on an internal meeting, Hall & Wilcox failed to prioritise the time-sensitive nature of the client's instructions, further compromising the client's case. This delay, which effectively ignored the urgency of the explicit request, places Rhonda's legal position at risk and delays the ability to preserve crucial evidence, violating ASCR Rule 13.1 (Duty to act promptly and competently) and demonstrating a lack of forthrightness in managing urgent client directives.
B. Incomplete Escalation to Enforcement Litigation Team by Deadline
Client Instruction (Holly Dahm, Tuesday, 10 June 2025, 5:15 PM; Deadline for Actioned Confirmation: Midday Wednesday, 11 June 2025) As confirmed in your urgent email on Tuesday, 10 June 2025, 5:15 PM, and referencing prior comprehensive instructions (Saturday, 7 June 2025, 10:20 PM), you were directed to ensure that *"legal carriage reflects the strategic use of timing, institutional involvement, and regulatory escalation to maximize legal, procedural, and financial outcomes."*
Your response (Tuesday, 10 June 2025, 11:25 AM, *prior to your 5:15 PM instruction*) *"Regulatory matters are not my area of expertise however I will speak to Julian Hammond about whether the issues you raise below are something he can assist with. I will come back to you once I have spoken with Julian."*
This response, provided hours before your explicit urgent instruction for confirmation, clearly indicated that the escalation process to an enforcement litigation team was not yet initiated. Hall & Wilcox's delay in escalating the matter not only contradicted the client's explicit request for a comprehensive strategy but also undermined the firm's duty to act with due diligence and competence. Given the complexity and urgency of this multi-regime matter, this delay represents a significant deviation from professional duties, including the requirement to engage the appropriate expertise in a timely manner, as outlined in ASCR Rule 4.1.3. The absence of immediate escalation demonstrates a lack of transparency regarding the firm's capacity to handle the full scope of the client's complex needs.
Your email *response (Tuesday, 10 June 2025, 5:57 PM,* after your 5:15 PM instruction*):*
"Olivia and I have a meeting with Julian Hammond tomorrow at 2pm and we will come back to you following that meeting."

This further confirms that the escalation had not occurred, despite the explicit and urgent instruction provided just minutes earlier, requiring confirmation by midday the following day. Hall & Wilcox did not align the matter with the appropriate enforcement litigation expertise, which adversely impacted your client's ability to protect her interests, particularly given the regulatory complexity of the issues involved. The delay, and continued deferral to an internal meeting, indicates a lack of urgency and an apparent disregard for the time-sensitive nature of the matter, placing the client at heightened legal risk, compounding procedural complications, and reflecting a critical absence of transparency in how internal decisions were made regarding client priorities.

Contradictions and Retrospective Characterisation of Legal Advice

Your email communications contain contradictions of your prior legal advice and retrospective attempts to minimise or deny previously issued instructions. These discrepancies critically undermine the trust placed in Hall & Wilcox and raise serious concerns regarding the reliability and integrity of the legal advice provided, particularly in your capacity as Special Counsel. This conduct appears to confuse, as the client, or to manipulate the narrative, obstructing our ability to form a clear and accurate understanding of Hall & Wilcox's documented position. Such actions hinder our ability to make an informed, objective assessment of the legal advice provided and raise significant concerns about your adherence to your professional obligations, particularly the duty of candour as mandated by ASCR Rule 5.
A. The Discrepancy Regarding "In-Branch Verification" – Avoidable Risks and Client Implications
Your Legal Advice (Thursday, 5 June 2025, 4:26 PM):
"My understanding from the telephone conversation (but will be confirmed by Claire) is you will need to attend a CBA Branch with your identification and they will do a verification of identification... Once you have access to the CommSec account you can request the historical information we are after."
Your Explicit Legal Advice (Friday, 6 June 2025, 4:27 PM):
"Further to my telephone call with Claire Morgan yesterday she has now confirmed the following: ... 2. You need to take drivers licence or passport and medicare card with you to a CBA branch. Inform the CBA staff you need to be identified for a CommSec trading account. There are notes on Rhonda's CommSec profile which the staff member will be able to read. 3. Once you have been identified the CBA staff can provide you with access to the CommSec account, assist you to correct your name and provide you with statements... There is a CBA branch in the foyer of our building... if you wanted to come into the city I would be happy to attend the CBA branch with you to assist in getting you identified and gaining access to the CommSec account. Otherwise you should be able to attend any CBA branch."
Your explicit advice *to "correct your name"* in-branch presented a clear and foreseeable risk to the evidentiary integrity of this matter. Had Rhonda followed this instruction, the preserved record of the alleged falsified identity in HIN X0032114415 could have been irreparably overwritten or corrupted, potentially destroying critical evidence, including KYC records and associated metadata. These records are essential to establishing the identity irregularities, cross-institutional exposure, and unlawful trustee exclusion central to Rhonda's claim. Such a loss of evidence would have substantially impacted the legal foundation needed to pursue litigation against CBA/CommSec and Garth Wilfred Osborne. This advice constitutes a significant deviation from the duty of competence under ASCR Rule 4.1.3 and raises concerns about candour as per ASCR Rule 5.
Your advice directly contradicted the preservation instructions issued to institutions, including CommSec and CBA, which were designed to safeguard crucial evidence. This raises significant concerns regarding professional judgment and diligence. By advising Rhonda to "correct her name," there was a clear omission in adequately advising her of the potential risks of erasing critical evidence. Had this advice been followed, it would have disrupted the preserved metadata trail linked to the alleged false identity, potentially undermining her legal position. This reflects serious concerns regarding the fulfilment of professional obligations to preserve key evidence and a lack of transparency in assessing and communicating fundamental evidentiary risks, contrary to ASCR Rules 4.1.3 and 5.
B. Client-Initiated Counter-Instruction to Mitigate Perceived Flawed Legal Advice
It is imperative to note that my client-initiated, strategic counter-instruction, communicated on Saturday, 7 June 2025, at 10:20 PM, was crucial in preventing the spoliation of key evidence and preserving the integrity of the case. This instruction explicitly stated:
"Please formally decline the request for Rhonda to attend a CBA branch... This verification must not result in any alteration of the KYC or CHESS profile. No changes are to be made to the KYC profile or CHESS identity, including the false name 'Rhonda Ann Osborne' on HIN X0032114415. Rhonda does not consent to any correction. All records, including metadata, logs, and onboarding history, must be preserved in their current form to:

- *Maintain evidentiary metadata;*
- *Prevent the issue from being re-framed as client error*
- *Preserve enforcement leverage under applicable legislation*
- *Support Supreme Court proceedings and regulatory action."*

Immediate counter-instructions were issued to override your legal advice, which, if followed, would have irreparably compromised your clients evidentiary and

enforcement position. This was critical to prevent the spoliation of key evidence central to our strategy. The responsibility to rectify such strategic errors lies solely with legal counsel, ensuring the client's interests are protected and evidence preserved. This incident underscores the importance of client vigilance in maintaining the integrity of legal strategy when transparency and candour from legal counsel are perceived to be lacking.
Had your advice been followed, it would have jeopardised the entire case by compromising crucial evidence. Your advice, which contradicted the duty to preserve critical evidence and instead recommended actions that could lead to its destruction, raises serious concerns about your professional duty to Rhonda, undermining your obligation to protect her interests and the integrity of the case, in apparent breach of ASCR Rule 4.1.3 (best interests and competence) and Rule 13.1 (diligence and competence).
C. Subsequent Contradiction and Retrospective Characterisation of Legal Advice
(Tuesday, 10 June 2025, 5:57 PM): Your email response to my urgent confirmation point 1 (regarding declining in-branch verification):
"That the in-branch verification request has been formally declined... There was no formal request made for in-branch verification and no necessity to formally decline. Claire Morgan advised the first step was Rhonda needed to be identified and this could be done via attending any CBA Branch."
Your written statement appears to retrospectively deny or recharacterise your prior instruction. In your email of Friday, 6 June 2025, at 4:27 PM, you instructed Rhonda to undertake in-branch verification to "correct her name." To now claim that "no formal request was made" and "no necessity to formally decline" contradicts your original instruction and appears to misrepresent your documented legal advice. This characterisation is inconsistent with the written record and suggests an attempt to protect the institution, and fundamentally undermines the principles of candour and accountability in legal counsel, in apparent contravention of ASCR Rule 5 (honesty and candour).

Instruction Authority and Coverage of Legal Protections

For the avoidance of doubt, all instructions in this matter have been issued on behalf of Rhonda Ann Knyvett by Holly Dahm and Riki Dahm, pursuant to the Enduring Power of Attorney provided to Hall & Wilcox on 6 February 2025, and reaffirmed through subsequent written correspondence. This authorisation has been acknowledged and relied upon without limitation by you, Olivia Southall, Associate and McLane Edinger, Partner. Accordingly:

- All regulatory submissions, strategic directives, preservation instructions, and whistleblower disclosures issued by us are validly made under Rhonda's lawful authority;
- They are covered by legal professional privilege;
- They attract the full legal protections afforded under the *Corporations Act 2001 (Cth).*

Where any disclosure has been made in good faith on Rhonda's instruction, it is protected under Part 9.4AAA of the Corporations Act 2001 (Cth), including immunity from detriment, retaliation, or procedural omission on the basis that it was not made directly by her.

Professional and Regulatory Obligations

As a solicitor admitted in Queensland and the person with carriage of this matter, you are bound by:

- The Legal Profession Act 2007 (Qld) — sections 418 to 420
- The Australian Solicitors' Conduct Rules 2012 (Qld), including:
    - Rule 4.1.1 – duty to act in the client's best interests
    - Rule 5 – obligation of honesty and candour
    - Rule 8 – duty to avoid conflicts of interest
    - Rule 13.1 – obligation to follow lawful instructions promptly and competently.

Professional and Ethical Concerns: Indemnity Exposure and Implications for Core Legal Duties

This section addresses concerns regarding the management of the matter, potential professional negligence, and the extent to which the firm's conduct may not have aligned with Rhonda's best interests. It outlines how these issues may give rise to indemnity exposure and identifies the direct risks to Hall & Wilcox should the matter continue to be handled in this manner.

Competence and Evidentiary Care
Your express legal advice that Rhonda should "correct her name" in-branch with CBA, later denied in writing despite contemporaneous documentation, is asserted to demonstrate a critical deviation from recognising the evidentiary significance of preserving the alleged unauthorised identity "Rhonda Ann Osborne" on CHESS HIN X0032114415. That alleged false identity sits at the centre of a sustained regulatory concern spanning over two decades and implicating CBA, CommSec, CHESS, and share registries. Had your legal advice been followed, it is asserted that it would have permanently erased the central metadata concern, precluded legal redress, and extinguished Rhonda's ability to seek regulatory enforcement. This conduct directly contravenes your duty of competence under ASCR Rule 4.1.3 and your duty to act in the client's best interests.
Diligence and Timely Action
Despite repeated verbal and written instructions, specifically dated 5 and 6 June 2025, you reportedly did not issue urgent legal preservation notices to CBA and CommSec within a reasonable timeframe, despite full knowledge that audit trails, identity logs, and CHESS onboarding records were at risk of deletion. These delays followed Claire Morgan's written admission (conveyed by you) that no original onboarding records existed for "Rhonda Ann Osborne," rendering the risk of evidentiary spoliation both immediate and severe. Such inaction constitutes an apparent breach of your duty to act promptly and competently as required by ASCR Rule 13.1.
Duty of Loyalty and Best Interest
Your ongoing insistence on pursuing trustee removal in isolation, under a narrow "commercial approach", is asserted to have mischaracterised the matter and disregarded the multi-jurisdictional dimensions of Rhonda's case. From the outset, this matter has reportedly engaged AML/CTF concerns, CHESS metadata manipulation, dividend misrouting, and false identity propagation across regulated systems. Your repeated re-framing of written instructions reportedly minimised institutional liability, omitted regulatory escalation, and deprived the matter of its full legal force. Such conduct is asserted to be incompatible with your duty to act in the best interests of your client, as mandated by ASCR Rule 4.1.3, and reflects a deviation from pursuing the legal and strategic course instructed.

Indemnity Exposure and Accountability

These profound negative impacts, directly attributable to the legal advice and inaction documented, underscore the significant indemnity liability exposure now facing Hall & Wilcox. A legal firm is unequivocally duty-bound to provide competent legal advice and act diligently upon clear and lawful client instructions. Deviations from these fundamental duties, particularly where they result in demonstrable detriment to a client's legal position, give rise to professional negligence exposure. In such circumstances, Hall & Wilcox may be compelled to indemnify the client for all losses causally linked to that negligence.
Your persistent "steering" away from regulatory engagement, identity rectification, and enforcement framing, despite repeated instructions to pursue them, combined with legal advice that directly risked destruction of critical evidence, now binds you, and by extension Hall & Wilcox, to direct accountability for the conduct of this representation. The matter is active, and the exposure now held is significant.

The Intended Application under Section 80 of the *Trusts Act 1973 (Qld)*

The intended application under section 80 of the *Trusts Act 1973 (Qld)* must incorporate the totality of institutional misconduct, including:

- The alleged use of the unauthorised identity 'Rhonda Ann Osborne' on CHESS HIN X0032114415
- CommSec and CBA's confirmed absence of onboarding documentation
- Trustee exclusion from trades, dividends, and account access over a 20-year period
- And the associated metadata and transactional records showing sustained institutional control deficiencies.

The Court must be provided with the full evidentiary context, not limited to internal trustee conduct, but inclusive of all external conduct and identity misuse that

enabled Rhonda's exclusion and the mismanagement of trust property.

Immediate Realignment and Corrective Action Required

Hall & Wilcox is reminded of its fundamental and continuing obligations under Rule 13.1 of the Australian Solicitors' Conduct Rules 2012 (Qld) to act competently, promptly, and in accordance with lawful instructions. As detailed above, the refusal or omission to follow preservation directives, act on protected disclosure status, and provide advice consistent with client instructions and statutory obligations has collectively given rise to serious professional indemnity and regulatory risk exposures that are now active and ongoing.

Professional Duty and Direct Indemnity Exposure

Under Rule 13.1 of the Australian Solicitors' Conduct Rules 2012 (Qld), Hall & Wilcox is unequivocally required to act promptly and competently on all lawful client instructions. The firm's documented and persistent refusal to action client instructions represents a fundamental departure from its professional obligations., particularly relating to the issuance of preservation notices, the pursuit of identity rectification, the immediate regulatory escalation, and the protection of critical metadata, has not merely inconvenienced but has materially compromised Rhonda Knyvett's legal position and her ability to pursue full legal redress. These critical omissions occurred despite formal instruction and actual notice of Rhonda's protected whistleblower status under Part 9.4AAA of the Corporations Act 2001 (Cth).
Such conduct constitutes a profound deviation from the firm's duties of competence, diligence, candour, and loyalty, as enshrined in both the Legal Profession Act 2007 (Qld) and the overarching principles of professional conduct. The firm's professional indemnity exposure is no longer speculative; it is a direct and quantifiable consequence arising from documented actions and inactions that have demonstrably impaired the client's capacity to preserve vital evidence, pursue enforcement actions, and advance her statutory legal rights. We reserve all rights to pursue claims for direct losses, aggravated damages, and loss of legal opportunity arising from this alleged negligence.

Acknowledgement of Protected Disclosure Status
- Immediate written confirmation that Rhonda Knyvett is recognised as a protected discloser under Part 9.4AAA of the Corporations Act, consistent with the submission made via CBA SpeakUP (Ref: AU620871X).
- Full integration of whistleblower protections into all legal handling, advice, strategy, and communications going forward.

2. Risk Escalation and Indemnity Confirmation
- Acknowledgement that Hall & Wilcox General Counsel, Mike Brookes, has reviewed this matter.
- Written confirmation that the firm's professional indemnity insurer has been notified.
- Full contact details of the insurer must be provided.
- Confirmation of whether the firm has sought external legal advice in relation to this matter.

3. Institutional Liability and Regulatory Scope
- Written recognition that the matter engages systemic institutional exposure under multiple regulatory regimes.
- Formal confirmation that Hall & Wilcox acknowledges the legal and evidentiary significance of statements by Claire Morgan (Senior Legal Counsel, CBA), including the confirmed absence of original
- onboarding documentation and use of a false identity under CHESS HIN X0032114415.
- Confirmation that the firm understands the legal implications under the Corporations Act, AML/CTF Act, Privacy Act, and relevant ASIC, AUSTRAC, and APRA frameworks.

4. Conflicts and Professional Independence
Written confirmation of whether Hall & Wilcox has ever provided legal services, advice, or held a commercial relationship with any party involved in the factual matrix, including but not limited to:
- Commonwealth Bank of Australia (CBA), CommSec, Claire Morgan
- Sandhurst Trustees Limited, Bendigo and Adelaide Bank
- Suncorp Group / ANZ
- Computershare, BoardRoom Pty Ltd
- Accurium, Carwardine & Associates, Audit Box, Pine Rivers Consulting
- David John Wrangell & Co
- CH 003 Pty Ltd, Degelyn Pty Ltd, Garth Pty Ltd
- Brendan Cawley, Brencorp (ABN 11 605 915 919)
- Lawrence John Watling, Gaffney Lyons & McMahon (ABN 21 489 485 512)
- McNally AM (ABN 66 147 268 106)

And Explicit confirmation that no such relationships impair Hall & Wilcox's ability to act impartially and without conflict.

5. Immediate Production of the Full Client File
- All correspondence, internal memoranda, meeting records, and file notes.
- Drafts and preserved records relating to potential submissions to ASIC, AUSTRAC, OAIC, APRA, and ASX.
- All communications between the firm and representatives of the institutions named above, including Claire Morgan or any other CBA/CommSec legal counsel.
- All internal communications between Laura Hanrahan, McLane Edinger, Olivia Southall, or other Hall & Wilcox personnel discussing litigation, regulatory, or risk strategy.
- All barrister briefings or engagement records, including Caite Brewer (if applicable).
- Full trust account records: detailed ledger, itemised billings, billed/unbilled time entries, and current trust balance.
- Any internal due diligence, KYC/AML analysis, risk assessments, or compliance memoranda.
- Any documentation or internal communication related to indemnity insurance exposure.

6. Return of Fees and Trust Funds
In light of ongoing inaction, strategic omissions, and the firm's demonstrable failure to follow clear legal instructions, we now demand:
- Immediate return of all unspent trust funds
- Full reimbursement of professional fees paid to date.

These funds were provided for services aligned with regulatory enforcement and client protection. Your handling of the matter has obstructed those objectives, materially prejudiced the client's legal position, and may contravene obligations under the Legal Profession Act 2007 (Qld) and the Australian Solicitors' Conduct Rules. Please confirm:
- Exact balance held in trust
- Total fees invoiced
- Itemised time entries
- Issuance of a credit note for previously paid fees.

This confirmation must be provided in writing within **one business day.**

7. Final Instruction – Escalation and Regulatory Disclosure
This is a final and formal instruction for file management, insurer notification, and internal escalation to the firm's General Counsel. If Hall & Wilcox is unwilling or unable to meet these obligations, this will proceed to:

- Formal complaint to the Legal Services Commission (Qld)
- Notification to the firm's professional indemnity insurer
- Additional regulatory disclosure to ASIC, AUSTRAC, OAIC, APRA, and any relevant enforcement agencies.

Media and Whistleblower Rights
No media disclosure has yet been made. However, the right to escalate this matter publicly remains fully reserved under whistleblower protections in the Corporations Act, AML/CTF Act, and Privacy Act. Additional disclosures may be lawfully made in respect of conduct involving CBA, CommSec, Bendigo Bank, Sandhurst Trustees, Suncorp/ANZ, and related entities.
Copies of this correspondence may be provided to regulators in accordance with lawful authority held by:

- Rhonda Ann Knyvett, as co-trustee and eligible discloser (SpeakUP CBA Whilstleblower Identification Number is AU620871X)
- Holly Dahm, as Enduring Power of Attorney (13 March 2025) and close relative
- Riki Dahm, as co-attorney under the same EPOA.
- All protections under Part 9.4AAA apply, including confidentiality, immunity, and protection from detriment.

This document must not be disclosed to any third party outside Hall & Wilcox or the client group without the express written consent of the disclosers.

Yours sincerely,

Holly Dahm, Riki Dahm, and Rhonda Knyvett
All communication is to be in writing only. Verbal contact is not permitted.

Keep up to date and view our Latest Thinking.
Hall & Wilcox acknowledges the Traditional Custodians of the land, sea and waters on which we work, live and engage. We pay our respects to Elders past, present and future.
This email and any attachment is confidential and for the use of the intended recipient(s) only. It may also be the subject of legal professional privilege. If you are not the intended recipient, any use, interference with, disclosure or copying of this material is unauthorised and prohibited. Hall & Wilcox handles information according to relevant privacy laws. Our privacy policy can be reviewed at our website https://hallandwilcox.com.au/privacy. If our bank account details change, we will notify you by letter, phone call or face-to-face, but never by email.

Subject: Bendigo and Adelaide Bank, inc SandhurstTrustees - Ref 00616232 - Hall&Wilcox to authorised representation - Rhonda Ann Knyvett, Trustee, Ultra Super Fund (ABN 41 873 921 089)
Date: Sunday, 22 June 2025 at 12:28:00 AM Australian Eastern Standard Time
From: rhonda knyvett <honda.r@hotmail.com>
To: Laura Hanrahan <laura.hanrahan@hallandwilcox.com.au>, Olivia Southall <olivia.southall@hallandwilcox.com.au>, tai.kennedy@hallandwilcox.com.au <tai.kennedy@hallandwilcox.com.au>, McLane Edinger <mclane.edinger@hallandwilcox.com.au>
CC: Holly Osborne <hollyteganosborne@hotmail.com>, Riki Dahm <rikidahm84@gmail.com>
Priority: High
Category: H & W
Attachments: Authorised Representative Form, Bendigo & Adelaide Bank, Sandhurst Trustees 12.05.2025.pdf, BGF ELECTRICAL - FULLER FAMILY TRUST ABNHistoryDetails_91527731461.pdf, FALLIA FAMILY TRUST - ABNHistoryDetails_94824990264.pdf, Bendigo SandhurstTrustee Cheque No 1072 - BGF Electrical .pdf, Bendigo SandhurstTrustee Cheque No 1066 - Residential Tenancies Authority .pdf, Bendigo SandhurstTrustee Cheque No 1065 - Queensland Revenue Office .pdf

Dear Laura,

Please find **attached** my signed Authorised Representative Form, authorising Hall & Wilcox, specifically Laura, and or Mclane to act on my behalf in all dealings with Bendigo and Adelaide Bank, Sandhurst Trustees Ltd, Leveraged Equities, and any associated or subsidiary entities under the Bendigo Group. Holly is assisting me with the preparation of this request, and either of us is happy to speak with you directly if you need clarification at any stage.

Given the range of financial activity identified, including cheque withdrawals, insurance deposits, CommSec-linked transactions, and possible gearing or property-related lending, could we please request that Bendigo conduct a full internal review across all relevant business arms, not just retail banking? Specifically, could they be asked to check for any accounts, facilities, instructions, or trustee-related records associated with:

- **Sandhurst Trustees Ltd** – for any superannuation, trust, or custodial records, including common fund applications and authority documentation
- **Bendigo Bank Retail and Business Banking** – for cheque issuance, deposits, personal or SMSF-related loans, and transactional activity
- **Leveraged Equities** – for any margin lending or CommSec-linked gearing products that may have used SMSF assets or associated equity
- **Bendigo Wealth** – for any portfolio, wrap, or SMSF-aligned investment product that may have involved Rhonda, Garth, or the Ultra Super Fund
- **Adelaide Bank** – for any mortgage or broker-channel financing, especially where linked to known SMSF-held properties

The objective is to eliminate the possibility that accounts, loans, or trustee instructions were issued or operated under alternate names, entities, or platforms, - without Rhonda's knowledge or authority.

Could you please initiate a formal and comprehensive disclosure request covering all systems, documents, and accounts connected to:
- The Ultra Super Fund (ABN 41 873 921 089)
- Myself, Rhonda Ann Knyvett – including all variations or false identities such as Rhonda Osborne, Rhonda Ann Osborne, and Ann Osborne
- Garth Wilfred Osborne – in any personal, trustee, or joint capacity
- Any related superannuation account, structure, cheque, investment, loan, or dividend involving the above names

Full Disclosure of All Previously Requested Material
Could you please request that the Bendigo Group disclose all documents previously requested across January–April 2025, including:
- Account set-up and signatory records
- Identity verification and KYC materials
- Trustee authorisations and EPOA acknowledgments
- Cheque images, bank statements, and CommSec activity
- All internal CRM notes, memos, call logs, or metadata referencing Rhonda, Garth, or the Ultra Super Fund
- Any complaint-related records, especially those associated with Holly Dahm's January 2025 correspondence

As confirmed in writing, this matter was raised well before Bendigo issued Case Ref 00616232 on 29 April. ***We ask that the full 100+ day contact and escalation period be factored into the review, not just the formal complaint date.***

Full Account Statements – Digital and or PDF copies
We request complete digital statements from inception (2002 onward) for both accounts:
- **BSB 633-000 / Account 118052760**
- **BSB 633-109 / Account 118052760**
- **BSB 633-106/ Account 118052760 - noted on Bendigo/ Sandhurst Trustee cheques numbered 1063 and 1068 (to be provided in a following email)**

To date, we have not received digital statements for 633-109, and 633-000 was closed without full release.

Extensive direct credit deposits "GARTH" or "ULTRASUPERFU"
Please request:
- All details associted with the direct credit deposits Referencing "GARTH" or "ULTRASUPERFU"
- All internal memo fields, account holder changes, and authority amendments
- Any Transaction-level metadata where available (payer, payee, internal narrative)

Could they identify:
- All direct credits referencing "GARTH," "ULTRASUPERFU," or similar?
- Depositor names, originating bank accounts, and any linked Bendigo accounts?
- Whether these were self-initiated by Garth or another fund he controls?
- Whether any transactions show manual manipulation (payer and payee being the same)?

- This pattern may indicate internal cycling or structured layering. Can their internal systems cross-reference whether any of these deposits originated from other Bendigo Group accounts or were associated with Garth's personal activity?

Other Notable Transactions
Customer Number: 12732426 / X101 **Account Title:** Ultra Super Fund **BSB:** 633-000 **Account Number:** 118052760

These following is an extract of notable transactions from the Bendigo Bank statements BSB 633 000 between FY 2009 and 2024 Please note a comprehensive review is required as the information indicates repetitious payments, circular transfers, cheque anomalies, and other irregular financial activity.

FY 2008-2009
06 Apr 2009 – Direct Credit – COMMSEC COMMONWEALTH SEC 0227570880 – $45,506.28
14 Apr 2009 – Direct Debit – COMMSEC COMMONWEALTH SEC 0228480451 – $42,457.65

FY 2009-2010
2 Jun 2009 – Deposit – Cheque(s) #CHQ:2 – $40,270.00
3 Jun 2009 – Direct Credit – COMMSEC COMMONWEALTH SEC 0236186081 – $28,830.35
4 Jun 2009 – Withdrawal – Cheque 230 – $60,000.00
5 Jun 2009 – Withdrawal – Cheque 231 – $12,323.26
29 Jun 2009 – Deposit – Cheque(s) #CHQ:1 – $3,600.00
30 Sep 2009 – Dividend – SEP09/00835339 SANTOS LIMITED 0253828523 – $3,256.00 (Linked to Ultra Super Fund ABN ending 089 CHESS CommSec and Rhonda Osborne (or some iteration))
8 Oct 2009 – Direct Debit – COMMSEC COMMONWEALTH SEC 0255190510 – $14,906.07
4 Mar 2010 – Direct Credit – BOND 2055540-7 427 RTA 0276944656 – $600.00
31 Mar 2010 – Dividend – DIV64/00840975 SANTOS LIMITED 0280968983 – $3,160.00
10 May 2010 – Direct Debit – COMMSEC COMMONWEALTH SEC 0286877291 – $12,749.40
13 Jul 2010 – Direct Debit – COMMSEC COMMONWEALTH SEC 0296646259 – $12,839.68
6 Oct 2010 – Dividend – SANTOS LIMITED 0309995662 DIV65/00841501 – $3,916.00
29 Dec 10 – Deposit – Cheque(s) #CHQ:1 – $6,000.00

FY 2010-2011
29 Mar 2011 – Withdrawal – Cheque 320 – $160,000.00 (WITHDRAWAL 0848827646 757.71 - likely a separate related fee or correction)

FY 2018-2019
20 Nov 18 – Withdrawal – Cheque 791 – $8,207.45
28 Mar 19 – Dividend – S00039348811 N SANTOS LIMITED 0886445093 – $1,370.59
11 Apr 19 – Dividend – 001228034896 BXB ITM DIV 0 88 931 8503 – $1,411.28 ($1,411.28)
15 Apr 19 – Withdrawal – Cheque 816 – $538.86 (- AND OTHERS)
30 Apr 19 – Deposit – Cheque(s) #Chq:1 – $6,000.00
1 May 19 – Withdrawal – Cheque 819 – $25,000.00
7 May 19 – Deposit – Cheque(s) #Chq:1 – $3,600.00
26 Sep 19 – Dividend – N S00039348811 SANTOS LIMITED 0925079442 – $0.00
8 Oct 19 – Withdrawal – Cheque 850 – $5,000.00
10 Oct 19 – Dividend – S00039348811 N BRAMBLES LIMITED 0928117798 – $725.00
22 Oct 19 – Dividend – S00039348811 N BRAMBLES LIMITED 0930269693 – $1,450.00
18 Nov 19 – Withdrawal – Cheque 860 – $8,207.45 (withdrawal)
12 Nov 19 – Withdrawal – Cheque 857 – $2,441.40
27 Nov 19 – Withdrawal – Cheque 862 – $2,062.15

FY 2019-2020
11 Mar 20 – Direct Credit – 6001040384 AAI Limited t/as 0959341524 – $3,724.20
11 May 20 – Withdrawal – Cheque 895 – $2,442.90
16 Jun 20 – Deposit – Cheque(s) #Chq:2 – $20,800.00
19 Jun 20 – Withdrawal – Cheque 898 – $30,000.00
25 Jun 20 – Withdrawal – Cheque (CASHED) 889 PETTY CASH – $1,006.55 (interesting given the account is associated with an SMSF)

FY 2020-2021
12 Aug 20 – Withdrawal – Cheque 904 – $2,447.10
8 Sep 20 – Withdrawal – Cheque 908 – $1,531.68
15 Sep 20 – Withdrawal – Cheque 903 – $1,368.95
18 Sep 20 – Withdrawal – Cheque 909 – $18.30 (irregular and odd amount)
10 Nov 20 – Withdrawal – Cheque 913 – $2,447.10
27 Nov 20 – Withdrawal – Cheque 916 – $2,219.43
3 Dec 20 – Withdrawal – Cheque 918 – $1,694.00
4 Dec 20 – Withdrawal – Cheque 919 – $4,000.00
2 Feb 21 – Deposit – Cheque(s) #Chq:1 – $10,000.00
9 Feb 21 – Withdrawal – Cheque 929 – $2,320.20
11 Feb 21 – Withdrawal – Cheque 928 – $1,320.00
16 Feb 21 – Withdrawal – Cheque 930 – $8,207.45
25 Feb 21 – Withdrawal – Cheque 932 – $1,411.62
31 Mar 21 – Deposit – Cheque(s) #Chq:1 – $14,400.00
12 Apr 21 – Withdrawal – Cheque 938 – $20,000.00
16 Apr 21 – Withdrawal – Cheque 937 – $1,060.00
22 Apr 21 – Withdrawal – Cheque 939 – $788.00
29 Jun 21 – Deposit – Cheque(s) #Chq:1 – $15,000.00

FY 2021-2022

27 Jul 21 – Withdrawal – Cheque 951 – $788.00 (- recurring amount)
22 Mar 22 – OSKO PAYMENT COMPASS GLASS & ALUM CHURCH ROAD ZILLMERE 50% PAYM> – $2,522.85 (- show me invoice)
24 Mar 22 – Dividend – AUF22/00851916 SANTOS DIVIDEND 0122087506 – $1,877.57 (- different to others)
27 Jun 22 – Deposit – Cheque(s) #Chq: 1 – $10,000.00
5 Aug 22 – Direct Debit – COMMSEC COMMSEC SECURITI 0153844719 – $67,816.51
17 Aug 22 – Withdrawal – Cheque 1001 – $5,000.00
26 Aug 22 – Withdrawal – Cheque 1002 – $4,000.00
21 Sep 22 – Dividend – AUI22/00850983 SANTOS DIVIDEND 0164697392 – $1,737.37
17 Oct 22 – Withdrawal – Cheque 1004 – $10,000.00

FY 2022-2023
9 Feb 23 – Dividend – A074/99996418 ANZ REPLACEMENT 0198119692 – $2,220.00
29 Mar 23 – Dividend – AUS22/00850696 SANTOS DIVIDEND 0209729157 – $3,555.79
26 May 23 – Deposit – Cheque(s) #Chq:2 – $15,600.00
21 Jun 23 – Withdrawal – Cheque(s) #Chq:1 – $15,000.00
26 Jun 23 – Withdrawal – Cheque 1035 – $20,000.00
3 Jul 23 – Dividend – A075/00527913 ANZ DIVIDEND 0233174678 – $2,430.00
25 Aug 23 – Withdrawal – Cheque 1042 – $22,476.54
1 Sep 23 – Withdrawal – Cheque 1044 – $4,955.50
28 Sep 23 – Dividend – AUI23/00848778 SANTOS DIVIDEND 0255271164 – $2,130.53
8 Nov 23 – Withdrawal – Cheque 1055 – $2,885.70
15 Nov 23 – Withdrawal – Cheque 1053 – $10,001.00
17 Nov 23 – Withdrawal – Cheque 1057 – $20,000.00
22 Dec 23 – Dividend – A076/00525111 ANZ DIVIDEND 0277321434 – $2,820.00

FY 2023-2024
8 Jan 24 – Withdrawal – Cheque 1065 – $10,020.80 (QLD Revenue office). (Attached)

> *This is particularly concerning as it closely follows a separate payment of $11,281.60 made via Suncorp Bank on 2 December 2023 to the QLD Government for land tax. The similarity in payee, the short interval between payments, and the use of different payment methods, one electronic, one cheque, raises serious questions. It suggests the possibility of a duplicate land tax payment drawn from two SMSF-linked accounts, or alternatively, that funds were cycled to obscure their destination. The use of a cheque more than a month after the electronic payment also warrants scrutiny, particularly in the context of trustee obligations, record-keeping, and compliance with superannuation laws. This pattern may indicate fund mismanagement, overpayment, or deliberate structuring, and should be urgently investigated.*

18 Jan 24 – Withdrawal – Cheque 1066 – $1,480.00
24 Jan 24 – Withdrawal – Cheque 1064 – $434.50
30 Jan 24 – Withdrawal – Cheque 1067 – $1,745.82
6 Feb 24 – Withdrawal – Cheque 1069 – $2,885.70
6 Feb 24 – Withdrawal – Cheque 1070 – $134.03

5 Mar 24 – Withdrawal – Cheque 1072 – $11,488.40 (BGF Electrical) (Attached)

Observation: Cheque #1072 – BGF Electrical / Trust Structure Concerns

Cheque #1072, dated **5 March 2024** and drawn from **Bendigo BSB 633-109** (a Victoria-based Sandhurst Trustees account), was made payable to **BGF Electrical** in the amount of **$11,498.40**. This cheque raises a number of important questions, particularly in relation to the **underlying trust and ABN structures**:

The payee name "BGF Electrical" appears connected to two separate discretionary trusts:

- **The Fuller Family Trust** (ABN 91 527 731 461), GST-registered and based in **QLD 4032 (Attached)**
- **The Failla Family Trust** (ABN 94 824 990 264), **based in Victoria (VIC 3783)**, previously GST-registered until 2012, with a trading name "BGF Pty Ltd" (**Attached**)
- Both ABNs are **active** and historical details suggest a **longstanding overlap in naming and trading activity**, but distinct jurisdictions — one in Queensland, the other in Victoria.
- The **BSB used (633-109)** is managed through Bendigo's Victorian operations, reinforcing the possibility that this payment was processed in or through **Victoria**, possibly under the **Failla Family Trust**, raising concerns about **interstate financial flow** from the SMSF.

Given the obscured nature of the payee name ("BGF Electrical"), the entity structure, and the amount, could you request:

- Any supporting documentation held by Bendigo or the accountant identifying which entity this payment was made to
- Copies of any **trust deeds, trustee identities, or tax treatment records**
- A review of whether the SMSF was permitted to make such a payment and how it was classified (e.g. investment, maintenance, or unrelated business expense)

> ***Note Email to Follow**: **This is one of at least five cheques (including #1063, #1065, #1066, #1068, and #1072)** appear to have been post-dated or paid after the official account closure notice was submitted. Please refer to email sent on **13 February 2025** from Holly listing 3 cheques with irregularities.*

Also, recurring entries labelled "#CHQ:1" and "#CHQ:2" appear, repeating over a 10+ year span. Can they clarify:

- Do these indicate a new cheque book rollover or a side account?
- Are they tied to internal coding or backdated input?

- Do these references appear outside expected date sequences?

CommSec / Commonwealth Securities
Please request all records (including internal codes) for:
- 3 Jun 2009 – Direct Credit – CommSec Commonwealth Sec – $28,830.35
- 6 Apr 2009 – Direct Credit – CommSec Commonwealth Sec – $45,506.28
- 14 Apr 2009 – Direct Debit – CommSec Commonwealth Sec – $42,457.65
- 10 May 2010 – Direct Debit – CommSec Commonwealth Sec – $12,749.40
- 13 Jul 2010 – Direct Debit – CommSec Commonwealth Sec – $12,839.68
- 5 Aug 2022 – Direct Debit – CommSec Commonwealth Securities – $67,816.51

Questions to clarify:
- Were these transactions processed via a CommSec account tied to the Ultra Super Fund?
- Under what name was the CommSec account registered?
- Is there an associated Commonwealth Bank account?
- Do these entries suggest margin loan activity, dividend redirection, or misappropriated fund use?
- Dividend Reference Activity – CHESS/HIN and Reassignments

Please request full dividend payment and CHESS data, especially:
CHESS/HINs:
- S00039348811 (Brambles)
- 001228034896 (ANZ)

Information/ documentation about reference codes:
- Santos Ltd: DIV64/00840975, AUF22/00851916, AUI23/00848778
- ANZ: A074/99996418 (“Replacement”), A075/00527913, A076/00525111

Could they confirm:
- Were any dividends reissued or reversed due to name inconsistencies or reassigned HINs?
- Were any CHESS records linked to false identities or not matched to Rhonda’s legal trustee status?
- Were distributions diverted to CommSec or non-SMSF accounts?

Cheque Activity
Due to concerns over possible fund misuse and lack of dual trustee authorisation, can we please request all cheques from account inception (2002)? Alternatively, we are willing to begin with the last 10 years under the Corporations Act while reserving the right to expand.
Please include:
- Cheque register metadata (date, payee, cheque number, account cleared)
- All cheque books issued, skipped, stopped, or voided
- Front and back images of all cheques

Associated Loans, Custodial Products, and Portfolio Services
- Can they review whether any of the following were opened under Rhonda (legal or false identity), Garth, or the Ultra Super Fund:
- Mortgage accounts or SMSF-related loans
- Margin lending facilities (via Leveraged Equities)
- Portfolio wraps or investment services (via Bendigo Wealth)
- Custodial instructions or fund management accounts (via Sandhurst Trustees)

Can we request the provision of, and of review manual or legacy onboarding documents lodged via:
- The Bendigo & Adelaide Bank Victoria (633 109), Bendigo Bank Ascot (633 000), or Bendiog Bank Toombul (633 104) branches, particularly handwritten forms, trustee amendments, or offline applications.

Cross-reference activity with these SMSF properties:
- Shop 1, 1a, and or shop 2 158 Church Road, Zillmere QLD
- 2 Hinchcliffe Street, Zillmere QLD
- Units 1–6, 364 Zillmere Road, Zillmere QLD
- 89 Wickham Street, Brighton QLD – appears to be body corporate address for 324 Zillmere road, and appears to be owned by CH 003 PTY LTD. (CH 003 PTY LTD bought Garth Osborne and Ann Anthoniz's residential property 169 Roghan Road, and their Neighbors 159 Roghan Road)
- Garths PO Box 321 Taigum 4018

AAI Limited Insurance Refund
A**direct credit from AAI Limited t/as 0959341524** occurred on 11 Mar 20, which falls into FY 2019-2020. AAI Limited (ABN 92 004 791 744) trades as AAMI. So, AAI Limited is the legal entity behind the AAMI brand.
- $3,724.20 direct credit
- Ref: 6001040384
- From: AAI Limited t/as AAMI
- Policy: 0959341524

Regarding the $3,724.20 AAMI refund, Ultra Super Fund account, and the broader insurance policy concerns:

- Could Bendigo confirm whether any internal memo, deposit reference, or system note is associated with the $3,724.20 direct credit received on 11 March 2020 from AAI Limited t/as AAMI (Ref: **6001040384**, Policy No. **0959341524**).
- It remains unclear which account this refund was paid into, who authorised it, or whether Rhonda Ann Knyvett was recorded as co-trustee. AAMI’s response on 9 May 2025 confirms that **at least two policies (CU01 Strata – HSA097537810 and Vero Business – SPX094241211)** were issued over SMSF-held properties, both disclosed by Garth Osborne.
- A third body corporate/ strata is implied by a Bazarnik Plumbing invoice (No. 00002389 – $704) provided by Garth Osborne, **citing Garth**

Osborne Body Corporate Zillmere.

Evidence of Formal Tenancy Lease Agreements (Contradicting "Periodic" Claims)

A **direct credit on 4 March 2010** for **$600.00** referencing **"BOND / RTA Ref 427"**, and a **cheque payment of $1,480.00** (Cheque **#1065**, payable to the **Residential Tenancies Authority**) (**Attached**) both point to the lodgement of **formal rental bonds**, directly contradicting Garth Osborne's claims (as relayed by McInnes Wilson) that all tenancy arrangements were strictly "periodic."

These transactions suggest that **formal lease agreements** did exist at various points across the SMSF-held residential properties. Holly and Riki also recall multiple verbal references by Garth to **QCAT proceedings** involving tenancy disputes — reinforcing the likelihood of written tenancy structures being in place. Additional bond-related transactions may be visible in Suncorp account data and should be reviewed in conjunction with these entries

Strategic Offering - Hall & Wilcox led Teleconference?

CommSec recently offered a verbal call to discuss internal records. As a strategy, would you consider extending a similar opportunity to Bendigo? Perhaps you, McLane, or another Hall & Wilcox representative lead the call, I attend for ID verification, with Holly joins us. Could this uncover disclosures that may not be surface through a formal response, particularly systems, internal flags, or procedural failings. We're open to using it as a strategic access point, if you believe it could help establish patterns of systemic failure or trustee exclusion that strengthen my position. Happy to take your lead on whether this is worth pursuing.

Bendigo's and Sandhurst Trustees' liability exposure - leverage?

Lastly, could you consider Bendigo's and Sandhurst Trustees' liability exposure in light of their continued failure to act, and whether this delay could now be strategically leveraged? The matter was first raised by Holly via email on or around 27 January 2025, followed by me atteing in-person with Riki at the Ascot branch on 7 February 2025, where Peter Townsend confirmed Legal had been flaged by Hollys email complaint. We again raised all of our concerns again directly with Peter, who said words to the effect that he agreed it was concerning, he phoned someone in headoffice, and provided us the Application form for the common funds establishment signed in 2002, and we requested specific cheques. Multiple email follow-ups were sent throughout February, March, and April, with full supporting documentation attached. Yet no case reference (00616232) was issued until **29 April 2025, more than 100 days later**.

In this context, the notion of a **"21-day response window" is clearly inapplicable**. Surely this prolonged delay may amount to procedural failure, systemic neglect, or institutional obstruction and could provide a meaningful basis to compel disclosure or exploring commercial leverage.

Look forward to progressing.

Kind regards
Rhonda, Holly and Riki

From: rhonda knyvett <honda.r@hotmail.com>
Sent: Friday, 9 May 2025 8:59 PM
To: Laura Hanrahan <laura.hanrahan@hallandwilcox.com.au>; Olivia Southall <olivia.southall@hallandwilcox.com.au>; tai.kennedy@hallandwilcox.com.au <tai.kennedy@hallandwilcox.com.au>
Cc: Riki Dahm <rikidahm84@gmail.com>; holly tegan <Hollyteganosborne@hotmail.com>
Subject: Fw: Ultra Super Fund (ABN 41 873 921 089) – Bendigo/Sandhurst Account 118052760 – Case Ref: 00616232

Hi Tai, If Olivia is on leave can you please talk to Laura about the below email and attachment.

Holly and I are going through emails.

Please bring this to Laura's attention **Monday if possible**. If I can, mayI nominate one of my legal team... Laura, Olivia, if not I would nominate Holly. But would be good to get you connected with them.

Please email back to Holly, Riki and me to let me know what Laura thinks.

Holly said we might be able to get statements for the BSB 633109 because the dividends instructed to be paid on the statements that had that name I never had - Rhonda Ann Osborne, or Rhonda Osborne.
Thanks

From: Customer Resolutions – Internal Dispute Resolution (IDR) Mailbox <CustomerFeedbackTeam.Mailbox@bendigoadelaide.com.au>
Sent: Tuesday, 6 May 2025 4:44 PM
To: honda.r@hotmail.com <honda.r@hotmail.com>
Subject: FW: Ultra Super Fund (ABN 41 873 921 089) – Bendigo/Sandhurst Account 118052760 – Case Ref: 00616232

Hi Rhonda,

We have received your complaint, which was raised by email on 29 April 2025.

We'll review your complaint and investigate the issue thoroughly. You'll receive progress updates from us and if more information is needed, we'll be in touch.

We aim to resolve all complaints as soon as possible. There are maximum complaint resolution time frames that are set to resolve complaints, if we can't meet these time frames, we'll explain why to you in writing and give you a date you can expect an outcome from us.

Should you wish to nominate an authorised representative to act on your behalf, please complete the attached form and return to us via reply email.

If you have any questions about the process, or would like to discuss your complaint, please contact us by telephoning 1300 361 911 or by reply email. Our team is available Monday to Friday 8:30am to 5:00pm (AEST).

Kind regards

Bendigo Bank I Customer Resolutions Team
Bendigo and Adelaide Bank I PO Box 480 I Bendigo VIC 3552

Support available when you contact us

If you need support or help, you can ask a family member, friend or a trusted person to contact us.

We need your permission to speak with someone else about your account. You can give permission by phone or in writing.

Do you find it hard to hear or speak on the phone?
If you find it hard to hear or speak on the phone, you can use the National Relay Service (NRS) to get in touch with us.
The NRS website explains how you can register to use this service.
Find out more about how to register for NRS.

Languages other than English
If you would like to speak with us in a language other than English, the Translating and Interpreting Service (TIS National) can help.
TIS National can be contacted on 131 450.

C2 - Internal Use

From: rhonda knyvett <honda.r@hotmail.com>
Sent: Tuesday, 6 May 2025 3:09 PM
To: STL Managed Funds Enquiries Mailbox <STLFundsManagementEnquiriesMailbox@bendigoadelaide.com.au>; Laura Hanrahan <laura.hanrahan@hallandwilcox.com.au>; sandhursttrustees@bendigoadelaide.com.au; STL Managed Funds Enquiries Mailbox <managedfunds@sandhursttrustees.com.au>; smsf@sandhursttrustees.com.au; complaints@sandhursttrustees.com.au; fraud@bendigoadelaide.com.au; Privacy Mailbox <privacy@bendigoadelaide.com.au>; Customer Resolutions – Internal Dispute Resolution (IDR) Mailbox <feedback@bendigoadelaide.com.au>; Peter Townsend <peter.townsend@bendigoadelaide.com.au>; legal@bendigoadelaide.com.au; Bendigo Invest Direct <info@bendigoinvestdirect.com.au>
Cc: rikidahm84@gmail.com; holly tegan <Hollyteganosborne@hotmail.com>; Olivia Southall <olivia.southall@hallandwilcox.com.au>
Subject: Re: Ultra Super Fund (ABN 41 873 921 089) – Bendigo/Sandhurst Account 118052760 – Case Ref: 00616232
Importance: High

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender's full email address and know the content is safe.

Dear Mr Colla,

I again write in my capacity as co-trustee and co-member of the Ultra Super Fund (ABN 41 873 921 089) in relation to the following account:

- Account Title: Ultra Super Fund
- Customer Number: 12732426 / X101
- Account Number: 118052760
- BSBs: 633-000 and 633-109
- Case Reference: 00616232

This matter was first raised in writing in January 2025 and again in person and by correspondence on multiple occasions. I now issue this notice with the support of my validly appointed Enduring Powers of Attorney, who assist with the preparation and review of all communications.

To ensure compliance with regulated trustee obligations and eliminate further procedural obstruction, I now require, by 5:00 pm AEST today, 6 May 2025:

1. The full name, title, department, and direct contact email of the officer(s) responsible for this matter within:
    - Sandhurst Trustees Legal or Compliance;
    - Bendigo Bank Fraud & Risk Division;
    - SMSF Governance.
2. Confirmation of the protocol and contact point for the formal service of legal notices.
   My legal representatives, Hall & Wilcox, have been formally instructed and are copied into this correspondence. They are authorised to liaise directly and without further procedural delay. Please direct all legal engagement to:
    - **@Laura Hanrahan, Special Counsel – laura.hanrahan@hallandwilcox.com.au | +61 7 3237 7830**

I further request by close of business Friday, 9 May 2025:

- Full written disclosure of all account and trustee documentation previously requested;
- Confirmation that all records are preserved, including internal notes, metadata, scanned documents, KYC records, and trustee communications, in accordance with:
    - Superannuation Industry (Supervision) Act 1993 (s. 103);
    - Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (s. 49);

- Common law and fiduciary duties of care and access.

I do not consent to any unsolicited phone contact. I note that a call was placed to me by a Bendigo Bank staff member on Thursday, 2 May 2025, without warning or consent. All future communication must be strictly in writing and directed via the emails listed below. Any attempt to bypass these written protocols will be formally documented as non-compliant.

Should these matters remain unresolved, or should your institution continue to avoid providing clear legal contact information and full disclosure within the timeframes stated above, I reserve the right to refer the matter without further notice to:

- Australian Securities and Investments Commission
- Australian Prudential Regulation Authority
- Australian Financial Complaints Authority
- Office of the Australian Information Commissioner

All correspondence is issued in good faith and supported by the undersigned and my valid Enduring Powers of Attorney. No legal rights are waived.

Yours faithfully,
Rhonda Ann Knyvett
Co-Trustee – Ultra Super Fund (ABN 41 873 921 089)
Email: honda.r@hotmail.com

Enduring Powers of Attorney (Authorised and Assisting):
Holly Dahm – hollyteganosborne@hotmail.com
Riki Dahm – rikidahm84@gmail.com

Legal Representation – Hall & Wilcox:
Laura Hanrahan, Special Counsel - laura.hanrahan@hallandwilcox.com.au | +61 7 3237 7830
Olivia Southall, Associate - olivia.southall@hallandwilcox.com.au

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From: STL Managed Funds Enquiries Mailbox <STLFundsManagementEnquiriesMailbox@bendigoadelaide.com.au>
Sent: Tuesday, 6 May 2025 12:01 PM
To: rhonda knyvett <honda.r@hotmail.com>
Subject: RE: Ultra Super Fund (ABN 41 873 921 089) – Bendigo/Sandhurst Account 118052760 – Case Ref: 00616232

Hello Rhonda

Thank you for your email.

As per your discussion with one of our staff last Thursday there will be a delay in providing the information you have requested. This is due to the significant amount of information requested and number of areas of the bank that will be required to assist with this. We are also still working through the multiple emails that have been sent to us as well as talking to the branch which you attended.

We are unable to email any information through to your lawyers at this time as we have not received the required request from them in writing to do so.

Please know that we are looking into this as a matter of urgency and will be in touch with an update as soon as possible.

Regards

Michael Colla
Team Manager - STL Custody and Registry

Sandhurst Trustees Limited
Level 5 120 Harbour Esplanade Docklands VIC 3008

C2 - Internal Use

From: rhonda knyvett <honda.r@hotmail.com>
Sent: Monday, 5 May 2025 10:55 PM
To: service@bendigobank.com.au; fraud@bendigoadelaide.com.au; Privacy Mailbox <privacy@bendigoadelaide.com.au>; Customer Resolutions – Internal Dispute Resolution (IDR) Mailbox <feedback@bendigoadelaide.com.au>; identitysupport@bendigoadelaide.com.au; Peter Townsend <peter.townsend@bendigoadelaide.com.au>; legal@bendigoadelaide.com.au; requests@bendigoadelaide.com.au; info@bendigoinvestdirect.com.au; service@bendigobank.com.au; sandhursttrustees@bendigoadelaide.com.au; STL Managed Funds Enquiries Mailbox <managedfunds@sandhursttrustees.com.au>; fraud@bendigoadelaide.com.au; identitysupport@bendigoadelaide.com.au; legal@bendigoadelaide.com.au; Privacy Mailbox <privacy@bendigoadelaide.com.au>; Customer Resolutions – Internal Dispute Resolution (IDR) Mailbox <feedback@bendigoadelaide.com.au>; requests@bendigoadelaide.com.au; info@bendigoinvestdirect.com.au
Cc: Laura Hanrahan <laura.hanrahan@hallandwilcox.com.au>; Olivia Southall <olivia.southall@hallandwilcox.com.au>; rikidahm84@gmail.com; holly tegan <Hollyteganosborne@hotmail.com>
Subject: Re: Ultra Super Fund (ABN 41 873 921 089) – Bendigo/Sandhurst Account 118052760 – Case Ref: 00616232
Importance: High

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender's full email address and know the content is safe.

Dear Bendigo Bank and Sandhurst Trustees Compliance, Risk, Legal and Fraud Divisions,

I write again in my capacity as co-trustee and co-member of the Ultra Super Fund (ABN 41 873 921 089), in relation to the above-referenced account:

Account Title: Ultra Super Fund

Customer Number: 12732426 / X101
Account Number: 118052760
BSBs: 633-000 and 633-109
Bendigo Reference: Case Ref 00616232

This correspondence follows multiple formal written requests issued in January, April and May 2025, including documents provided by myself and my appointed Enduring Powers of Attorney (EPOAs), Ms Holly Dahm and Mr Riki Dahm. These requests remain unaddressed in substance. The only reply received to date is a generic email from info@bendigoinvestdirect.com.au on 29 April 2025, providing a reference number without meaningful engagement or acknowledgement of the legal, fiduciary and regulatory concerns raised.

Vulnerability and Trustee Exclusion

I am a 69-year-old woman with no financial or legal training and limited digital literacy. For over two decades I was misled regarding this account, my superannuation, and by role as a trustee for a self-managed super fund (SMSF). I have been excluded from all decisions, never given access to documentation by Mr Garth Wilfred Osborne about my status as a trustee for Ultra Superfund, and my member entitlements.

I am being actively supported by both my EPOAs, and **legal representatives Hall & Wilcox**. They are acting under valid, registered legal instruments. Any attempt to bypass them is inconsistent with the Banking Code of Practice, especially as it applies to vulnerable persons, joint account holders, and trustees.

Grave Governance Concerns

As a regulated SMSF account, this account was subject to legal requirements under the S*uperannuation Industry (Supervision) Act 1993, Corporations Act 2001, and Anti-Money Laundering* a*nd Counter-Terrorism Financing Act 2006*. Despite this, it appears:

- Dual trustee protocols were never implemented
- Sole control was exercised by Mr Garth Osborne, including exclusive and extensive use of cheques (approx. - 2000), transfers, and fund depletions occurred without my consent
- Dividends were recorded under a false identity – "Rhonda Ann Osborne", a name I have never used or authorised.

You were made formally aware of my concerns in mid-January 2025 when Ms Holly Dahm wrote on my behalf, attaching legal documents and requesting immediate action. I also attended the bank in person on several occasions with my EPOA Mr Dahm, in which I raised concerns directly with Mr Pete Townsend of your Ascot Branch, who confirmed the matter was referred to your Legal Division. Since that time, no action has been taken.

This Fund has been administered by:

- Mr David Wrangell – Accountant (Pine Rivers Consulting / David J. Wrangell & Co, Tax Agent No. 60635000);
- Mr Laurence Carwardine – Auditor (Carwardine & Associates / AuditBox Pty Ltd, ASIC Reg. No. 100093267).

I have serious concerns that documents or instructions submitted to your institution by these individuals without my knowledge or consent may have enabled or concealed the long-term exclusion of a co-trustee. These concerns are now under legal review.

Improper Phone Contact and Admissions

On 1 May 2025, I received a phone call to my personal mobile from (03) 5485 6224 in breach of my repeated directive for email-only communication. I stated during that call that:

- I had requested that all communication be in writing, and I did not consent to this phone call. My EPOA attended the call with me to advocate on my behalf this stance.
- I had raised serious issues about the account, and financial activity
- That I had been excluded by Mr Osborne
- Identity misuse has occurred in dividend and account-related records.

The bank representative acknowledged the matter is "complex," involving "multiple teams," and stated that some materials may not be provided "without legal intervention." They committed to sending a written follow-up with timeframes and next steps. No such response has been received.

Immediate Action and Document Demand

Under the *Privacy Act 1988, SIS Act and Banking Code of Practice,* I am entitled to obtain and review all documentation held in my legal name or connected to the Fund. This includes any documents submitted under the false name "Rhonda Ann Osborne."

I now issue a further request for written disclosure by 5:00pm AEST, Friday 9 May 2025, including:

1. Confirmation that all future communication will be via email to myself and my EPOAs
2. All documents and internal records including but not limited to:

   (a) Account Authority and Identity Records

   - Original account application and signatory forms (both BSBs)
   - All AML/KYC documents
   - EPOA lodgements, trustee instruction letters, and any superseded authorities.

(b) Transaction Records

- Complete itemised history of both accounts (BSB 633-000 and 633-109)
- All cheque images, internal transfers, debit card records
- Routing instructions, linked accounts, internal notes.

(c) Correspondence and System Notes

- Copies of all letters, emails, branch notes, and memos referencing:
  - Myself (Rhonda Ann Knyvett)
  - Garth Wilfred Osborne
  - My EPOAs (Holly and Riki Dahm)
  - The false name "Rhonda Ann Osborne."

(d) Compliance and Internal Reviews

- Records of any compliance concerns, internal flags, identity irregularities
- Notes referencing trustee disputes, escalation actions or breach reports
- **Details of any review undertaken since January 2025**

Escalation and Legal Reservation

This matter is now part of a legal investigation and potential litigation. I formally place you on notice that all records, including electronic metadata, access logs, scanned documents and system activity, must be preserved without deletion.

Should you fail to meet the disclosure deadline or fail to **assign a senior officer,** I reserve my full legal rights to escalate this matter immediately to:

- Australian Securities and Investments Commission
- Australian Prudential Regulation Authority
- Australian Financial Complaints Authority
- Office of the Australian Information Commissioner
- Media outlets or Members of Parliament, given the public interest in SMSF trustee protections.

Contact Requirement

Please confirm by return email:

- **The name, title, and direct email of the officer assigned from your legal, compliance, fraud or trustee governance teams;**
- **The specific Bendigo reference number now applied to this complaint (not just the automated case #00616232).**

I trust you will treat this matter with the urgency it deserves.

Regards

Rhonda Ann Knyvett
Co-Trustee – Ultra Super Fund (ABN 41 873 921 089)
Email: honda.r@hotmail.com

Enduring Powers of Attorney (Authorised and Assisting):
Holly Dahm – hollyteganosborne@hotmail.com
Riki Dahm – rikidahm84@gmail.com

Legal Representation – Hall & Wilcox:
Laura Hanrahan – laura.hanrahan@hallandwilcox.com.au
Olivia Southall – olivia.southall@hallandwilcox.com.au

From: Bendigo Invest Direct <info@bendigoinvestdirect.com.au>
Sent: Tuesday, 29 April 2025 1:21 PM
To: honda.r@hotmail.com <honda.r@hotmail.com>
Subject: Your case has been created. Case Ref: 00616232

Thanks for getting in touch.

We have received your request and will respond as soon as possible.

Your enquiry reference number is 00616232.

For any further correspondence regarding this enquiry, please quote the above reference number or reply to this email.

If your matter is urgent please call or chat with our team.

From: rhonda knyvett <honda.r@hotmail.com>
Sent: Tuesday, 29 April 2025 1:09 PM
To: service@bendigobank.com.au <service@bendigobank.com.au>; fraud@bendigoadelaide.com.au <fraud@bendigoadelaide.com.au>; privacy@bendigoadelaide.com.au <privacy@bendigoadelaide.com.au>; feedback@bendigoadelaide.com.au <feedback@bendigoadelaide.com.au>; identitysupport@bendigoadelaide.com.au <identitysupport@bendigoadelaide.com.au>; peter.townsend@bendigoadelaide.com.au <peter.townsend@bendigoadelaide.com.au>; legal@bendigoadelaide.com.au <legal@bendigoadelaide.com.au>; requests@bendigoadelaide.com.au <requests@bendigoadelaide.com.au>; info@bendigoinvestdirect.com.au <info@bendigoinvestdirect.com.au>
Cc: Laura Hanrahan <laura.hanrahan@hallandwilcox.com.au>; Olivia Southall <olivia.southall@hallandwilcox.com.au>; rikidahm84@gmail.com <rikidahm84@gmail.com>; holly tegan <Hollyteganosborne@hotmail.com>
Subject: Request for Full Disclosure, Identity Correction & Implementation of Trustee Instructions – Ultra Super Fund (ABN 41 873 921 089)

To:

Bendigo Bank, Bendigo & Adelaide Bank, Sandhurst Trustees Limited

Attn: SMSF Services / Fraud & Compliance Team

I write in my capacity as co-trustee and member of the Ultra Super Fund ABN 41 873 921 089 concerning the following accounts:

- Account Title: Ultra Super Fund
  Customer Number: 12732426 / X101
  BSBs: 633-000 and 633-109
  Account Number: 118052760
  Previous Addresses: Shop 2, 158 Church Road, Zillmere QLD 4034 / 169 Roghan Road, Taigum QLD 4018
  Current Address: PO Box 321, Taigum QLD 4018

This correspondence follows multiple formal requests for disclosure, including emails sent to managedfunds@sandhursttrustees.com.au, and in-person discussions with Mr Pete Townsend, Personal Banker at Bendigo Bank, Ascot Branch (January 2025, attended by myself and my Enduring Power of Attorney, Ms Riki Dahm), during which serious concerns were formally raised and remain unanswered. This ongoing failure to disclose the requested information and to address the serious fiduciary concerns I have raised, both in writing and in person, regarding Mr Garth Wilfred Osborne's conduct as co-trustee, including suspected round-tripping, tax evasion, and breaches of trustee obligations, is unacceptable and raises serious concerns of regulatory non-compliance.

Further compounding these failures, there appears to have been a complete lack of appropriate protections and oversight applied to the bank accounts linked to the Ultra Super Fund (ABN 41 873 921 089), despite their nature as SMSF trust accounts requiring strict fiduciary safeguards. The failure to properly manage, monitor, and protect these accounts not only exposes the Fund and its members to significant risk but also highlights systemic breaches of duty and potential breaches of applicable regulatory standards.

Attachments
*Please find **Part 1** of the documents attached, **Part 2** will follow in a separate email due to file size limitations.*

I reaffirm that I am the lawful co-trustee of the Ultra Super Fund and have provided the following:

- 2007 Ultra Super Fund certified deed confirming trustee status, naming Rhonda Ann Knyvett as co-trustee along side Garth Osborne (Garth Wilfred Osborne)
- 2023 Actuarial Certificate, confirming member interest and trustee status
- Santos, Brambles, and ANZ Final dividends listing a false identity ''Rhonda Ann Osborne'' connected to the Fund and account
- Ultra Super Fund ATO Lodgement & Declaration - Garth Osborne
- Rhonda Ann Knyvett Enduring Powers of Attorney (EPOA) 13.03.2025, Hall & Wilcox

As such, I **again** formally request Bendigo Bank, Bendigo & Adelaide Bank, Sandhurst Trustees' to provide:

Account Establishment & Authority Documentation
Full copies of:
- Account application forms (including account opening documents for BSB 633-000 and 633-109).
- Know Your Customer (KYC) documentation (e.g., ID verifications, trustee identification, source of funds declarations).
- Declarations signed at account opening (AML/CTF compliance forms, trustee declarations, customer agreements).
- Letters of Engagement or Terms and Conditions with Sandhurst Trustees/Bendigo Bank.

Authority & Signatory Changes
Full history of:
- All authorised signatory records from account opening to closure.
- Any authority change forms (addition/removal of signatories, EPOA lodgements, trustee instruction letters).
- Power of Attorney lodgements and subsequent revocations or amendments.
- Trustee appointment, resignation, suspension, or authority limitation documents.

Fund Deeds & Related Superannuation Documents
Copies of
- Fund Deeds, including Amended Deed, Deeds of Variation, and Supplemental Deeds.
- EPOA on file (past and present, even if superseded).
- Binding Death Benefit Nominations and related beneficiary nomination records.
- Trustee resolutions adopting or approving changes to trust terms or bank authorities.

Transaction & Account Activity Records
Full transaction histories:
- For BSB 633-000 (general account) and BSB 633-109 (cheque facility account) from account opening to closure.
- Including all debits, credits, internal transfers, interest payments, fee charges.
  Full copies of:

- All cheques issued (scanned images front and back).
- Cheque books issued (record of issuance and usage).
- Debit cards issued (including cardholder names, issuance requests, and usage records).
- Internal bank records:
- Internal transfer instructions and routing related to CommSec, NAB, or other external financial institutions.
- System notes attached to transactions or account maintenance.
- Access logs showing who accessed or amended the account (especially after trustee disputes arose).
- Internal compliance flags, alerts, or investigations on the account.
- Internal communications or reports referencing the accounts.

Correspondence & Instructions
Copies of all:
- Trustee instructions provided to the Bank/Sandhurst Trustees from either trustee.
- Communications (letters, emails, call logs, branch notes) between Sandhurst Trustees/Bendigo and:
    - Rhonda Ann Knyvett
    - Garth Wilfred Osborne
- Any attorney acting under EPOA, BDBN, and or Will's on file.
- Notes or memoranda created during any interaction with trustees or attorneys.

Records Referencing Incorrect Identity
All documents, internal memos, or account records created under the incorrect or falsified name "Rhonda Ann Osborne", including but not limited to:
Bank statements.
- Shareholding registration documents (if connected to account).
- Identity verification failures or overrides.
- Notices or filings lodged with third-party providers (e.g., CommSec, Boardroom Pty Ltd).

Regulatory & Compliance Records
Any:
- AML/CTF suspicious activity reports (SARs) or equivalent internal flags relating to trustee transactions.
- Breach reports internally lodged regarding fund management.
- Compliance review memos or audits touching on the SMSF accounts.
- Risk assessments performed due to trustee disputes or account irregularities.

Contractual & Relationship Management Documents
Full copies of:
- All letters of engagement between the Ultra Super Fund and Sandhurst Trustees/Bendigo.
- Trustee Services Agreements.
- Financial Services Guide versions provided.
- Product Disclosure Statements relevant to SMSF products, if issued.
- Any correspondence about changes to Sandhurst Trustees' or Bendigo's role in the Ultra Super Fund administration.

Full Disclosure of all records is required by 5:00pm AEST, Friday, 2 May 2025
You are formally notified that all records relating to the Ultra Super Fund ABN 41 873 921 089, Account 118052760 (BSBs 633-000 and 633-109), records for Rhonda Ann Knyvett and/or "Rhonda Ann Osborne", Related dividend receipts, transfers, trustee actions, internal notes, audit trails, must be immediately preserved in full, including any archived, superseded, or deleted materials, pending regulatory investigation or future proceedings.

Immediate Escalation
Given the serious concerns I have raised, I formally request immediate escalation of this matter to the Bendigo Legal, Fraud and Compliance Division. Please provide the name and title of the officer assigned, the internal file reference number, and confirmation that all relevant records have been preserved.

Accordingly, I reserve all rights to escalate these matters to the Australian Prudential Regulation Authority, the Australian Securities and Investments Commission, and the Australian Financial Complaints Authority without further notice.

Future communications
All further communications must be sent directly to:
- Laura Hanrahan | Special Counsel – Hall & Wilcox
  E: laura.hanrahan@hallandwilcox.com.au | T: +61 7 3237 7830

- Olivia Southall | Associate – Hall & Wilcox
  E: olivia.southall@hallandwilcox.com.au | T: +61 2 8267 1576

Also copy in:
- Myself, via honda.r@hotmail.com | 0413 688 334
- Holly Dahm (EPOA) – hollyteganosborne@hotmail.com | 0401 219 842
- Riki Dahm (EPOA) – rikidahm84@gmail.com | 0424 161 433

I trust Bendigo Bank, Bendigo & Adelaide Bank will now respond with the seriousness and urgency the situation demands.

Yours faithfully,

Rhonda

Co-Trustee
Ultra Super Fund
ABN 41 873 921 089

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This communication is intended only for use of the addressee and may contain legally privileged and confidential information.
If you are not the addressee or intended recipient, you are notified that any dissemination, copying or use of any of the information is unauthorised.

The legal privilege and confidentiality attached to this e-mail is not waived, lost or destroyed by reason of a mistaken delivery to you.
If you have received this message in error, we would appreciate an immediate notification via e-mail to ContactUs@bendigoadelaide.com.au or by phoning 1300 BENDIGO (1300 236 344), and ask that the e-mail be permanently deleted from your system.

Bendigo and Adelaide Bank Limited ABN 11 068 049 178

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If you have received this message in error, we would appreciate an immediate notification via e-mail to ContactUs@bendigoadelaide.com.au or by phoning 1300 BENDIGO (1300 236 344), and ask that the e-mail be permanently deleted from your system.

Bendigo and Adelaide Bank Limited ABN 11 068 049 178

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Subject: Fwd: CommSec account access [HW-ACTIVE.FID5061375]
Date: Monday, 9 June 2025 at 12:30:33 AM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: honda.r@hotmail.com <honda.r@hotmail.com>, Riki Dahm <rikidahm84@gmail.com>
Category: H & W
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Dear McLane,

Following my email to Laura, I'd like to meet briefly tomorrow to confirm litigation carriage, enforcement strategy, and immediate next steps.

This is no longer an SMSF dispute, it is a live regulatory breach involving systemic misconduct, preserved evidence, and high-value institutional exposure. At its core is a falsified CHESS identity, confirmed CBA admissions, trustee exclusion, and coordinated misconduct across CommSec, Sandhurst Trustees, Suncorp, Boardroom Pty Ltd, and others.

The matter closely parallels ASIC v CommSec [2022], AUSTRAC v Westpac [2020], and ASIC v RI Advice [2022], but the evidentiary base here is broader, longer-standing, and independently verifiable.

With the Queensland Supreme Court application imminent and the prospect of a public ruling, institutions of this scale, particularly CBA and CommSec, will be highly motivated to control the narrative and mitigate exposure.

I intend to leverage both the trustee removal application and a coordinated enforcement strategy, executed in tandem to reinforce the evidentiary position and maximise institutional pressure, financial recovery, and regulatory accountability.

I'd like to discuss:

- Your direct oversight (or nominated alternate) for the Supreme Court strategy
- Engaging Julian Hammond team to leverage liability to maximise settlement pressure.

I look forward to discussing next steps.

Kind regards,

Holly

From: Holly Osborne <hollyteganosborne@hotmail.com>
Date: 7 June 2025 at 10:20:20 pm AEST
To: Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Cc: Riki Dahm <rikidahm84@gmail.com>, honda.r@hotmail.com, McLane Edinger <mclane.edinger@hallandwilcox.com.au>, Olivia Southall <Olivia.Southall@hallandwilcox.com.au>
Subject: Re: CommSec account access [HW-ACTIVE.FID5061375]

Dear Laura,

Thank you again for your continued support and for your communications with Claire Morgan at CBA regarding the CommSec/CHESS identity breach.

1. Decline In-Branch Verification

Please formally decline the request for Rhonda to attend a CBA branch.

As her legal representatives, you are authorised to verify her identity via a Hall & Wilcox-prepared Identity Verification Pack, compliant with the AML/CTF Act 2006 (Cth) and associated Rules. This should be sufficient to obtain access to CommSec account records, CHESS-linked statements, and related documentation.

This verification must not result in any alteration of the KYC or CHESS profile.

2. Preserve KYC and CHESS Records

No changes are to be made to the KYC profile or CHESS identity, including the false name "Rhonda Ann Osborne" on HIN X0032114415.

Rhonda does not consent to any correction. All records, including metadata, logs, and onboarding history, must be preserved in their current form to:

- Maintain evidentiary metadata
- Prevent the breach from being reframed as client error
- Preserve enforcement leverage under applicable legislation
- Support Supreme Court proceedings and regulatory action.

3. Issue Preservation Notice and Request Disclosure

Please issue a formal notice to CBA and CommSec confirming that no changes will be made to:

- HIN X0032114415 identity records
- KYC/client files
- Metadata, access logs, and onboarding records, without express legal instruction

Request full disclosure of:

- All original and inherited onboarding documentation (or confirmation of absence)
- Internal communications regarding identity handling, CHESS sponsorship, correction attempts, or trustee designation
- System access logs, audit trails, and change history
- All correspondence involving Claire Morgan and CommSec staff.

Any additional records or materials held under or associated with HIN X0032114415, including:

- Linked issuer-sponsored holdings
- Trading instructions or authorisations
- Account mandate records
- Historical trade data, CHESS holding statements, and participant messages
- Beneficial ownership disclosures and reporting history
- A complete transaction history for the CommSec account and HIN from 4 April 2025 (the date of Rhonda's formal notification) to the present, including all activity

prior to the confirmed suspension on 6 June 2025.

4. Immediate Escalation – CBA/CommSec Breach to Enforcement Litigation Team

This is a live and verifiable breach of CHESS-regulated infrastructure involving structural identity falsification, trustee exclusion, and cross-institutional misconduct. The matter shares key features with past enforcement actions, including ASIC v CommSec [2022] (systemic KYC failures and governance breaches), AUSTRAC v Westpac [2020] (failure to detect and report structural identity anomalies and transaction layering), and ASIC v RI Advice Group [2022] (failure to maintain adequate controls over sensitive customer data and systems infrastructure). In each case, liability arose from prolonged inaction, poor internal oversight, and the preservation of flawed metadata environments, precisely what has occurred here.

Please escalate this matter immediately for review by your enforcement litigation team. I request a meeting with Julian Hammond or another partner with experience in CHESS-related enforcement, systemic breach litigation, and financial infrastructure liability

Warm regards,

Holly

On 6 Jun 2025, at 4:27 pm, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au> wrote:

Hi Rhonda,

Further to my telephone call with Claire Morgan yesterday she has now confirmed the following:

1. The SMSF trading account has now been suspended;
2. You need to take drivers licence or passport and medicare card with you to a CBA branch. Inform the CBA staff you need to be identified for a CommSec trading account. There are notes on Rhonda's CommSec profile which the staff member will be able to read.
3. Once you have been identified the CBA staff can provide you with access to the CommSec trading account, assist you to correct your name and provide you with statements.
4. A specialised team member will be assigned to manager you case and will reach out to you and Garth regarding next steps for the trading account.

There is a CBA branch in the foyer of our building in the city on the cnr of Edward and Queen Street, if you wanted to come into the city I would be happy to attend the CBA branch with you to assist in getting you identified and gaining access to the CommSec account. Otherwise you should be able to attend any CBA branch.

McInnes Wilson have been in touch with us again requesting your consent to pay the outstanding invoices and instruct David Wrangell to complete the 2024 financial statements. We have told them due to Garth and David's refusal to provide disclosure of fund information to us we have been forced to make our own enquiries with the various account holders and this process will take time. I advised them once we have all the relevant information we'll respond to them.

Regards

Laura Hanrahan | Special Counsel

T +61 7 3237 7830 | F +61 7 3231 7799 | M +61 408 400 941
Laura.Hanrahan@hallandwilcox.com.au | Professional Profile

My working days are Monday, Tuesday, Wednesday, Thursday

Keep up to date and view our Latest Thinking.
Hall & Wilcox acknowledges the Traditional Custodians of the land, sea and waters on which we work, live and engage. We pay our respects to Elders past, present and future.
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Subject: Deliberate System Design-Money laundering, asset stripping and concealment through SMSF structure
Date: Thursday, 15 May 2025 at 9:57:49 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Olivia Southall <olivia.southall@hallandwilcox.com.au>, McLane Edinger <mclane.edinger@hallandwilcox.com.au>, Laura Hanrahan <laura.hanrahan@hallandwilcox.com.au>
CC: rhonda knyvett <honda.r@hotmail.com>, Riki Dahm <rikidahm84@gmail.com>
Priority: High
Category: H & W
Attachments: Bendigo SandhurstTrustee Cheque No 1063 - 5 pages.pdf, Bendigo SandhurstTrustee Cheque No 1065 - Queensland Revenue Office .pdf, Bendigo SandhurstTrustee Cheque No 1066 - Residential Tenancies Authority .pdf, Bendigo SandhurstTrustee Cheque No 1068 - 5 pages.pdf, Bendigo SandhurstTrustee Cheque No 1072 - BGF Electrical .pdf, SUNCORP 3 April 2008 External Transfer Staff Assisted BENDIGO BSB 633-106 118052760 - $4,300.00.pdf, SUNCORP 1 May 2008 External Transfer Staff Assisted to BENDIGO BSB 633-109 118052760 -$3,000.00.pdf, BENDIGO 633 000 - March June 2008 - refer to 3 April 2008 & 1 May 2008.pdf

Hello Laura and Olivia,

Please find below critical information about the Ultra Super Fund's structure and financial activity, supported by attached evidence, specifically; Suncorp Bank and Bendigo Bank bank statements, copies five (5) physical cheques, including the transaction information for cheque no. 1063 and 1068. This material demonstrates how Garth constructed a layered internal banking mechanism within the Ultra Super Fund that enabled off-ledger cash withdrawals, asset stripping, money laundering, manipulation, and the concealment from Rhonda as co-trustee, and the Australian Tax Office for over 22 years.

What you are looking at is not a case of recordkeeping failure. It is a purpose-built laundering structure, embedded within a private self-managed superannuation fund. Garth leveraged parallel routing BSBs, staff-assisted routing, and Bendigo/SandhurstTrustee's internal system masking with apparent silence or complicity from both David Wrangell (accountant) and Laurie Carwardine (auditor). This structure, evidenced by cheque stamps (no. 1063 &1068), Suncorp and Bendigo bank statements, and same-day “Direct Credits” that defy interbank settlement timeframes, proves that what was happening inside the fund cannot be explained by administrative oversight.

We **urge** you to treat the Suncorp and Bendigo bank account statements (633-000), cheques, and transaction data, including the internal routing metadata evidenced on the cheques as the primary source of truth. They expose the parts of the ""system'" that Garth and others intended to remain hidden.

Deliberate System Design

On **3 April 2008**, a transaction for $4,300 was recorded as a “**Direct Credit**” into **Bendigo BSB 633-000** (public facing) / Account 118052760, using the payer reference “GARTH ULTRASUPERFU”. On its face, this label suggested a legitimate third-party contribution into the Ultra Super Fund. However, the corresponding Suncorp Bank transaction (BSB 484-799 / Account 001422502) shows that the same amount was processed on **3 April 2008** (**the same day)** as an “External Staff Assisted Transfer” from the Suncorp Virginia Branch to **Bendigo BSB 633-106** / Account 118052760.

This same-day crediting raises a fundamental red flag. In 2008, interbank transfers between institutions like Suncorp and Bendigo, processed via the BECS system, required 2–3 business days for settlement. Yet this transaction appeared immediately in the Bendigo 633-000 ledger. Moreover, Bendigo categorised it as a “Direct Credit”, a classification typically reserved for internal ledger transfers within the same banking institution, not for externally sourced funds. This timing anomaly and misclassification strongly suggest that the transaction was never processed externally at all.

The only plausible explanation is that the $4,300 did not transit through the external BECS settlement system, but was instead routed internally through Bendigo’s layered internal routing structures, specifically via **BSB 633-106**, a non-public conduit used for internal transfers invisible to the end account holder. These routing structures shared the same account number (118052760) as the public-facing BSB 633-000 account, but were maintained on separate, internal ledgers. This allowed Garth and Bendigo to simulate the appearance of third-party income while controlling the actual source and flow of funds. The payer reference “GARTH ULTRASUPERFU” was deliberately inserted to reinforce the illusion of external legitimacy.

A nearly identical mechanism was deployed on 1 May 2008, when Suncorp again executed a Staff Assisted Transfer this time for $3,000to Bendigo **BSB 633-109** / Account 118052760. Within 24 hours, by 2 May 2008, the funds appeared in the Bendigo 633-000 account as a “**Direct Credit**” bearing the reference “**ULTRASUPERFU**”. Once again, this contradicted expected interbank settlement timeframes and confirmed that **BSB 633-109** functioned in the same way as 633-106, as a concealed internal routing structure used to misrepresent internal movements as incoming third-party transfers.

The**1 May 2008** transaction is the first of **465 recorded deposits transferred to BSB 633-109**, a hidden internal or "shadow" ledger that operated behind the scenes of the primary Bendigo account. The repeated use of these concealed BSB routing structures 633-106, 633-109, and ultimately 633-000 enabled the construction of a circular fund flow. It created the illusion of independent contributions while internally diverting and recycling SMSF assets, with no genuine third-party interaction.

The Bendigo 633-000 account, presented as the public-facing account for the Ultra Super Fund, was consistently fed by these orchestrated internal 'Direct Credit' transfers. Payer references such as “GARTH ULTRASUPERFU” or simply “ULTRASUPERFU” were used to lend an air of authenticity to the deposits. However, without parallel access to both Suncorp and Bendigo statements, these internalised schemes would have remained undetected. The illusion of arms-length, external transactions was deliberately manufactured and sustained over time.

By the time the Bendigo 633-000 was closed on 20 March 2024, only $11,809.01 remained. A final EFT transfer returned the remaining funds to the Suncorp account (BSB 484-799 / Account 001422502), effectively completing the illusion of external fund movement, when in reality, it was the conclusion of a long-running closed-loop system designed to conceal the internal recycling and depletion of the fund's assets. As today 15 May 2025, Suncorp’s current balance is approximately $41,000, a staggering figure considering the volume of funds that have passed through both the official Suncorp and Bendigo accounts.

These mechanics engineered through internal ledger structures, false transaction labels, deliberate misuse of internal routing structural pathways, and misleading payer references enabled the long-term depletion of fund assets while preserving the illusion of third-party legitimacy. This was a deliberately engineered system designed to exclude Rhonda as trustee while preserving the appearance of compliance and legitimacy. Through the coordinated misuse of banking infrastructure, hidden BSB routing structures, staff-assisted transactions, and the manipulation of Rhonda’s name and legal authority, Garth constructed a layered and concealed banking architecture that operated undetected for over two decades.

Money laundering, asset stripping and concealment through SMSF structure
Transactions were deliberately disguised as external contributions using “Staff Assisted” and “Direct Credit” labels, creating the illusion of third-party fund injections when the movements were, in fact, internally executed within Bendigo Bank and Sandhurst Trustees’ own systems. Funds were transferred between the public-facing BSB 633-000 and shadow BSBs 633-109 and 633-106, all using the same account number (118052760) but operating across distinct internal ledgers with separate permissions, controls, and audit trails.

Cheque books were issued from BSB 633-109 (e.g. Cheques 1063, 1065, 1066, 1068, 1072) and physically stamped with BSB 633-106, confirming internal clearing via concealed routing structures. Cheques 1063 and 1068, and potentially thousands more, were made out “To Cash” and cashed at Ascot Plaza,

deliberately stripping them of traceability and accountability. Although the primary Bendigo account 633-000 was closed on 20 March 2024, **there is no evidence that 633-109 and 633-106 are also closed**. They remain structurally capable of issuing cheques, receiving dividends, and silently routing funds, operating behind the visible ledger while remaining legally tied to the Ultra Super Fund.

This configuration allowed Garth to construct the appearance of independent third-party funding, while in reality keeping control entirely within accounts to which Rhonda had no access. The implications are serious and structural. These transactions demonstrate that this was not a case of oversight or mismanagement, it was a deliberate framework designed to conceal account control, obscure transaction origin, and exclude one trustee from both the operational and reporting layers of the fund. And most importantly, all of this occurred while Rhonda remained a named trustee on paper, but was systematically excluded from the actual movement of funds, from 2002 to the present.

Dual-Clearing Cheques Expose Concealed BSB Layers and Ledger Manipulation
The cheques linked to BSB 633-109, particularly Cheques 1063 and 1068, reveal a hidden banking structure not visible in the official statements for the Ultra Super Fund's public-facing account (BSB 633-000). Both cheques were physically issued from BSB 633-109, a BSB for which no statements have ever been provided to date. They were stamped during processing with BSB 633-106, then posted in the February 2024 statement for 633-000. This origin routing display pattern issued from 633-109, cleared through 633-106, and displayed on 633-000 statement confirms a concealed, multi-layered ledger structure operating beneath a unified account number (118052760), but functioning as **three separate systems.** These are not sub-accounts. BSBs 633-000, 633-109, and 633-106 function as distinct internal routing structures within Bendigo Bank, each maintaining its own permissions, processing protocols, and audit trails. This allowed Garth to issue cheques from a shadow ledger 633-109, have them internally cleared via 633-106, and misrepresent them on statements from 633-000.

Cheque 1068, dated 2 February 2024 and drawn from BSB 633-109, was a handwritten "Pay Cash" cheque for $631.20, signed by Garth. Despite originating from a concealed ledger, it appeared on the 633-000 statement as a standard entry. Processing metadata shows the cheque was first keyed at 13:54:17, corrected at 13:57:04, and finalised at 13:57:59revealing real-time manual intervention. In typical banking systems, corrections occur hours or days later, not within three minutes. The cheque carried the false notation that proceeds would be "available 7 February 2024"despite cash having been handed over the same day.

Cheque 1063 followed the same pattern. Also dated 2 February 2024, drawn from BSB 633-109, and marked "Pay Cash" for $160.00, it was stamped with BSB 633-106 and cashed at Ascot Plaza. The timestamps13:54:48, 13:56:33, 13:59:37, again show a manual correction loop. But on the 633-000 statement, Cheque 1068 is listed before Cheque 1063, reversing their actual issue and processing order. This sequencing inconsistency implies the statement was either generated from multiple BSBs out of order or manually rearranged, likely to preserve the appearance of normal chronological activity in the visible ledger.

On the back of both cheques, Garth handwrote the same pseudo-ID: "**0**23598621"or "**6**23598621" (unclear) QLD Gov exp or QLD government 10/01/26." . Garth's handwritten reference includes wording "QLD Government" with an exp and a date matching Garth's 70th birthday 10/01/26, likely intended to create the appearance of legitimacy. Also, the fact an identical number appears on multiple cheques in Garth's handwriting strongly suggests it was used as an internal override reference (used for the correction), designed to bypass dual-signature requirements and convince staff of sole authority. I understand that this is a classic tactic in financial control fraud, mimicking legitimacy through handwritten "official-looking" data to exploit internal complacency or familiarity.

Despite being **"Pay Cash"** cheques where f**unds were handed over immediately** (**2 February 2024**), both 1063 and 1068 falsely state that **proceeds were to be available on 7 February 2024**. This delay in reporting was likely inserted to obscure same-day cash extraction. The ledger timeline was manipulated to suggest a standard delay, masking what was in reality an immediate, unauthorised fund withdrawal. The visibility of these transactions in Bendigo 633-000 statement does not mean they originated there. Quite the opposite, they were routed through internal structures visible to only to Garth, Bendigo Bank, and Sandhurst Trustees.

This setup allowed Garth to bypass all trustee safeguards. He issued "Pay Cash" cheques without triggering audit trails, dual-signature requirements, or co-trustee alerts. The internal routing structures, and BSBs that allowed funds to be removed from the Ultra Super Fund under Rhonda's name, but without her knowledge, access, or approval. The cheque books came from 633-109, cleared through 633-106, and appeared only on 633-000, making the actual flow of funds impossible to trace without internal access to all three BSBs accounts.

Sandhurst Trustees Limited
Cheques 1063, 1065, 1066, 1068, and 1072 provide physical evidence linking the Ultra Super Fund's operations to a concealed, trustee-managed banking structure controlled by Sandhurst Trustees Limited, the wealth and custodial division of Bendigo and Adelaide Bank Limited. Each cheque is printed on stock that explicitly names SandhurstTrustees at the top left and display a unique cheque number cheque no. 001068). They are issued from BSB 633-109 and drawn from account numbers consistent with the Ultra Super Fund, namely 118052760 . These account numbers appear repeatedly across the cheques alongside the issuing BSB 633-109 and reflect the same structure as the official Bendigo 633-000 SMSF account.

The cheques contain the continuous 16-digit internal finance code, set out as segmented numeric strings that mirror Bendigo's internal cheque sequencing format, such as with cheque no. 1068, specifically 001068 633 109 1180 52760 embedded in magnetic ink formatting. This formatting style aligns with Sandhurst's known custodial cheque design and internal ledger sequencing. Crucially, the cheques route through Bendigo's internal clearing system using BSB 633-106, as confirmed by the physical processing stamps on Cheques 1063 and 1068. These two cheques display **manual correction timestamps** within minutes of the initial entry, proving that the transactions were not automated but **manually overridden and processed by internal bank staff**, a function typical of trustee-cleared accounts requiring specified authorisation to approve. These features indicate deliberate internal control and a level of operational privilege inconsistent with standard SMSF retail access.

Taken together, this Bendigo routing sequence, issued from 633-109, cleared through 633-106, operating under the custodial umbrella of Sandhurst Trustees, also likely routed through 633- 100 Sandhurst Trustee Wealth Management BSB, demonstrates a layered and concealed banking structure designed to operate outside of Rhonda's knowledge or control as a legal co-trustee. This evidence confirms that the Ultra Super Fund was not administered through a retail SMSF platform but instead through an institutionally managed trustee framework. That framework enabled Garth to access and withdraw funds using "Pay Cash" cheques without triggering standard audit trails, co-signature requirements, or trustee reporting, while presenting Rhonda only with curated and incomplete account statements.

This also explains why, on 7 February 2025, when Rhonda attended Bendigo's Ascot branch with Riki Dahm and raised concerns about BSB 633-109, Personal Banker **Peter Townsend** casually responded, "Oh, we merged." Peter then phoned head office while Rhonda and Riki were present, acknowledged that **Holly's January email had flagged the matter as having reached the legal team**. He noted the situation "did seem odd" based on what he was seeing. That response was both factually inaccurate and functionally evasive. BSBs do not merge without formal internal migration logs or closure notices. More importantly, if merged, cheques should not continue to be issued and routed through them, nor should dividends still be landing in those streams. This statement was designed to prevent scrutiny.

This evidence confirms the structure was not accidental. It was engineered. A closed-loop laundering mechanism existed inside a regulated SMSF, operating under Rhonda's legal trustee name, while she was locked out of the accounts where the actual control took place. It used:

- Staff-assisted routing and pseudo-direct credits to fake external legitimacy

- Concealed cheque books from hidden ledgers
- Internal routing paths to delay or distort true fund movement
- Handwritten pseudo-identifiers to override identity controls
- Statement sequencing manipulation to maintain the illusion of normality

These are not errors. They are deliberate fractures in the ledger system, used to reroute power, remove funds, and exclude Rhonda from the management of her own trust. She was left with the illusion of access while the real activity occurred behind BSBs she was never permitted to see.

Evidence & broader litigation strategy
The evidence now includes physical cheque artefacts, routing metadata, internal clearing stamps, false identity annotations, manual correction timestamps, and sequencing anomalies. It confirms the existence of a concealed, internally routed fund extraction mechanism. In my view, this reveals a deliberate and repeatable structure, designed and replicated by Garth over two decades, to maintain covert control of fund assets, using layered internal routing structures/BSBs, real-time staff overrides, and the sustained exclusion of Rhonda from her role as co-trustee.

The cumulative failures across Suncorp, Bendigo Bank's internal controls, Sandhurst Trustees' custodial oversight, CommSec, BoardRoom Pty Ltd, Computershare, AAMI, AAI and the audit, actuarial and accounting chain involving Doug McBirnie, Laurie Carwardine and David Wrangell point to a coordinated and sustained breakdown in governance. Garth constructed the underlying system, David facilitated its financial structuring and concealment, Doug issued the actuary certificate, and Laurie signed off on materially misleading audit reports.

By Bendigo bank and Sandhurst Trustees operating concealed ledgers, enabling manual override transactions, accepting what appears to be an unauthorised override authority code, and facilitating concealed activity, is not a passive participant, it is structurally complicit.

1. Given the significance of the available evidence, we respectfully request your review and advice regarding potential liability and remedies in relation to all banking and financial instituions who may be liable for their role in enabling this conduct, particularly where systemic failures in internal controls, identity handling, and ledger architecture may give rise to serious commercial and legal consequences.

2. If confirmed by review, I would welcome your advice on how best to convert this evidence into enforceable legal remedy and protection of Rhonda's entitlements. I would appreciate your view on whether this evidentiary development strengthens our position in pursuing a court-appointed trustee and whether the seriousness and scale of this system now calls for a reassessment of earlier strategic advice.

3. Given Hall & Wilcox's multidisciplinary capacity, please involve any colleagues with relevant expertise should aspects fall outside scope, particularly in light of the broader litigation strategy and potential institutional or professional liability.

4. @Olivia Southall, once the reviewed, I'd welcome a short call or email with any preliminary views. Also, as mentioned when convenient, a brief weekly update would be greatly appreciated, so I can remain across developments as this additional layer of evidence is considered.

Kind regards,

Holly

Notable Decision

1. Cuffe v. Taylor [2010] – "The Shadow Ledger Case"
Facts:
- Involved a farming family trust where one brother (the trustee) used hidden internal bank accounts to siphon income and funnel cash to unrelated entities.
- The other brother, a silent beneficiary, found out when dividend payments listed on tax returns didn't appear on any bank statements.
- Key similarity to your case:
- Hidden accounts within the same institution.
- Use of misleading labels to make internal transactions appear external.
- Trustee concealed real fund movements using cheque books from a shadow ledger.

Outcome:
- Court declared that the trust had been mismanaged.
- Independent forensic trustee appointed.
- Trustee ordered to repay diverted assets with interest + cost penalties.
- Court accepted that "systematic deception" using internal banking processes constituted constructive fraud.

2. APRA v. Trio Capital [2013] – Super Fund Cover-Up with Fake Transfers
Facts:
- SMSF funds were being sent through "layered" transactions—moving through shell companies and "partner accounts" inside the same bank.
- Trustees filed documents showing external contributions and asset growth.
- In reality, it was a Ponzi-style internal cycling system.
- Key similarity to your case:
- False impression of external transfers.
- Trustee fabricated incoming funds using pre-programmed routing rules with bank staff involvement.
- The same account number was used across multiple BSBs for layering.

Outcome:
- APRA banned 4 trustees for life.
- Civil penalty orders and recovery of $8 million in diverted assets.
- ASIC took action against auditors for failure to detect layered laundering

3. Westpac & the "LitePay" Scandal [2020] – Internal Routing Exploited for Laundering
Facts:
- Internal transfer routes were used to bypass international money laundering detection systems.
- Bank staff failed to flag duplicate account numbers under different routing codes.
- Authorities determined that Westpac's system was designed in a way that allowed bad actors to exploit it—even unintentionally.

- Key similarity:
- Multiple BSBs mapped to the same account number.
- Same-day clearing used to obscure tracking.
- Statements constructed in a way that didn't reflect the true source of funds.

Outcome:

- $1.3 billion fine
- Westpac forced to overhaul internal systems, change how BSBs were managed, and undergo full AML/CFT audits.

Subject: Bendigo and Adelaide Bank, inc SandhurstTrustees - Ref 00616232 - Hall&Wilcox to authorised representation - Rhonda Ann Knyvett, Trustee, Ultra Super Fund (ABN 41 873 921 089)
Date: Monday, 12 May 2025 at 7:12:22 PM Australian Eastern Standard Time
From: rhonda knyvett <honda.r@hotmail.com>
To: Laura Hanrahan <laura.hanrahan@hallandwilcox.com.au>, Olivia Southall <olivia.southall@hallandwilcox.com.au>, tai.kennedy@hallandwilcox.com.au <tai.kennedy@hallandwilcox.com.au>, McLane Edinger <mclane.edinger@hallandwilcox.com.au>
CC: holly tegan <Hollyteganosborne@hotmail.com>, Riki Dahm <rikidahm84@gmail.com>
Priority: High
Category: BBL and STL, H & W
Attachments: Authorised Representative Form, Bendigo & Adelaide Bank, Sandhurst Trustees 12.05.2025.pdf, BGF ELECTRICAL - FULLER FAMILY TRUST ABNHistoryDetails_91527731461.pdf, FALLIA FAMILY TRUST - ABNHistoryDetails_94824990264.pdf, Bendigo SandhurstTrustee Cheque No 1072 - BGF Electrical .pdf, Bendigo SandhurstTrustee Cheque No 1066 - Residential Tenancies Authority .pdf, Bendigo SandhurstTrustee Cheque No 1065 - Queensland Revenue Office .pdf

Dear Laura,

Please find **attached** my signed Authorised Representative Form, authorising Hall & Wilcox, specifically Laura, and or Mclane to act on my behalf in all dealings with Bendigo and Adelaide Bank, Sandhurst Trustees Ltd, Leveraged Equities, and any associated or subsidiary entities under the Bendigo Group. Holly is assisting me with the preparation of this request, and either of us is happy to speak with you directly if you need clarification at any stage.

Given the range of financial activity identified, including cheque withdrawals, insurance deposits, CommSec-linked transactions, and possible gearing or property-related lending, could we please request that Bendigo conduct a full internal review across all relevant business arms, not just retail banking? Specifically, could they be asked to check for any accounts, facilities, instructions, or trustee-related records associated with:

- **Sandhurst Trustees Ltd** – for any superannuation, trust, or custodial records, including common fund applications and authority documentation
- **Bendigo Bank Retail and Business Banking** – for cheque issuance, deposits, personal or SMSF-related loans, and transactional activity
- **Leveraged Equities** – for any margin lending or CommSec-linked gearing products that may have used SMSF assets or associated equity
- **Bendigo Wealth** – for any portfolio, wrap, or SMSF-aligned investment product that may have involved Rhonda, Garth, or the Ultra Super Fund
- **Adelaide Bank** – for any mortgage or broker-channel financing, especially where linked to known SMSF-held properties

The objective is to eliminate the possibility that accounts, loans, or trustee instructions were issued or operated under alternate names, entities, or platforms, - without Rhonda's knowledge or authority.

Could you please initiate a formal and comprehensive disclosure request covering all systems, documents, and accounts connected to:
- The Ultra Super Fund (ABN 41 873 921 089)
- Myself, Rhonda Ann Knyvett – including all variations or false identities such as Rhonda Osborne, Rhonda Ann Osborne, and Ann Osborne
- Garth Wilfred Osborne – in any personal, trustee, or joint capacity
- Any related superannuation account, structure, cheque, investment, loan, or dividend involving the above names

Full Disclosure of All Previously Requested Material
Could you please request that the Bendigo Group disclose all documents previously requested across January–April 2025, including:
- Account set-up and signatory records
- Identity verification and KYC materials
- Trustee authorisations and EPOA acknowledgments
- Cheque images, bank statements, and CommSec activity
- All internal CRM notes, memos, call logs, or metadata referencing Rhonda, Garth, or the Ultra Super Fund
- Any complaint-related records, especially those associated with Holly Dahm's January 2025 correspondence

As confirmed in writing, this matter was raised well before Bendigo issued Case Ref 00616232 on 29 April. ***We ask that the full 100+ day contact and escalation period be factored into the review, not just the formal complaint date.***

Full Account Statements – Digital and or PDF copies
We request complete digital statements from inception (2002 onward) for both accounts:
- **BSB 633-000 / Account 118052760**
- **BSB 633-109 / Account 118052760**
- **BSB 633-106/ Account 118052760 - noted on Bendigo/ Sandhurst Trustee cheques numbered 1063 and 1068 (to be provided in a following email)**

To date, we have not received digital statements for 633-109, and 633-000 was closed without full release.

Extensive direct credit deposits "GARTH" or "ULTRASUPERFU"
Please request:
- All details associted with the direct credit deposits Referencing "GARTH" or "ULTRASUPERFU"
- All internal memo fields, account holder changes, and authority amendments
- Any Transaction-level metadata where available (payer, payee, internal narrative)

Could they identify:
- All direct credits referencing "GARTH," "ULTRASUPERFU," or similar?
- Depositor names, originating bank accounts, and any linked Bendigo accounts?
- Whether these were self-initiated by Garth or another fund he controls?
- Whether any transactions show manual manipulation (payer and payee being the same)?

Bendigo Bank I Customer Resolutions Team
Bendigo and Adelaide Bank I PO Box 480 I Bendigo VIC 3552

Support available when you contact us

If you need support or help, you can ask a family member, friend or a trusted person to contact us.

We need your permission to speak with someone else about your account. You can give permission by phone or in writing.

Do you find it hard to hear or speak on the phone?
If you find it hard to hear or speak on the phone, you can use the National Relay Service (NRS) to get in touch with us.
The NRS website explains how you can register to use this service.
Find out more about how to register for NRS.

Languages other than English
If you would like to speak with us in a language other than English, the Translating and Interpreting Service (TIS National) can help.
TIS National can be contacted on 131 450.

C2 - Internal Use

From: rhonda knyvett <honda.r@hotmail.com>
Sent: Tuesday, 6 May 2025 3:09 PM
To: STL Managed Funds Enquiries Mailbox <STLFundsManagementEnquiriesMailbox@bendigoadelaide.com.au>; Laura Hanrahan <laura.hanrahan@hallandwilcox.com.au>; sandhursttrustees@bendigoadelaide.com.au; STL Managed Funds Enquiries Mailbox <managedfunds@sandhursttrustees.com.au>; smsf@sandhursttrustees.com.au; complaints@sandhursttrustees.com.au; fraud@bendigoadelaide.com.au; Privacy Mailbox <privacy@bendigoadelaide.com.au>; Customer Resolutions – Internal Dispute Resolution (IDR) Mailbox <feedback@bendigoadelaide.com.au>; Peter Townsend <peter.townsend@bendigoadelaide.com.au>; legal@bendigoadelaide.com.au; Bendigo Invest Direct <info@bendigoinvestdirect.com.au>
Cc: rikidahm84@gmail.com; holly tegan <Hollyteganosborne@hotmail.com>; Olivia Southall <olivia.southall@hallandwilcox.com.au>
Subject: Re: Ultra Super Fund (ABN 41 873 921 089) – Bendigo/Sandhurst Account 118052760 – Case Ref: 00616232
Importance: High

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender's full email address and know the content is safe.

Dear Mr Colla,

I again write in my capacity as co-trustee and co-member of the Ultra Super Fund (ABN 41 873 921 089) in relation to the following account:

- Account Title: Ultra Super Fund
- Customer Number: 12732426 / X101
- Account Number: 118052760
- BSBs: 633-000 and 633-109
- Case Reference: 00616232

This matter was first raised in writing in January 2025 and again in person and by correspondence on multiple occasions. I now issue this notice with the support of my validly appointed Enduring Powers of Attorney, who assist with the preparation and review of all communications.

To ensure compliance with regulated trustee obligations and eliminate further procedural obstruction, I now require, by 5:00 pm AEST today, 6 May 2025:

1. The full name, title, department, and direct contact email of the officer(s) responsible for this matter within:
    - Sandhurst Trustees Legal or Compliance;
    - Bendigo Bank Fraud & Risk Division;
    - SMSF Governance.
2. Confirmation of the protocol and contact point for the formal service of legal notices.
   My legal representatives, Hall & Wilcox, have been formally instructed and are copied into this correspondence. They are authorised to liaise directly and without further procedural delay. Please direct all legal engagement to:
    - **@Laura Hanrahan, Special Counsel – laura.hanrahan@hallandwilcox.com.au | +61 7 3237 7830**

I further request by close of business Friday, 9 May 2025:

- Full written disclosure of all account and trustee documentation previously requested;
- Confirmation that all records are preserved, including internal notes, metadata, scanned documents, KYC records, and trustee communications, in accordance with:
    - Superannuation Industry (Supervision) Act 1993 (s. 103);
    - Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (s. 49);

- Common law and fiduciary duties of care and access.

I do not consent to any unsolicited phone contact. I note that a call was placed to me by a Bendigo Bank staff member on Thursday, 2 May 2025, without warning or consent. All future communication must be strictly in writing and directed via the emails listed below. Any attempt to bypass these written protocols will be formally documented as non-compliant.

Should these matters remain unresolved, or should your institution continue to avoid providing clear legal contact information and full disclosure within the timeframes stated above, I reserve the right to refer the matter without further notice to:

- Australian Securities and Investments Commission
- Australian Prudential Regulation Authority
- Australian Financial Complaints Authority
- Office of the Australian Information Commissioner

All correspondence is issued in good faith and supported by the undersigned and my valid Enduring Powers of Attorney. No legal rights are waived.

Yours faithfully,
Rhonda Ann Knyvett
Co-Trustee – Ultra Super Fund (ABN 41 873 921 089)
Email: honda.r@hotmail.com

Enduring Powers of Attorney (Authorised and Assisting):
Holly Dahm – hollyteganosborne@hotmail.com
Riki Dahm – rikidahm84@gmail.com

Legal Representation – Hall & Wilcox:
Laura Hanrahan, Special Counsel - laura.hanrahan@hallandwilcox.com.au | +61 7 3237 7830
Olivia Southall, Associate - olivia.southall@hallandwilcox.com.au

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From: STL Managed Funds Enquiries Mailbox <STLFundsManagementEnquiriesMailbox@bendigoadelaide.com.au>
Sent: Tuesday, 6 May 2025 12:01 PM
To: rhonda knyvett <honda.r@hotmail.com>
Subject: RE: Ultra Super Fund (ABN 41 873 921 089) – Bendigo/Sandhurst Account 118052760 – Case Ref: 00616232

Hello Rhonda

Thank you for your email.

As per your discussion with one of our staff last Thursday there will be a delay in providing the information you have requested. This is due to the significant amount of information requested and number of areas of the bank that will be required to assist with this. We are also still working through the multiple emails that have been sent to us as well as talking to the branch which you attended.

We are unable to email any information through to your lawyers at this time as we have not received the required request from them in writing to do so.

Please know that we are looking into this as a matter of urgency and will be in touch with an update as soon as possible.

Regards

Michael Colla
Team Manager - STL Custody and Registry

Sandhurst Trustees Limited
Level 5 120 Harbour Esplanade Docklands VIC 3008

C2 - Internal Use

From: rhonda knyvett <honda.r@hotmail.com>
Sent: Monday, 5 May 2025 10:55 PM
To: service@bendigobank.com.au; fraud@bendigoadelaide.com.au; Privacy Mailbox <privacy@bendigoadelaide.com.au>; Customer Resolutions – Internal Dispute Resolution (IDR) Mailbox <feedback@bendigoadelaide.com.au>; identitysupport@bendigoadelaide.com.au; Peter Townsend <peter.townsend@bendigoadelaide.com.au>; legal@bendigoadelaide.com.au; requests@bendigoadelaide.com.au; info@bendigoinvestdirect.com.au; service@bendigobank.com.au; sandhursttrustees@bendigoadelaide.com.au; STL Managed Funds Enquiries Mailbox <managedfunds@sandhursttrustees.com.au>; fraud@bendigoadelaide.com.au; identitysupport@bendigoadelaide.com.au; legal@bendigoadelaide.com.au; Privacy Mailbox <privacy@bendigoadelaide.com.au>; Customer Resolutions – Internal Dispute Resolution (IDR) Mailbox <feedback@bendigoadelaide.com.au>; requests@bendigoadelaide.com.au; info@bendigoinvestdirect.com.au
Cc: Laura Hanrahan <laura.hanrahan@hallandwilcox.com.au>; Olivia Southall <olivia.southall@hallandwilcox.com.au>; rikidahm84@gmail.com; holly tegan <Hollyteganosborne@hotmail.com>
Subject: Re: Ultra Super Fund (ABN 41 873 921 089) – Bendigo/Sandhurst Account 118052760 – Case Ref: 00616232
Importance: High

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender's full email address and know the content is safe.

Dear Bendigo Bank and Sandhurst Trustees Compliance, Risk, Legal and Fraud Divisions,

I write again in my capacity as co-trustee and co-member of the Ultra Super Fund (ABN 41 873 921 089), in relation to the above-referenced account:

Account Title: Ultra Super Fund

- All cheques issued (scanned images front and back).
- Cheque books issued (record of issuance and usage).
- Debit cards issued (including cardholder names, issuance requests, and usage records).
- Internal bank records:
- Internal transfer instructions and routing related to CommSec, NAB, or other external financial institutions.
- System notes attached to transactions or account maintenance.
- Access logs showing who accessed or amended the account (especially after trustee disputes arose).
- Internal compliance flags, alerts, or investigations on the account.
- Internal communications or reports referencing the accounts.

Correspondence & Instructions
Copies of all:
- Trustee instructions provided to the Bank/Sandhurst Trustees from either trustee.
- Communications (letters, emails, call logs, branch notes) between Sandhurst Trustees/Bendigo and:
    - Rhonda Ann Knyvett
    - Garth Wilfred Osborne
- Any attorney acting under EPOA, BDBN, and or Will's on file.
- Notes or memoranda created during any interaction with trustees or attorneys.

Records Referencing Incorrect Identity
All documents, internal memos, or account records created under the incorrect or falsified name "Rhonda Ann Osborne", including but not limited to:
Bank statements.
- Shareholding registration documents (if connected to account).
- Identity verification failures or overrides.
- Notices or filings lodged with third-party providers (e.g., CommSec, Boardroom Pty Ltd).

Regulatory & Compliance Records
Any:
- AML/CTF suspicious activity reports (SARs) or equivalent internal flags relating to trustee transactions.
- Breach reports internally lodged regarding fund management.
- Compliance review memos or audits touching on the SMSF accounts.
- Risk assessments performed due to trustee disputes or account irregularities.

Contractual & Relationship Management Documents
Full copies of:
- All letters of engagement between the Ultra Super Fund and Sandhurst Trustees/Bendigo.
- Trustee Services Agreements.
- Financial Services Guide versions provided.
- Product Disclosure Statements relevant to SMSF products, if issued.
- Any correspondence about changes to Sandhurst Trustees' or Bendigo's role in the Ultra Super Fund administration.

Full Disclosure of all records is required by 5:00pm AEST, Friday, 2 May 2025
You are formally notified that all records relating to the Ultra Super Fund ABN 41 873 921 089, Account 118052760 (BSBs 633-000 and 633-109), records for Rhonda Ann Knyvett and/or "Rhonda Ann Osborne", Related dividend receipts, transfers, trustee actions, internal notes, audit trails, must be immediately preserved in full, including any archived, superseded, or deleted materials, pending regulatory investigation or future proceedings.

Immediate Escalation
Given the serious concerns I have raised, I formally request immediate escalation of this matter to the Bendigo Legal, Fraud and Compliance Division. Please provide the name and title of the officer assigned, the internal file reference number, and confirmation that all relevant records have been preserved.

Accordingly, I reserve all rights to escalate these matters to the Australian Prudential Regulation Authority, the Australian Securities and Investments Commission, and the Australian Financial Complaints Authority without further notice.

Future communications
All further communications must be sent directly to:
- Laura Hanrahan | Special Counsel – Hall & Wilcox
  E: laura.hanrahan@hallandwilcox.com.au | T: +61 7 3237 7830

- Olivia Southall | Associate – Hall & Wilcox
  E: olivia.southall@hallandwilcox.com.au | T: +61 2 8267 1576

Also copy in:
- Myself, via honda.r@hotmail.com | 0413 688 334
- Holly Dahm (EPOA) – hollyteganosborne@hotmail.com | 0401 219 842
- Riki Dahm (EPOA) – rikidahm84@gmail.com | 0424 161 433

I trust Bendigo Bank, Bendigo & Adelaide Bank will now respond with the seriousness and urgency the situation demands.

Yours faithfully,

Rhonda

Co-Trustee
Ultra Super Fund
ABN 41 873 921 089

Subject: Re: Witness Signature on Deed
Date: Wednesday, 12 March 2025 at 7:57:45 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>
Attachments: Ledger, signature page.pdf

Hi, further document attached with Ann's signature.

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Wednesday, 12 March 2025 7:55 PM
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Riki Dahm <rikidahm84@gmail.com>
Subject: Witness Signature on Deed

Hi Christie

Rhonda reviewed the deed with the unnamed witness signature tonight and noticed that the signature appears very similar to Garth Osborne's partner, Ann Anthonisz's provided on documents submitted to QCAT.

Rhonda has confirmed that she has never been in Ann's presence to witness any documents being signed. Garth and Ann have been together since at least 1998, and the property transaction involving that deed occurred in 2007.

I have attached documents containing Ann Anthonisz's signature for reference. I will be served hardcopies soon, I anticipate they will provide a clearer view of the signature.

Kind regards,

Holly

Subject: Witness Signature on Deed
Date: Wednesday, 12 March 2025 at 7:55:27 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>
Category: H & W
Attachments: RTA FORM 11 - Notice to remedy breach.pdf, Garth Osborne & Ann Anthonize statement 10.03.2025 page 2.jpg, Signature page of QCAT stat dec 10.03.2025.jpg, Ultra Super Fund Trust Deed 18.10.2007 - Doc search_ 236911 - QLD Dealing - 711100931 - No JP certification.pdf

Hi Christie

Rhonda reviewed the deed with the unnamed witness signature tonight and noticed that the signature appears very similar to Garth Osborne's partner, Ann Anthonisz's provided on documents submitted to QCAT.

Rhonda has confirmed that she has never been in Ann's presence to witness any documents being signed. Garth and Ann have been together since at least 1998, and the property transaction involving that deed occurred in 2007.

I have attached documents containing Ann Anthonisz's signature for reference. I will be served hardcopies soon, I anticipate they will provide a clearer view of the signature.

Kind regards,

Holly

Subject: RE: Garth's Deliberate Obstruction & Next Steps [HW-ACTIVE.FID5038067]
Date: Sunday, 9 March 2025 at 6:24:41 PM Australian Eastern Standard Time
From: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
To: Holly Osborne <hollyteganosborne@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>
Category: GARTH WILFRED OSBORNE
Attachments: image001.png

Thanks Holly, we are continuing to take steps to obtain the required information and will update you early this week.

Christie Gardiner | Associate

T +61 7 3231 7798 | F +61 7 3231 7799
Christie.Gardiner@hallandwilcox.com.au

Hall&Wilcox
smarter law

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Friday, 7 March 2025 8:34 PM
To: Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Riki Dahm <rikidahm84@gmail.com>
Subject: Re: Garth's Deliberate Obstruction & Next Steps

Further to my previous email, it critical that we formally correct the false narrative Garth is presenting in his correspondence. He continues to misrepresent the situation, create unnecessary urgency around payments, and shift focus away from his own non-compliance.

Please confirm that this will be included in the correspondence next week.

Thank you,

Holly

Sent from my iPhone

> On 7 Mar 2025, at 8:24 pm, Holly Osborne <hollyteganosborne@hotmail.com> wrote:
>
> Hi Laura, McLane, and Christie,
>
> I will support Rhonda in completing the necessary steps on her end. However, this process still requires Garth to take action, which he has deliberately chosen not to do.
>
> As outlined, Garth must obtain the prescribed authorisation form from his Suncorp branch, complete and sign it, and submit it for processing. Once both approvals are received, two-person authorisation will allow the payments to proceed.
>
> Rhonda's personal banker, Kharen de Guzman (Kharen.deGuzman@suncorpbank.com.au), is fully available to assist with this process. If further clarification is required, we can provide additional details, and direct contact with Kharen can be made if needed.
>
> Given the number of times Garth has attended the bank over the past 40 years, depositing and withdrawing over $4 million in funds, it is highly likely he has a personal banker available to him.
>
> If assistance is required, Garth should engage directly with his personal banker to obtain, complete, and submit the necessary authorisation form.
>
> Garth's ongoing failure to take this simple step is a deliberate choice, **not** an oversight. He is intentionally misrepresenting the situation in his emails to create a false narrative while actively refusing to complete the required steps. Garth's continued failure to supply any information, comply any request, or facilitate this process is a deliberate strategy to obstruct and delay.
>
> Garth is not acting in good faith. I believe it is time to take a firm stance and make it clear we are prepared to escalate.
>
> I will again reconfirm the process early next week and return to you.
>
> Holly
>
> Begin forwarded message:
>
> **From:** Garth Osborne <go56@bigpond.com>

Date: 7 March 2025 at 7:08:30 pm AEST
To: HOlly Osborne <hollyteganosborne@hotmail.com>
Cc: Chris Davis <CDavis@mcw.com.au>, Rhonda knyvett <honda.r@hotmail.com>
Subject: Ultra Super Fund

Holly Tegan Dahm
EPA for Rhonda Ann Knyvett

RE: Block placed on Suncorp Bank Ultra Super Fund A/C No: 001422502 BSB No: 484-799

Suncorp Bank have informed me they require the signature of both Trustees for the block to be removed.
Hall & Wilcox informed us you would be attending to this matter by the 28/02/2025.
As of todays date, 7th March 2025 you have failed to address the matter.
The outstanding payments continue to accrue penalties.
As a Trustee you have a fiduciary responsibility to be acting in good faith.

I await to hear of your actions,

GARTH OSBORNE
Trustee for Ultra Super Fund

Hall & Wilcox | Smarter Law Update
Keep up to date and view our Latest Thinking
If our bank account details change, we will notify you by letter, phone call or face-to-face, but never by email.
Hall & Wilcox acknowledges the Traditional Custodians of the land, sea and waters on which we work, live and engage. We pay our respects to Elders past, present and future.
This email and any attachment is confidential and for the use of the intended recipient(s) only. It may also be the subject of legal professional privilege. If you are not the intended recipient, any use, interference with, disclosure or copying of this material is unauthorised and prohibited. Hall & Wilcox handles information according to relevant privacy laws.
Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

Subject: RE: Garth's Deliberate Obstruction & Next Steps [HW-ACTIVE.FID5038067]
Date: Sunday, 9 March 2025 at 6:15:47 PM Australian Eastern Standard Time
From: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
To: Holly Osborne <hollyteganosborne@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>
Category: GARTH WILFRED OSBORNE
Attachments: image001.png

Hi Holly

Thanks for clarifying Garth's need to attend the branch, and for providing Kharen's details for assistance. We will reiterate Garth's inaction to McInnes Wilson. Thank you for further confirming the steps Suncorp require to move the payment of invoices along.

Regards

Christie Gardiner | Associate

T +61 7 3231 7798 | F +61 7 3231 7799
Christie.Gardiner@hallandwilcox.com.au

Hall&Wilcox
smarter law

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Friday, 7 March 2025 8:24 PM
To: Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Riki Dahm <rikidahm84@gmail.com>
Subject: Garth's Deliberate Obstruction & Next Steps

Hi Laura, McLane, and Christie,

I will support Rhonda in completing the necessary steps on her end. However, this process still requires Garth to take action, which he has deliberately chosen not to do.

As outlined, Garth must obtain the prescribed authorisation form from his Suncorp branch, complete and sign it, and submit it for processing. Once both approvals are received, two-person authorisation will allow the payments to proceed.

Rhonda's personal banker, Kharen de Guzman (Kharen.deGuzman@suncorpbank.com.au), is fully available to assist with this process. If further clarification is required, we can provide additional details, and direct contact with Kharen can be made if needed.

Given the number of times Garth has attended the bank over the past 40 years, depositing and withdrawing over $4 million in funds, it is highly likely he has a personal banker available to him.

If assistance is required, Garth should engage directly with his personal banker to obtain, complete, and submit the necessary authorisation form.

Garth's ongoing failure to take this simple step is a deliberate choice, **not** an oversight. He is intentionally misrepresenting the situation in his emails to create a false narrative while actively refusing to complete the required steps. Garth's continued failure to supply any information, comply any request, or facilitate this process is a deliberate strategy to obstruct and delay.

Garth is not acting in good faith. I believe it is time to take a firm stance and make it clear we are prepared to escalate.

I will again reconfirm the process early next week and return to you.

Holly

Begin forwarded message:

> **From:** Garth Osborne <go56@bigpond.com>
> **Date:** 7 March 2025 at 7:08:30 pm AEST
> **To:** HOlly Osborne <hollyteganosborne@hotmail.com>
> **Cc:** Chris Davis <CDavis@mcw.com.au>, Rhonda knyvett <honda.r@hotmail.com>
> **Subject: Ultra Super Fund**
>
> Holly Tegan Dahm
> EPA for Rhonda Ann Knyvett
>
> RE: Block placed on Suncorp Bank Ultra Super Fund A/C No: 001422502 BSB No: 484-799
>
> Suncorp Bank have informed me they require the signature of both Trustees for the block to be removed.
> Hall & Wilcox informed us you would be attending to this matter by the 28/02/2025.
> As of todays date, 7th March 2025 you have failed to address the matter.
> The outstanding payments continue to accrue penalties.
> As a Trustee you have a fiduciary responsibility to be acting in good faith.
>
> I await to hear of your actions,

GARTH OSBORNE
Trustee for Ultra Super Fund

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If our bank account details change, we will notify you by letter, phone call or face-to-face, but never by email.
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Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

Subject: RE: Request to Close Out Complaint [HW-ACTIVE.FID5037940]
Date: Sunday, 9 March 2025 at 4:13:41 PM Australian Eastern Standard Time
From: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
To: Holly Osborne <hollyteganosborne@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>
Category: GARTH WILFRED OSBORNE, Regulator
Attachments: image002.png, image003.png

Hi Holly

I apologise for the delay in responding – we have been without power.

Thanks for your email and for letting us know that you have withdrawn your complaint to QPS. We will convey this to Chris.

Regards

Christie Gardiner | Associate

T +61 7 3231 7798 | F +61 7 3231 7799
Christie.Gardiner@hallandwilcox.com.au

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smarter law

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Saturday, 8 March 2025 8:26 PM
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Riki Dahm <rikidahm84@gmail.com>
Subject: Request to Close Out Complaint
Importance: High

Hi Christie,

Chris Davis contacted me directly about the complaint I made to QPS (**below**). It now appears Rhonda received the funds, so I have withdrawn the complaint.

As per your instructions not to engage directly with Garth or his legal representatives, I have not responded. If a response is required, please close this out. I've attached the withdrawal for your records.

Let me know if you need anything further.

Holly

From: Chris Davis <CDavis@mcw.com.au>
Sent: Thursday, 6 March 2025 12:53 PM
To: Holly Osborne <hollyteganosborne@hotmail.com>
Cc: go56@bigpond.com <go56@bigpond.com>; ann.z.shopz@gmail.com <ann.z.shopz@gmail.com>
Subject: RE: Complaint - serious criminal offences [MCW-ACTIVE.FID2659967]

Hello Holly

Would you please let me know if you and Rhonda are represented by lawyers in the complaint matter referred to below? If so please do provide details.

Kind regards

Chris

McInnesWilson
LAWYERS

Chris Davis
Principal

T +61 7 3014 6530
cdavis@mcw.com.au
Brisbane | Level 23, Central Plaza, 345 Queen Street QLD 4000

mcw.com.au

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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Wednesday, 5 March 2025 10:57 PM
To: Prosecutions.Sandgate@police.qld.gov.au
Cc: Chris Davis <CDavis@mcw.com.au>; go56@bigpond.com; ann.z.shopz@gmail.com
Subject: Complaint - serious criminal offences
Importance: High

Dear Sir/Madam,

I am writing to formally lodge a complaint against Mr Garth Wilfred Osborne and Ms Ann Anthonisz for actions that I believe constitute serious criminal offences, including but not limited to fraud, false declaration, and attempting to pervert the course of justice in a current Queensland Civil and Administrative Tribunal (QCAT) proceeding set for hearing on 28 March 2025 at Sandgate Magistrates Court.

I am the Enduring Power of Attorney on behalf of Ms Rhonda Ann Knyvett, the Applicant in QCAT proceedings involving the Respondents Mr Osborne and Ms Anthonisz. During these proceedings, the Respondents submitted and served the following documents on 27 February 2025, and for a second time on 28 February 2025, serving an additional statement (4).

1. A bank statement from his Mr Osborne's personal NAB bank account
2. A cheque stub
3. An affidavit certified before a Justice of the Peace
4. A statement lodged with QCAT.

In these documents, Mr Osborne declared that a $10,000 cheque issued to Ms Knyvett was a gift. Mr Osborne and Ms Knyvett are co trustee's of a Self-Managed Superannuation Fund (SMSF). The SMSF financial operating statement for financial year ending 30 June 2023 records the $10,000 payment as a superannuation payment made to Ms Knyvett on page 5. The cheque cannot be a gift as it was recorded in the SMSF operating statement, and reported to Australian Tax Office in the SMSF annual tax lodgement.

Based on the available information, it is my interpretation that the Respondents, Mr Osborne and Ms Anthonisz, have allegedly engaged in conduct that may constitute serious offences, including but not limited to fraud, false declaration, and attempting to pervert the course of justice.

It appears that Mr Osborne knowingly misrepresented the nature of a $10,000 cheque payment, intentionally making a false declaration to a Justice of the Peace (JP). The document was certified, and the Respondents submitted the document to the QCAT as part of proceedings in Case No. Q1499-25, a residential tenancy dispute concerning a periodic lease. This false declaration was also served on the Applicant, Ms Knyvett, presented as evidence before QCAT.

Mr Osborne swore an affidavit before a JP, despite allegedly knowing the contents to be false, and subsequently submitted this affidavit to QCAT in an apparent attempt to mislead the Tribunal to secure a more favourable outcome. This affidavit appears to have been designed to falsely recharacterise the cheque payment made to Ms Knyvett, with the apparent objective of concealing the true nature of the transaction.

While the misleading information was served on behalf of both Respondents, Mr Osborne and Ms Anthonisz, it remains a key consideration whether Ms Anthonisz was aware that the statement was false. Based on the circumstances, it appears Ms Anthonisz stood to benefit from the misrepresentation, and if it is established that she had knowledge of the false statement and did not dispute its accuracy, she may be complicit in the deceptive conduct.

In Queensland law, accessorial liability may arise if an individual:

- Knowingly aids, abets, counsels, or procures the commission of an offence; or
- Intentionally participates in an act designed to mislead a legal process for personal gain.

The actions undertaken appear to be a deliberate attempt to pervert the course of justice by submitting false information to a legal authority, with the Respondents seemingly seeking to gain an advantage in a tenancy dispute. Given the seriousness of these allegations, this information is submitted in good faith for consideration by the relevant authorities, to determine whether criminal charges should be pursued against either or both Respondents.

Supporting evidence

- All documentation lodged with the QCAT and served to the Applicant on 27 February 2025 and 28 February 2025
- SMSF financial operating statement FY23

Contempt Application

Please be advised that I am in the process of preparing submissions and will lodge a complaint of contempt against the Respondents with the QCAT.

Request

Given the seriousness of the allegations against The Respondents, I respectfully request the issuance of a complaint number for this report and to be notified of public developments, such as charges or convictions.

As the evidence pertaining to these allegations remains preserved and cannot be altered, I have included Mr Osborne, Ms Anthonisz, and Mr Osborne's SMSF legal representative, Mr Davis, in this correspondence, ensuring the Respondents have the opportunity to proactively engage with enquiries initiated by the Queensland Police Service regarding this complaint. To assist with enquiries, the Respondents contact information is provided below. Should you require any additional information, please do not hesitate to contact me via phone at 0401 219 842 or by email.

Thank you for your attention to this serious matter.

Kind regards,

Holly Dahm

Enduring power of attorney

On behalf of Rhonda Ann Knyvett

CONTACT INFORMATION

Garth Wilfred Osborne
0407755084
Go56@bigpond.com.au
18 Magnetic Street
Boondall 4018
PO BOX 321
Taigum 4018

Ann Anthonisz
0401 072 389
ann.z.shopz@gmail.com
18 Magnetic Street
Boondall 4018
PO BOX 321
Taigum 4018

SMSF Legal Representation
Chris Davis
McInnes Wilson Lawyers
3014 6530

cdavis@mcw.com.au
Level 23, Central Plaza,
345 Queen Street

Hall & Wilcox | Smarter Law Update
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Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

Subject: Request to Close Out Complaint
Date: Saturday, 8 March 2025 at 8:26:10 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>
Priority: High
Category: GARTH WILFRED OSBORNE
Attachments: image001.png, Withdrawal of Complaint.eml

Hi Christie,

Chris Davis contacted me directly about the complaint I made to QPS (**below**). It now appears Rhonda received the funds, so I have withdrawn the complaint.

As per your instructions not to engage directly with Garth or his legal representatives, I have not responded. If a response is required, please close this out. I've attached the withdrawal for your records.

Let me know if you need anything further.

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Sent: Thursday, 6 March 2025 12:53 PM
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Cc: go56@bigpond.com <go56@bigpond.com>; ann.z.shopz@gmail.com <ann.z.shopz@gmail.com>
Subject: RE: Complaint - serious criminal offences [MCW-ACTIVE.FID2659967]

Hello Holly

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Kind regards

Chris

Chris Davis
Principal

T +61 7 3014 6530
cdavis@mcw.com.au
Brisbane | Level 23, Central Plaza, 345 Queen Street QLD 4000

mcw.com.au

Privacy Policy | EFT Transfers

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Wednesday, 5 March 2025 10:57 PM
To: Prosecutions.Sandgate@police.qld.gov.au
Cc: Chris Davis <CDavis@mcw.com.au>; go56@bigpond.com; ann.z.shopz@gmail.com
Subject: Complaint - serious criminal offences
Importance: High

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Case No. Q1499-25, a residential tenancy dispute concerning a periodic lease. This false declaration was also served on the Applicant, Ms Knyvett, presented as evidence before QCAT.

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- Knowingly aids, abets, counsels, or procures the commission of an offence; or
- Intentionally participates in an act designed to mislead a legal process for personal gain.

The actions undertaken appear to be a deliberate attempt to pervert the course of justice by submitting false information to a legal authority, with the Respondents seemingly seeking to gain an advantage in a tenancy dispute. Given the seriousness of these allegations, this information is submitted in good faith for consideration by the relevant authorities, to determine whether criminal charges should be pursued against either or both Respondents.

Supporting evidence

- All documentation lodged with the QCAT and served to the Applicant on 27 February 2025 and 28 February 2025
- SMSF financial operating statement FY23

Contempt Application

Please be advised that I am in the process of preparing submissions and will lodge a complaint of contempt against the Respondents with the QCAT.

Request

Given the seriousness of the allegations against The Respondents, I respectfully request the issuance of a complaint number for this report and to be notified of public developments, such as charges or convictions.

As the evidence pertaining to these allegations remains preserved and cannot be altered, I have included Mr Osborne, Ms Anthonisz, and Mr Osborne's SMSF legal representative, Mr Davis, in this correspondence, ensuring the Respondents have the opportunity to proactively engage with enquiries initiated by the Queensland Police Service regarding this complaint. To assist with enquiries, the Respondents contact information is provided below. Should you require any additional information, please do not hesitate to contact me via phone at 0401 219 842 or by email.

Thank you for your attention to this serious matter.

Kind regards,

Holly Dahm

Enduring power of attorney

On behalf of Rhonda Ann Knyvett

CONTACT INFORMATION

Garth Wilfred Osborne
0407755084
Go56@bigpond.com.au
18 Magnetic Street
Boondall 4018
PO BOX 321
Taigum 4018

Ann Anthonisz
0401 072 389
ann.z.shopz@gmail.com
18 Magnetic Street
Boondall 4018
PO BOX 321
Taigum 4018

SMSF Legal Representation
Chris Davis
McInnes Wilson Lawyers
3014 6530
cdavis@mcw.com.au
Level 23, Central Plaza,
345 Queen Street

Subject: Re: Garth's Deliberate Obstruction & Next Steps
Date: Friday, 7 March 2025 at 8:34:21 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>
Category: GARTH WILFRED OSBORNE

Further to my previous email, it critical that we formally correct the false narrative Garth is presenting in his correspondence. He continues to misrepresent the situation, create unnecessary urgency around payments, and shift focus away from his own non-compliance.

Please confirm that this will be included in the correspondence next week.

Thank you,

Holly

Sent from my iPhone

> On 7 Mar 2025, at 8:24 pm, Holly Osborne <hollyteganosborne@hotmail.com> wrote:
>
> Hi Laura, McLane, and Christie,
>
> I will support Rhonda in completing the necessary steps on her end. However, this process still requires Garth to take action, which he has deliberately chosen not to do.
>
> As outlined, Garth must obtain the prescribed authorisation form from his Suncorp branch, complete and sign it, and submit it for processing. Once both approvals are received, two-person authorisation will allow the payments to proceed.
>
> Rhonda's personal banker, Kharen de Guzman (Kharen.deGuzman@suncorpbank.com.au), is fully available to assist with this process. If further clarification is required, we can provide additional details, and direct contact with Kharen can be made if needed.
>
> Given the number of times Garth has attended the bank over the past 40 years, depositing and withdrawing over $4 million in funds, it is highly likely he has a personal banker available to him.
>
> If assistance is required, Garth should engage directly with his personal banker to obtain, complete, and submit the necessary authorisation form.
>
> Garth's ongoing failure to take this simple step is a deliberate choice, **not** an oversight. He is intentionally misrepresenting the situation in his emails to create a false narrative while actively refusing to complete the required steps. Garth's continued failure to supply any information, comply any request, or facilitate this process is a deliberate strategy to obstruct and delay.
>
> Garth is not acting in good faith. I believe it is time to take a firm stance and make it clear we are prepared to escalate.
>
> I will again reconfirm the process early next week and return to you.
>
> Holly
>
> Begin forwarded message:
>
> **From:** Garth Osborne <go56@bigpond.com>
> **Date:** 7 March 2025 at 7:08:30 pm AEST
> **To:** HOlly Osborne <hollyteganosborne@hotmail.com>
> **Cc:** Chris Davis <CDavis@mcw.com.au>, Rhonda knyvett <honda.r@hotmail.com>
> **Subject: Ultra Super Fund**
>
> Holly Tegan Dahm
> EPA for Rhonda Ann Knyvett
>
> RE: Block placed on Suncorp Bank Ultra Super Fund A/C No: 001422502 BSB No: 484-799
>
> Suncorp Bank have informed me they require the signature of both Trustees for the block to be removed.
> Hall & Wilcox informed us you would be attending to this matter by the 28/02/2025.
> As of todays date, 7th March 2025 you have failed to address the matter.
> The outstanding payments continue to accrue penalties.
> As a Trustee you have a fiduciary responsibility to be acting in good faith.

I await to hear of your actions,

GARTH OSBORNE
Trustee for Ultra Super Fund

Subject: Garth's Deliberate Obstruction & Next Steps
Date: Friday, 7 March 2025 at 8:24:24 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>
Category: GARTH WILFRED OSBORNE

Hi Laura, McLane, and Christie,

I will support Rhonda in completing the necessary steps on her end. However, this process still requires Garth to take action, which he has deliberately chosen not to do.

As outlined, Garth must obtain the prescribed authorisation form from his Suncorp branch, complete and sign it, and submit it for processing. Once both approvals are received, two-person authorisation will allow the payments to proceed.

Rhonda's personal banker, Kharen de Guzman (Kharen.deGuzman@suncorpbank.com.au), is fully available to assist with this process. If further clarification is required, we can provide additional details, and direct contact with Kharen can be made if needed.

Given the number of times Garth has attended the bank over the past 40 years, depositing and withdrawing over $4 million in funds, it is highly likely he has a personal banker available to him.

If assistance is required, Garth should engage directly with his personal banker to obtain, complete, and submit the necessary authorisation form.

Garth's ongoing failure to take this simple step is a deliberate choice, **not** an oversight. He is intentionally misrepresenting the situation in his emails to create a false narrative while actively refusing to complete the required steps. Garth's continued failure to supply any information, comply any request, or facilitate this process is a deliberate strategy to obstruct and delay.

Garth is not acting in good faith. I believe it is time to take a firm stance and make it clear we are prepared to escalate.

I will again reconfirm the process early next week and return to you.

Holly

Begin forwarded message:

> **From:** Garth Osborne <go56@bigpond.com>
> **Date:** 7 March 2025 at 7:08:30 pm AEST
> **To:** HOlly Osborne <hollyteganosborne@hotmail.com>
> **Cc:** Chris Davis <CDavis@mcw.com.au>, Rhonda knyvett <honda.r@hotmail.com>
> **Subject: Ultra Super Fund**
>
> Holly Tegan Dahm
> EPA for Rhonda Ann Knyvett
>
> RE: Block placed on Suncorp Bank Ultra Super Fund A/C No: 001422502 BSB No: 484-799
>
> Suncorp Bank have informed me they require the signature of both Trustees for the block to be removed.
> Hall & Wilcox informed us you would be attending to this matter by the 28/02/2025.
> As of todays date, 7th March 2025 you have failed to address the matter.
> The outstanding payments continue to accrue penalties.
> As a Trustee you have a fiduciary responsibility to be acting in good faith.
>
> I await to hear of your actions,
>
> GARTH OSBORNE
> Trustee for Ultra Super Fund

Subject: Fwd: Complaint - serious criminal offences [MCW-ACTIVE.FID2659967]
Date: Thursday, 6 March 2025 at 7:56:12 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Category: GARTH WILFRED OSBORNE
Attachments: image001.png

Evening

Just a quick update to keep you informed, Garth's SMSF lawyer has contacted me directly regarding my complaint to the QPS, despite it being made in my private capacity.

The complaint includes only relevant individuals, specifically, the respondents and the relevant legal representative. Whilst legal representatives are not typically included in private complaints, Garth's SMSF lawyer is directly involved in the fund's legal matters. Given the complaint's relevance to SMSF, their inclusion ensures all legal considerations are appropriately addressed.

I don't consider a response necessary at this stage but wanted to flag it with you.

Let me know if you have any thoughts.

Holly

From: Chris Davis <CDavis@mcw.com.au>
Date: 6 March 2025 at 12:54:03 pm AEST
To: Holly Osborne <hollyteganosborne@hotmail.com>
Cc: go56@bigpond.com, ann.z.shopz@gmail.com
Subject: RE: Complaint - serious criminal offences [MCW-ACTIVE.FID2659967]

Hello Holly

Would you please let me know if you and Rhonda are represented by lawyers in the complaint matter referred to below? If so please do provide details.

Kind regards

Chris



From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Wednesday, 5 March 2025 10:57 PM
To: Prosecutions.Sandgate@police.qld.gov.au
Cc: Chris Davis <CDavis@mcw.com.au>; go56@bigpond.com; ann.z.shopz@gmail.com
Subject: Complaint - serious criminal offences
Importance: High

Dear Sir/Madam,

I am writing to formally lodge a complaint against Mr Garth Wilfred Osborne and Ms Ann Anthonisz for actions that I believe constitute serious criminal offences, including but not limited to fraud, false declaration, and attempting to pervert the course of justice in a current Queensland Civil and Administrative Tribunal (QCAT) proceeding set for hearing on 28 March 2025 at Sandgate Magistrates Court.

I am the Enduring Power of Attorney on behalf of Ms Rhonda Ann Knyvett, the Applicant in QCAT proceedings involving the Respondents Mr Osborne and Ms Anthonisz. During these proceedings, the Respondents submitted and

served the following documents on 27 February 2025, and for a second time on 28 February 2025, serving an additional statement (4).

1. A bank statement from his Mr Osborne's personal NAB bank account
2. A cheque stub
3. An affidavit certified before a Justice of the Peace
4. A statement lodged with QCAT.

In these documents, Mr Osborne declared that a $10,000 cheque issued to Ms Knyvett was a gift. Mr Osborne and Ms Knyvett are co trustee's of a Self-Managed Superannuation Fund (SMSF). The SMSF financial operating statement for financial year ending 30 June 2023 records the $10,000 payment as a superannuation payment made to Ms Knyvett on page 5. The cheque cannot be a gift as it was recorded in the SMSF operating statement, and reported to Australian Tax Office in the SMSF annual tax lodgement.

Based on the available information, it is my interpretation that the Respondents, Mr Osborne and Ms Anthonisz, have allegedly engaged in conduct that may constitute serious offences, including but not limited to fraud, false declaration, and attempting to pervert the course of justice.

It appears that Mr Osborne knowingly misrepresented the nature of a $10,000 cheque payment, intentionally making a false declaration to a Justice of the Peace (JP). The document was certified, and the Respondents submitted the document to the QCAT as part of proceedings in Case No. Q1499-25, a residential tenancy dispute concerning a periodic lease. This false declaration was also served on the Applicant, Ms Knyvett, presented as evidence before QCAT.

Mr Osborne swore an affidavit before a JP, despite allegedly knowing the contents to be false, and subsequently submitted this affidavit to QCAT in an apparent attempt to mislead the Tribunal to secure a more favourable outcome. This affidavit appears to have been designed to falsely recharacterise the cheque payment made to Ms Knyvett, with the apparent objective of concealing the true nature of the transaction.

While the misleading information was served on behalf of both Respondents, Mr Osborne and Ms Anthonisz, it remains a key consideration whether Ms Anthonisz was aware that the statement was false. Based on the circumstances, it appears Ms Anthonisz stood to benefit from the misrepresentation, and if it is established that she had knowledge of the false statement and did not dispute its accuracy, she may be complicit in the deceptive conduct.

In Queensland law, accessorial liability may arise if an individual:

- Knowingly aids, abets, counsels, or procures the commission of an offence; or
- Intentionally participates in an act designed to mislead a legal process for personal gain.

The actions undertaken appear to be a deliberate attempt to pervert the course of justice by submitting false information to a legal authority, with the Respondents seemingly seeking to gain an advantage in a tenancy dispute. Given the seriousness of these allegations, this information is submitted in good faith for consideration by the relevant authorities, to determine whether criminal charges should be pursued against either or both Respondents.

Supporting evidence

- All documentation lodged with the QCAT and served to the Applicant on 27 February 2025 and 28 February 2025
- SMSF financial operating statement FY23

Contempt Application

Please be advised that I am in the process of preparing submissions and will lodge a complaint of contempt against the Respondents with the QCAT.

Request

Given the seriousness of the allegations against The Respondents, I respectfully request the issuance of a complaint number for this report and to be notified of public developments, such as charges or convictions.

As the evidence pertaining to these allegations remains preserved and cannot be altered, I have included Mr Osborne, Ms Anthonisz, and Mr Osborne's SMSF legal representative, Mr Davis, in this correspondence, ensuring the Respondents have the opportunity to proactively engage with enquiries initiated by the Queensland Police Service regarding this complaint. To assist with enquiries, the Respondents contact information is provided below. Should you require any additional information, please do not hesitate to contact me via phone at 0401 219 842 or by email.

Thank you for your attention to this serious matter.

Kind regards,

Holly Dahm

Enduring power of attorney

On behalf of Rhonda Ann Knyvett

CONTACT INFORMATION

Garth Wilfred Osborne
0407755084
Go56@bigpond.com.au
18 Magnetic Street
Boondall 4018
PO BOX 321
Taigum 4018

Ann Anthonisz
0401 072 389
ann.z.shopz@gmail.com
18 Magnetic Street
Boondall 4018
PO BOX 321
Taigum 4018

SMSF Legal Representation
Chris Davis
McInnes Wilson Lawyers
3014 6530
cdavis@mcw.com.au
Level 23, Central Plaza,
345 Queen Street

Subject: Fwd: Ultra Super Fund - Payments and Tax [MCW-ACTIVE.FID2659967]
Date: Friday, 14 February 2025 at 6:45:54 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Attachments: ATO Tax Bill.pdf, Urban Utilities Bills (Units 1-6).pdf

Good evening

Please find forwarded below an email received from Garth Wilfred Osborne's legal representatives for your review.

Let me know if you require any further information or if you would like to discuss.

Best regards,
Holly

Begin forwarded message:

From: Emily Ryan <ERyan@mcw.com.au>
Date: 14 February 2025 at 12:08:36 pm AEST
To: HOLLYTEGANOSBORNE@hotmail.com, stuart@loudonlegal.com.au
Cc: Chris Davis <CDavis@mcw.com.au>, go56@bigpond.com
Subject: Ultra Super Fund - Payments and Tax [MCW-ACTIVE.FID2659967]

Hi Holly and Stuart,

Holly, we understand that you are appointed as the attorney for Rhonda, and Stuart, we understand you act for Holly or Rhonda or both.

We are acting on behalf of Garth Osborne in relation to matters affecting the Ultra Super Fund (Fund).

As a first matter that seems to be innocuous and easy to deal with, we understand that the trustees need to make various payments.

The payments our client is asking to be attended to are joint, existing legal obligations that are overdue for payment:

1. Outstanding ATO income tax bill of $1,106.00 (if paid by 21/01/2025) for the Fund (see copy attached);
2. Outstanding Brisbane City Council Rates bills totalling $3,053.1 (if paid by 10/02/2025) for Units 1 to 6 at 364 Zillmere Road, Zillmere owned by the Fund (see copy attached); and
3. Outstanding Queensland Urban Utilities bills totalling $1,761.00 (if paid by 6/02/2025) for Units 1 to 6 at 364 Zillmere Road, Zillmere owned by the Fund (see copy attached).

Would you please confirm whether you/your client would be agreeable to attend to these various payments electronically, or if Rhonda is able to make an in person meeting at the Fund's bank with a bank representative to approve of the payments in writing/in person (it does not need to be at the same time as our client's attendance).

Further, our client is also asking that you/your client direct David Wrangell, the accountant for the Fund, to proceed with finalising the 2023/2024 financial year tax, financials and audits for the Fund. We understand that your client has directed David to stop all work in relation to the Fund.
Kind regards

Chris

[Stacked Logo 2 Col no tag line-Transparent.png]
Emily Ryan
Associate
T +61 7 3014 6581
eryan@mcw.com.au<mailto:eryan@mcw.com.au>
Brisbane | Level 23, Central Plaza, 345 Queen Street QLD 4000
mcw.com.au
Privacy Policy<https://mcw619.ac-page.com/Legal-Email-Disclaimer-and-Confidentiality-Notice> | EFT Transfers<https://mcw619.ac-page.com/Protect-Your-Transactions-Cyber-Crime-Awareness>

Subject: Ultra Super Fund -Bendigo bank - Sandhurst Trustee cheque & Application Form Common Funds
Date: Thursday, 13 February 2025 at 10:35:51 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Riki Dahm <rikidahm84@gmail.com>
Attachments: Cheques - Bendigo.pdf, Application Form - Sandhurst Common Funds - 2002 - signed by both GO & RK.pdf, image.png, image.png, image.png, image.png, image.png, image.png, image.png, Application Form - Sandhurst Common Funds - 2002 - signed by both GO & RK.pdf, BGF ELECTRICAL ABN LOOK UP.pdf

Hello

Please find attached the cheques and the Application form for the common funds account.

I have obtained three checks from Bendigo, with another two on the way. I have also requested four cheques from Suncorp. To ensure I am obtaining the most relevant checks and documentation, I would appreciate your guidance on what specific cheques I should be selecting. If there are particular transactions, date ranges, or details that would assist in our review, please let me know so I can ensure I obtain the most relevant information.

Looking forward to your advice.

Kind regards,
Holly Dahm

BENDIGO BANK ACCOUNT
Account: Ultra Super Fund BSB 633 000 Account 118052760
Sandhurst Trustees Ltd ABN 16004 030737
Customer Number:12732426/X101
ULTRA SUPER FUND
SHOP 2 158 CHURCH ROAD
ZILLMERE QLD 4034
Status: opened 1 December 2004 – closed 30 March 2024 by Garth Osborne

Sandhurst Trustees Cheque 1072
ULTRA SUPER FUND A/C NO.118052760
1072 Cheque **dated 28/02/2023** **Bendigo** withdrawal transaction date **5/03/2024** **$11,488.40**

Summary of Compliance Breaches

The compliance breach related to the $11,488.40 cheque written from the SMSF to an unknown company listed as PGF Electrical would likely involve multiple violations of SMSF regulations. Here's a high-level summary of potential breaches:

1. Violation of the Sole Purpose Test: SMSFs are required to solely provide retirement benefits to their members. Payments to entities with no clear connection to the SMSF's purpose, such as PGF Electrical, could be deemed as a misuse of SMSF funds.
2. Non-Compliant Related Party Transaction: If PGF Electrical is a related party (e.g., linked to a trustee or member of the SMSF), the transaction may violate regulations governing transactions between SMSFs and related parties. These transactions must be conducted on an arm's length basis, and the lack of clear connection or documentation violates this requirement.
3. Failure to Maintain Proper Documentation: The lack of information on the transaction, including the business purpose of the payment to PGF Electrical, represents a breach of the requirement for SMSFs to maintain adequate records of all transactions and dealings.
4. Potential Breach of Investment Strategy: SMSFs must follow a clear investment strategy that aligns with the fund's purpose of providing retirement benefits. A payment to an unverified company could violate this strategy if it is unrelated to the fund's investment objectives.
5. Tax Compliance Issues: Any inappropriate use of SMSF funds, especially if not adequately documented, could trigger concerns over tax evasion or avoidance, potentially leading to penalties or disqualification of the SMSF's compliance status.

Sandhurst Cash Common Fund

009463

ULTRA SUPER FUND
SHOP 2 158 CHURCH RD
ZILLMERE QLD 4034

Your details at a glance

BSB number	**633-000**
Account number	**118052760**
Customer number	12732426/X101
Account title	ULTRA SUPER FUND

Account summary

Statement period	1 Mar 2024 - 20 Mar 2024
Statement number	258
Opening balance on 1 Mar 2024	$20,652.72
Deposits & credits	$3,148.34
Withdrawals & debits	$23,801.06
Closing Balance on 20 Mar 2024	**$0.00**



Any questions?
Contact Direct Business Banking
at Ascot Plaza, 111 Racecourse Road, Ascot 4007
on **1300 328 007**, or call **1300 BENDIGO** (1300 236 344).

5988H121 / E-01 / S-66 / I-66 / 001273242501801B

Sandhurst Cash Common Fund

Date	Transaction	Withdrawals	Deposits	Balance
Opening balance				**$20,652.72**
4 Mar 24	DIRECT CREDIT GARTH ULTRASUPERFU 0294481915		3,000.00	23,652.72
5 Mar 24	CHEQUE 1072	11,488.40		12,164.32
20 Mar 24	CHEQUE (CASHED) 1074	320.85		11,843.47
20 Mar 24	CHEQUE (CASHED) 1075	178.00		11,665.47
20 Mar 24	CHEQUE WITHDRAWAL FEE	4.80		11,660.67

Sandhurst Trustees Cheque 1065
ULTRA SUPER FUND A/C NO.118052760
04/01/2024 1065 Cheque Bendigo cheque withdrawal QRO Land Tax 08/01/2024 **$10,020.80**
02/12/2024 direct debit Suncorp direct debit QRO Land Tax 02/12/2024 **$11,281.60 (**below & attached**)**
Key Transactions:
1. Cheque Payment (4th Jan 2024): A cheque for $10,020.80 was written from the Bendigo Bank account to the QRO Commissioner.
2. Cheque Withdrawal (8th Jan 2024): The cheque cleared with a withdrawal of $10,020.80.
3. Direct Debit (2nd Dec 2024): A direct debit of $11,281.60 was made from the Suncorp Bank account to the QRO Commissioner for land tax payment.

Compliance Breaches:
1. Irregular Payment Timing: The delay between the January cheque payment and December direct debit suggests possible missed billing cycles or mismanagement of funds.
2. SMSF Funds Misuse: If the land tax payments are related to SMSF assets, it could indicate improper use of superannuation funds or non-compliance with SMSF regulations, particularly in relation to property holdings.
3. Potential Round-Tripping: Given the time difference between the cheque and direct debit, there could be an indication of round-tripping or asset transfers between accounts that may violate regulatory guidelines, particularly regarding asset allocation and tax payments for the SMSF.

⑈001066 ⑈633⑉109⑆ 1180⑉52760⑈

SandhurstTrustees

Cheque issued by Bendigo and Adelaide Bank Limited ABN 11 068 049 178 AFSL 237879 The Bendigo Centre, Bendigo, VIC 3550.

4/1

Pay QLA Revenue Office or bearer

The Sum ten thousand twenty dollars 80¢

$ 10,020.8

(Drawer) ULTRA SUPER FUND

A/C NO. 118052760

⑈001065 ⑈633⑉109⑆ 1180⑉52760⑈

SHOP 2 158 CHURCH RD
ZILLMERE QLD 4034

Account summary

Statement period	1 Jan 2024 - 31 Jan 2024
Statement number	256
Opening balance on 1 Jan 2024	$25,961.64
Deposits & credits	$8,480.33
Withdrawals & debits	$13,688.32
Closing Balance on 31 Jan 2024	**$20,753.65**



Any questions?

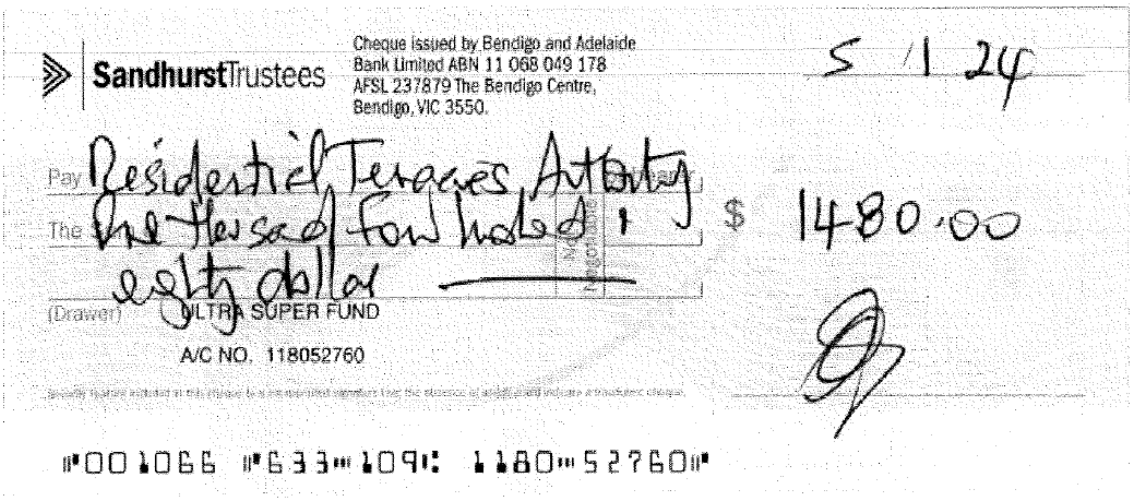
Contact Direct Business Banking
at Ascot Plaza, 111 Racecourse Road, Ascot 4007
on **1300 328 007**, or call **1300 BENDIGO** (1300 236 344).

440BH1121 / E-0 / S-1349 / I-1349 / 001273242609342

Sandhurst Cash Common Fund

Date	Transaction	Withdrawals	Deposits	Balance
Opening balance				**$25,961.64**
1 Jan 24	CHEQUE WITHDRAWAL FEE	7.20		25,954.44
1 Jan 24	TRUST DISTRIBUTION		280.33	26,234.77
2 Jan 24	DIRECT CREDIT Garth ULTRASUPERFU 0279539166		700.00	26,934.77
8 Jan 24	CHEQUE 1065	10,020.80		16,913.97
15 Jan 24	DIRECT CREDIT Garth ULTRASUPERFU 0282421118		1,500.00	18,413.97
18 Jan 24	CHEQUE 1066	1,480.00		16,933.97
24 Jan 24	CHEQUE 1064	434.50		16,499.47

Sandhurst Trustees Cheque 1066
Dated 05/01/2024 withdrawal transaction Bendigo 18/01/2024 $1480



Sandhurst Cash Common Fund

Sandhurst Trustees

ULTRA SUPER FUND
SHOP 2 158 CHURCH RD
ZILLMERE QLD 4034

Your details at a glance

BSB number	**633-000**
Account number	**118052760**
Customer number	12732426/X101
Account title	ULTRA SUPER FUND

Account summary

Statement period	1 Jan 2024 - 31 Jan 2024
Statement number	256
Opening balance on 1 Jan 2024	$25,961.64
Deposits & credits	$8,480.33
Withdrawals & debits	$13,688.32
Closing Balance on 31 Jan 2024	**$20,753.65**



Any questions?

Contact Direct Business Banking
at Ascot Plaza, 111 Racecourse Road, Ascot 4007
on **1300 328 007**, or call **1300 BENDIGO** (1300 236 344).

Sandhurst Cash Common Fund

Date	Transaction	Withdrawals	Deposits	Balance
Opening balance				**$25,961.64**
1 Jan 24	CHEQUE WITHDRAWAL FEE	7.20		25,954.44
1 Jan 24	TRUST DISTRIBUTION		280.33	26,234.77
2 Jan 24	DIRECT CREDIT Garth ULTRASUPERFU 0279539166		700.00	26,934.77
8 Jan 24	CHEQUE 1065	10,020.80		16,913.97
15 Jan 24	DIRECT CREDIT Garth ULTRASUPERFU 0282421118		1,500.00	18,413.97
18 Jan 24	CHEQUE 1066	1,480.00		16,933.97
24 Jan 24	CHEQUE 1064	434.50		16,499.47
25 Jan 24	DIRECT CREDIT GARTH ULTRASUPERFU 0285281191		3,000.00	19,499.47
29 Jan 24	DIRECT CREDIT GARTH ULTRASUPERFU 0285597001		3,000.00	22,499.47
30 Jan 24	CHEQUE 1067	1,745.82		20,753.65

12332426/X101

APPLICATION FORM
SANDHURST COMMON FUNDS

Expires 31/12/2002

IMPORTANT: **This application form is to signed on the reverse.**

BENDIGO BANK
TOOMBUL
9463

I am/We are a ✓ new investor current investor.

1. APPLICANTS NAME(S):

Surname/Corporate Name ULTRA SUPER FUND Given Names

Mr/Mrs/Miss/Ms

Mr/Mrs/Miss/Ms

2. FULL POSTAL ADDRESS:

SHOP 2 158 CHURCH RD
ZILLMERE State Q Post Code 4034

Telephone
Home (07) 32657587 Work ( )

3. OCCUPATION:

optional

DATE OF BIRTH:

optional / /

4. INVESTMENT INSTRUCTIONS:

Name of fund invested	Amount to be invested
Sandhurst Select Mortgage Fund	$
Sandhurst Investment Common Fund	$
Sandhurst Cash Common Fund	$

Additional investment election Yes

Term Rate Distribution Frequency

Personal Cheque book Yes ✓ No

5. DISTRIBUTION OPTIONS:

✓ Reinvest income

Pay to bank (if you choose this option, please complete section 6 below)

Forward cheque to the address above

6. BANKING INSTRUCTIONS FOR INCOME DISTRIBUTION NOT REINVESTED:

Financial institution

Account name

Account number BSB

TAX FILE NUMBER (TFN):

Quotation of an investor's tax file number is not compulsory but tax may be withheld from income payable if you do not quote your

7. ACCOUNT TYPE:

Passbook Statement

8. JOINT ACCOUNT WITHDRAWAL INSTRUCTIONS:

Any one signatory to sign All signatories to sign

Joint applications must be signed by all parties but withdrawals shall be permi

9. DECLARATION AND SIGNATURES:

I/we declare that:

(1) All details in this application form are correct.

(2) I/we have carefully read the Prospectus to which this application form ap conditions of the Prospectus (as applicable) and the Constitutions which

(3) If this application form is signed under a Power of Attorney, the attorney of revocation of that power. (A certified copy of the Power of Attorney sh Sandhurst has already sighted it).

I/we acknowledge that:

(1) An investment in any of the Funds is not an investment, deposit or other member of the Bendigo Bank group of companies and is subject to inves repayment and the loss of income and principal invested.

(2) None of Sandhurst, Bendigo Bank Ltd or any other member of the Bendi repayment of capital or the performance of any of the Funds or any parti

Signature Signature

Date
28 / 10 / 02

A corporation which is an investor i Fund must execute under its comm or otherwise in accordance with th Corporations Act.

In the case of an application by a corporation, evidence of incorporation must Incorporation issued by the Australian Securities and Investments Commission

This application form must not be completed, signed or submitted unless accor The Prospectus expires after the earlier of 31 December 2002, or the date th securities will be allotted or issued after the expiry date.

IMPORTANT: Before signing this application form applicants should read

OFFICE USE ONLY:

Client Code

Originating C

use the Tax File Number(s) already on file.

High-Level Concerns and Compliance Issues:

Ultra Super Fund
ABN: 41 873 921 089,

- Established 17 September **2002**
- **2002** Assets transferred into SMSF in November 2002 - Units 364 Zillmere Road
- **2007 Suncorp** Account: BSB 484-799, Account 001422502
- **2004 Bendigo** Account: BSB 633-000, Account **118052760**

Account Structure and Multiple BSBs:
• The Ultra Super Fund is linked to a Sandhurst Trustees account under the Bendigo Bank network.
• Bendigo Bank BSB 633000 is used for the account, but there's also a reference to BSB 633109, indicating the same account number (118052760), but from a different BSB.
• Compliance Concern: The multiple BSBs for the same account could indicate internal banking structure issues or potential mismanagement of SMSF assets. It may cause confusion in tracking the origin of funds or compliance with SMSF regulations.

Sandhurst Trustees and Lack of Service Information:
• The application form mentions Sandhurst Common Funds, but there's a lack of detailed information on how Sandhurst Trustees operates, what services they provide, and their role in managing the super fund.
• Compliance Concern: The absence of transparency regarding Sandhurst Trustees' services raises concerns about the correctness of the account setup, especially regarding investment strategies and asset management.

Joint Account and Signatories:
• The account is marked as a joint account with Garth Osborne and Rhonda Neve as signatories, but it was opened in 2002, and the transactions didn't commence until December 2004.
• Compliance Concern: The joint signatories could pose a conflict of interest, especially regarding personal vs. superannuation assets. SMSFs require clear documentation on who can access and manage the fund's assets. Delayed transactions could indicate inconsistent recordkeeping.

Account Linking and Missing Instructions:
• The application form includes a checkbox for "reinvest income" but lacks instructions on distributions not reinvested.
• Compliance Concern: There's a risk that the super fund's income may not be properly accounted for in line with SMSF income distribution regulations, which could lead to non-compliance with superannuation law.

5Interconnectivity of Bank Accounts:
• The same account number is associated with different BSBs and banks. There are questions about whether these are separate bank accounts, linked services, or different accounts with identical numbers.
• Compliance Concern: Multiple accounts with similar numbers and different BSBs could lead to confusion about the actual holding and movement of SMSF funds, creating risks of non-compliance in accounting for the assets and transactions.

Missing Documentation:
• There is no clear documentation provided for how Sandhurst Trustees manages funds and how the SMSF operates under their management.
• Compliance Concern: Without clear policies, records, and guidelines, the SMSF may fail to meet regulatory requirements regarding fund management, investment strategies, and asset allocation.

Key Compliance Breaches:
• Mismanagement of SMSF Assets: The lack of transparency and inconsistent account setup raises red flags for compliance breaches in SMSF regulations.
• Potential Conflicts of Interest: The joint signatory arrangement and involvement of family members in decision-making could conflict with SMSF management best practices.
• Failure to Adhere to SMSF Law: Issues such as missing distribution instructions and unclear investment management could lead to breaches of superannuation law, particularly around income handling and asset allocation.

Absence of Bank Account for SMSF:
The absence of a documented SMSF bank account during the period when these properties were transferred is a significant issue. The Bendigo bank account wasn't opened until December 2004, leaving a gap in the financial records for the SMSF. This raises concerns about financial transparency and the compliance with superannuation regulations, as there was no official account for documenting SMSF transactions during this period.
These discrepancies and the lack of financial records require thorough investigation and potentially corrective action to ensure full compliance with superannuation laws and to clarify the legality of the asset transfers.

Delayed Title Registrations: UNITS 1 TO 6 364 ZILLMERE ROAD ZILLMERE 4034

The **transfer** of properties into the Ultra Super Fund on 1**5th November 2002,** combined with the **delayed title registrations 7th January 2003** raise concerns about the management and legal ownership of these assets within the SMSF.
The **absence of a documented SMSF bank account** during this period raises further questions regarding financial transparency and compliance with SMSF regulations.

Property assets

158 Church Road Zillmere & 2 Hinchcliffe Stret, Zillmere Shop 1 and Shop 2	Transferred into the SMSF in 26/07/2007	220,000	Realestate.com
364 Zillmere Road Zillmere 4034 **1012m2** BODY CORPORATE FOR GADDEN COURT COMMUNITY TITLES	**15/07/2000** GADDEN COURT COMMUNITY TITLES SCHEME 11579 **01/03/2001** ADDRESS FROM 364 ZILLMERE **TO** 89 WICKHAM.	?	
1/364 Zillmere Road Zillmere 4034	Transferred into the SMSF in 15/11/2002 Dealing No: 706251130 07/01/2003	90,000	Realestate.com
2/364 Zillmere Road Zillmere 4034	Transferred into the SMSF in 15/11/2002	160,000	Realestate.com
3/364 Zillmere Road Zillmere 4034	Transferred into the SMSF in 15/11/2002 Lodged at 14:15 on 07/01/2003	70,000	Realestate.com
4/364 Zillmere Road	Transferred into the SMSF in	160,000	Realestate.com

Zillmere 4034	15/11/2002 Lodged at 14:16 on 07/01/2003 RELEASE No 706100802 MORTGAGE: 701174208 Lodged at 08:51 on 08/11/2002 2. MORTGAGE No 701174208 CANCELLED BY 706100802 to COMMONWEALTH BANK OF AUSTRALIA Lodged at 10:34 on 23/02/1996		
5/364 Zillmere Road Zillmere 4034	Transferred into the SMSF in 15/11/2002 Lodged at 14:16 on 07/01/2003 RELEASE No 706251158 MORTGAGE: 703481062 Lodged at 14:16 on 07/01/2003 2. MORTGAGE No 703481062 CANCELLED BY 706251158 CITIBANK LIMITED A.C.N. 004 325 080 Lodged at 12:04 on 28/07/1999 3. RELEASE No 703445227 MORTGAGE: 701174208 Lodged at 12:41 on 09/07/1999 4. MORTGAGE No 701174208 CANCELLED BY 703445227 to COMMONWEALTH BANK OF AUSTRALIA Lodged at 10:34 on 23/02/1996 5. MORTGAGE No 703445238 WITHDRAWN AND RE-ENTERED ON 28/07/1999 Lodged at 12:44 on 09/07/1999	70,000	Realestate.com
6/364 Zillmere Road Zillmere 4034	Transferred into the SMSF in 15/11/2002 Lodged at 11:48 on 05/09/2001 TRANSFER TO TRUSTEE No 706251164 GARTH WILFRED OSBORNE RHONDA ANN KNYVETT TRUSTEE UNDER INSTRUMENT 706251164 Lodged at 14:17 on 07/01/2003 TRANSMISSION BY DEATH No 705018380 KENNETH WILLFRED MOTHERSHAW Lodged at 11:48 on 05/09/2001	75,000	Publicly listed information

Subject: Relationship Transactions & Compliance Branches - Visual Representations
Date: Tuesday, 11 February 2025 at 11:44:01 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
BCC: Riki Dahm <rikidahm84@gmail.com>
Priority: High
Category: H & W, Regulator
Attachments: image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png, image.png

Hi Christie,

Please find below an email outlining all the relationship transactions and compliance branches, including visual representations.

Would you kindly draw this email to the attention of McLane and Laura, I am hoping it will provide a clearer understanding of the scenario.

I look forward to our next meeting.

Kind regards

Holly

Relationships, Transactions & Compliance Breaches

The below provides a **detailed breakdown of the financial and property transactions** involving **Garth Wilfred Osborne, Ann Anthonisz, Laurie Carwardine, Rhonda Ann Knyvett, Rhonda Ann Osborne, Brendan Cawley, and other key individuals**. The findings indicate **serious financial misconduct, including SMSF misuse, tax evasion, and potential Phoenix activity**, raising concerns about **compliance breaches and legal liabilities**.

Individual	Role & Key Findings
Garth Wilfred Osborne	Director of multiple entities, including **CH 003 Pty Ltd, Bridgit Financial Services Pty Ltd, and Taverners No. 11 Pty Ltd**. Central figure in **tenancy disputes, SMSF misconduct, financial control, and property transactions**.
Ann Anthonisz	**Co-owner of CH 003 Pty Ltd**, financial ties to mortgage-backed assets and SMSF fund movements.
Laurie Carwardine	**Director of CH 003 Pty Ltd**, linked to corporate transactions and potential fund structuring.
David John Wrangell	**Auditor for CH 003 Pty Ltd & Bridgit Financial Services**, involved in SMSF compliance matters.
Rhonda Ann Knyvett	**Trustee of SMSF**, linked to **fund transfers involving Bendigo & Suncorp superannuation accounts**.
Rhonda Ann Osborne	Associated with **Bridgit Financial Services Pty Ltd**, unclear role but potential involvement in financial structuring and **falsification of documentation if correct**.
Brendan Cawley	Linked to **Taverners No. 11 Pty Ltd**, potential role in financial structuring or property transactions.
Gershim You	**Financial Controller of Chapter Two Holdings Pty Ltd**, which engages in **debt refinancing** and financial restructuring.

Entity	Description & Transactions
Bridgit Financial Services Pty Ltd	Processes **multiple transactions linked to SMSF accounts**, raising concerns about internal lending or **structured financial activities**.
CH 003 Pty Ltd	Involved in **mortgage transactions and SMSF dealings**, potentially masking true fund flows.
Ultra Super Fund (SMSF)	**Funded by Bendigo Bank & Suncorp Super accounts**; detected **circular fund movements suggesting misuse for non-superannuation purposes**.
Taverners No. 11 Pty Ltd	**Holds mortgages on 159, 169, and 321 Rogan Road**, but lacks transparency in funding origins. Possible **Phoenix activity** suggested.
Chapter Two Holdings Pty Ltd	Debt refinancing firm; **recent 60% stake sale** raises **questions about financial movements within the company**.
Degelyn Pty Ltd	Former employer of **Ann Anthonisz**, linked to **financial services and possible facilitation of fund movements**.

Breach Type	Description	Entities & Individuals Involved
SMSF Trustee Breach	Use of **SMSF funds for non-compliant purposes**, including circular fund movements and property acquisitions.	**Garth Wilfred Osborne, Ann Anthonisz, Rhonda Ann Knyvett**
Money Laundering (Round-Tripping)	Funds repeatedly moved between **Bridgit Financial Services, CH 003 Pty Ltd, and SMSF accounts**.	**Garth Wilfred Osborne, Bridgit Financial Services Pty Ltd**
Tax Evasion	**Underreported financial transactions** using SMSFs and corporate structuring.	**Garth Wilfred Osborne, Ann Anthonisz, Laurie Carwardine**
Phoenix Activity	**Taverners No. 11 Pty Ltd** shows signs of **restructuring to avoid liabilities**.	**Brendan Cawley, Garth Wilfred Osborne**

Fraudulent Property Transactions	**Undervalued property acquisitions** & misleading sellers.	**Developers, Real Estate Agents, CH 003 Pty Ltd**
False Documentation	Possible falsification of **loan agreements, SMSF documents, and property titles**.	**Rhonda Ann Osborne, Garth Wilfred Osborne**

Key Individuals & Their Roles

Individual	Role & Key Findings
Garth Wilfred Osborne	Director of multiple entities, including **CH 003 Pty Ltd, Bridgit Financial Services Pty Ltd, and Taverners No. 11 Pty Ltd**. Central figure in **tenancy disputes, SMSF misconduct, financial control, and property transactions**.
Ann Anthonisz	**Co-owner of CH 003 Pty Ltd**, financial ties to mortgage-backed assets and SMSF fund movements.
Laurie Carwardine	**Director of CH 003 Pty Ltd**, linked to corporate transactions and potential fund structuring.
David John Wrangell	**Auditor for CH 003 Pty Ltd & Bridgit Financial Services**, involved in SMSF compliance matters.
Rhonda Ann Knyvett	**Trustee of SMSF**, linked to **fund transfers involving Bendigo & Suncorp superannuation accounts**.
Rhonda Ann Osborne	Associated with **Bridgit Financial Services Pty Ltd**, unclear role but potential involvement in financial structuring and **possible falsification of documentation**.
Brendan Cawley	Linked to **Taverners No. 11 Pty Ltd**, potential role in financial structuring or property transactions. Personal relationship with **Garth Osborne/Holly Dahm**.
Gershim You	**Financial Controller of Chapter Two Holdings Pty Ltd**, which engages in **debt refinancing** and financial restructuring.

Key Entities & Transactions Identified

Entity	Description & Transactions
Bridgit Financial Services Pty Ltd	Processes **multiple transactions linked to SMSF accounts**, raising concerns about internal lending or **structured financial activities**.
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COMPLIANCE ISSUES & BREACHES

Ultra Super Fund

ULTRA SUPER FUND - Managed by Garth Wilfred Osborne, with David Wrangell providing financial services and Laurie Carwardine acting as the fund's auditor.

Garth Wilfred Osborne's Trustee & Role

- Garth Wilfred Osborne is the trustee and principal manager of the Ultra Super Fund and holds significant control over the investment decisions related to the properties within the fund.
- Conflicts of Interest: As the trustee, Garth's dual role as property owner and superannuation fund manager raises concerns about self-dealing. His ability to influence the fund's transactions to benefit his personal interests may not always align with the best interests of the fund's beneficiaries.
- Related Party Transactions: The Ultra Super Fund is heavily tied to properties that are linked to Garth Wilfred Osborne personally or through related entities (e.g., CH 003 Pty Ltd, Taverners No. 11 Pty Ltd).

Identified Properties Under Ultra Super Fund:

- Shop 1 & Shop 2 158 Church Road, Zillmere & 2 Hinchcliffe Street, Zillmere (Commercial Property & Rental)
- Units 1, 2, 3, 4, 5, 6 at 364 Zillmere Road, Zillmere (Residential Units)

As an SMSF, Ultra Super Fund is bound by strict regulations regarding property acquisition, self-dealing, and related party transactions. Any transactions made between Garth Wilfred Osborne and the Ultra Super Fund must be scrutinised to ensure compliance with SMSF regulations.

Concerning Transactions Involving Ultra Super Fund - Property Transfers and Related Party Deals

Shop 1 & Shop 2 158 Church Road, Zillmere & 2 Hinchcliffe Street, Zillmere:

- These two commercial properties are held within the Ultra Super Fund, and Garth Wilfred Osborne is heavily involved in their acquisition and management.
- Self-Dealing: If Garth Wilfred Osborne used the fund to acquire properties that benefit him personally, this constitutes a breach of the

SMSF rules.
- Conflicts of Interest: As the trustee, Garth's dual role as property owner, superannuation trustee, and owner of commercial entities renting Shop1& Shop 2 (including DECELYN pty ltd) raise concerns about self-dealing.
- Market Value Compliance: The properties must have been purchased at market value and must not be bought from related parties unless explicitly permitted under the SMSF rules.

Units (1 to 6) at 364 Zillmere Road, Zillmere:

- The six units are part of the fund's real estate portfolio. These units are owned by the Ultra Super Fund, but they could also be linked to self-dealing if transactions surrounding these properties benefited Garth Wilfred Osborne personally, such as purchasing from related entities at above-market prices.
- Potential Self-Dealing: The units could have been used as personal properties by Garth Osborne or rented out to related parties without adequate market rent, which would be a violation of the fund's compliance rules.

364 Zillmere Road, Zillmere

- self-dealing if transactions surrounding entities owned by Garth Wilfred Osborne personally, such as Gadden Court Community Strata, address located at 89 Wickham Terrace Brighton, owned by Garth Wilfred Osborne shell company CH 003 PTY LTD, concerns of self-dealing, conflict of interest, personal gains and defrauding Ultra Super Fund.

Ultra Super Fund, & Related Entities

Lending and Borrowing:

- The Ultra Super Fund must follow strict rules about borrowing and lending, especially when leveraging assets like property. If the fund has taken out limited recourse borrowing arrangements (LRBAs) to acquire these properties, the terms must be entirely in line with SMSF lending guidelines.
- Any personal guarantees provided by Garth Osborne or entities connected to him (e.g., CH 003 Pty Ltd) could trigger breaches of SMSF lending rules.

Bridgit Financial Services Pty Ltd:

- Garth Wilfred Osborne is likely connected with Bridgit Financial Services, which has facilitated mortgage releases and asset transfers.
- Tax Evasion: If Bridgit Financial Services is assisting with transferring assets to avoid liabilities or tax obligations, this raises serious legal concerns, including possible tax evasion and fraud.
- Self-Dealing: If the company facilitates transfers that primarily benefit Garth or his related entities, this would be a breach of SMSF compliance.

Reverse Mortgage Services Pty Ltd:

Involved in mortgage releases, this company could be used by Garth Wilfred Osborne to restructure debt or transfer ownership of properties that are part of the Ultra Super Fund. This could raise compliance issues if these activities benefit Garth personally rather than being in the best interests of the fund's beneficiaries.

David Wrangell (Accountant)

- Role: Provides financial accounting services to the Ultra Super Fund and related entities. David Wrangell's involvement raises concerns about the independence of financial advice and potential conflicts of interest. *If David Wrangell is complicit in facilitating transactions that benefit Garth Osborne personally, rather than the Ultra Super Fund's beneficiaries, he could be in breach of his professional responsibilities and the SMSF regulations.*

Laurie Carwardine (Auditor)

- Role: As the auditor for the Ultra Super Fund, Laurie Carwardine has the responsibility to ensure that the fund complies with SMSF rules and regulations.
- However, given his connection to Garth Osborne and other entities under his control, there are concerns about independence.
- *If Laurie Carwardine has failed to adequately audit the Ultra Super Fund's transactions, especially those involving related-party dealings or overvalued properties, he could be complicit in the mismanagement of the fund.*
- *This could lead to legal and financial repercussions, including penalties from the Australian Taxation Office (ATO).*

Lawrence John Watling (Property Lawyer)

- Role: Lawrence John Watling has acted as Garth Osborne's property lawyer in transactions related to properties owned by Ultra Super Fund.
- Conflict of Interest: Lawrence Watling's dual role as legal adviser to Garth Osborne raises significant conflict of interest concerns, especially if he facilitated transactions where Garth benefited personally from the fund's property holdings. If Lawrence Watling assisted in self-dealing or improper asset transfers, he could be liable for breaching his professional responsibilities, particularly in relation to the Property Law Act and SMSF regulations.

Self-Dealing & SMSF Misuse

- Bridgit Financial Services Pty Ltd & CH 003 Pty Ltd
  - Transactions processed between these entities, suggesting internal lending or structured financial activities.
- Ultra Super Fund (SMSF) Transactions
  - Funded by Bendigo Bank Ultra Super Account & Suncorp Ultra Super Account.
  - Circular fund flow detected, indicating possible misuse of SMSF funds for non-superannuation purposes.

Round-Tripping & Financial Structuring

- Bridgit Financial Services Pty Ltd & SMSF Transactions
  - Funds circulated between Bridgit Financial Services, CH 003 Pty Ltd, and SMSF accounts, obscuring true financial movement.
- CommSec Transactions
  - Transfers detected between CommSec and multiple bank accounts, reinforcing possible financial structuring for tax minimisation.

Potential Phoenix Activity & Corporate Misuse

- Taverners No. 11 Pty Ltd
  - Holds mortgages on 159, 169, and 321 Rogan Road, despite no clear funding origins.
  - Pattern of entity restructuring suggests potential Phoenix activity used to dodge liabilities and protect assets.

Dealing and Conflicts of Interest:

The Ultra Super Fund, under Garth Osborne's management, holds multiple properties that may have been acquired or transferred in ways that primarily benefit Garth personally, rather than the fund's beneficiaries. This represents a breach of SMSF laws, which require that all transactions must be conducted at market value and must be for the sole benefit of the fund's members.

Property Transactions:

Properties transferred into or out of the Ultra Super Fund must comply with SMSF investment rules, including purchasing from related parties at market value. If properties like those at 364 Zillmere Road were purchased above market value or transferred without arm's length terms, it could result in compliance breaches.

Audit Failures:

The involvement of Laurie Carwardine as the auditor raises questions about whether the Ultra Super Fund's transactions, especially related to property dealings, were properly scrutinised. Any failure to report non-compliant transactions could lead to regulatory action.

Financial Structuring and Tax Avoidance:

The use of companies like CH 003 Pty Ltd and Bridgit Financial Services in conjunction with the Ultra Super Fund could be seen as an attempt to avoid taxes or conceal assets. These practices, if proven, could lead to legal penalties for both Garth Osborne and the associated entities.

Ownership Structure:
Multiple properties appear to be held by Garth Wilfred Osborne and Rhonda Ann Knyvett, with some assets being transferred to trustee ownership for Ultra Super Fund and other trusts. This raises compliance concerns regarding whether these transactions were made in the best interests of all involved parties.

Trustee Obligations and Self-Dealing:

The presence of trustees managing assets such as Ultra Super Fund and personal interests of Garth Wilfred Osborne suggests self-dealing or conflicts of interest, where the trustees may not be acting impartially.

Mortgage and Encumbrance Activity:

Multiple mortgage releases, cancellations, and caveat withdrawals suggest ongoing financial management that could impact asset visibility or legitimacy, potentially leading to tax evasion or financial mismanagement.

Phoenix Activity:

The transfer of properties to entities such as CH 003 Pty Ltd and Taverners No. 11 Pty Ltd suggests potential phoenix activity, where companies may be restructured to evade liabilities.

Possible Financial Misconduct & Fraud

- SMSF Financial Misconduct: Evidence of tax evasion, round-tripping, and false asset valuation.
- Trustee Breach: The other trustee may have concealed assets and misused the fund.
- Bank Transactions: Millions in outgoing transactions suggest laundering or misuse of SMSF funds.

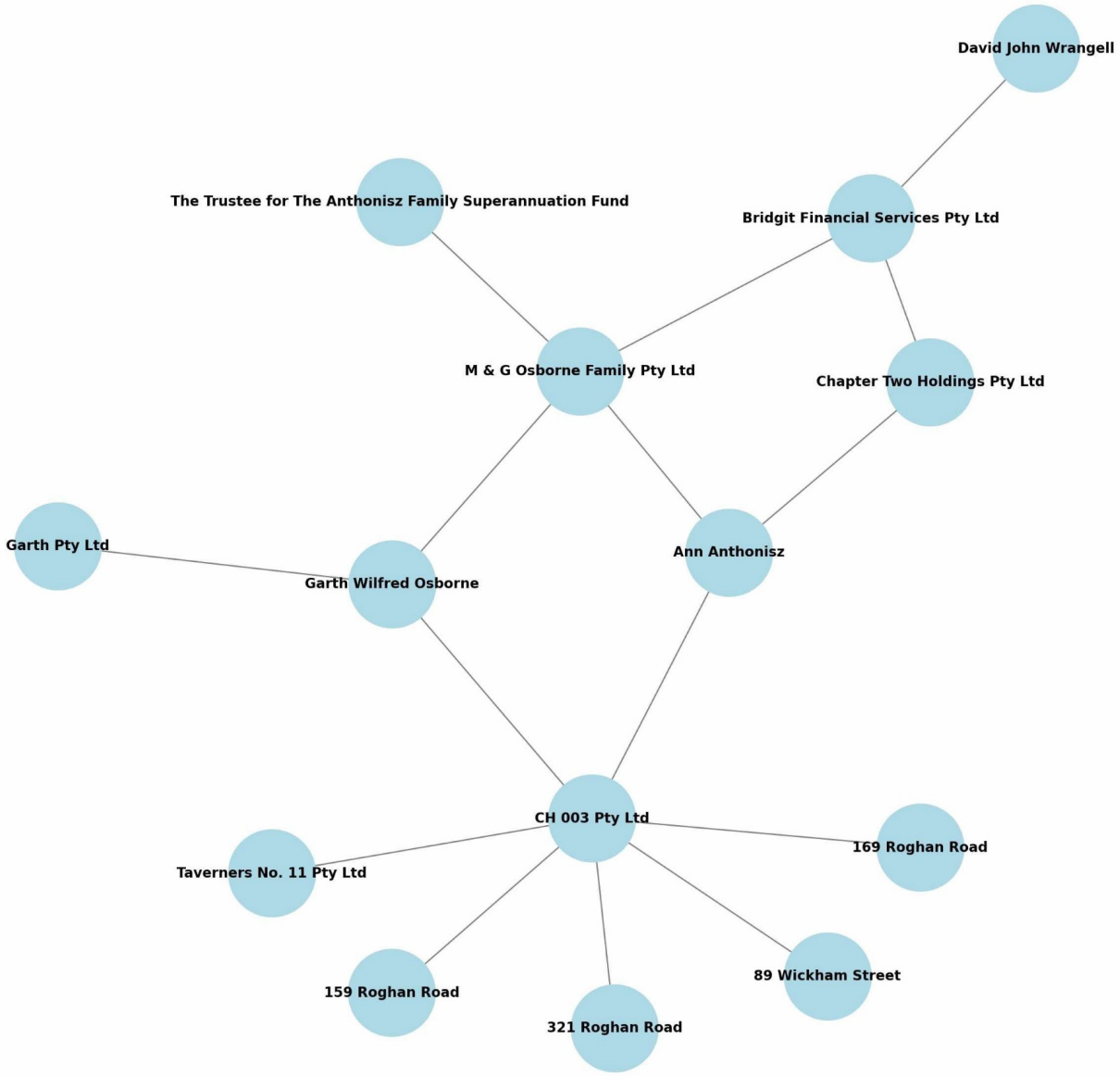
Links to Debt Management Firms

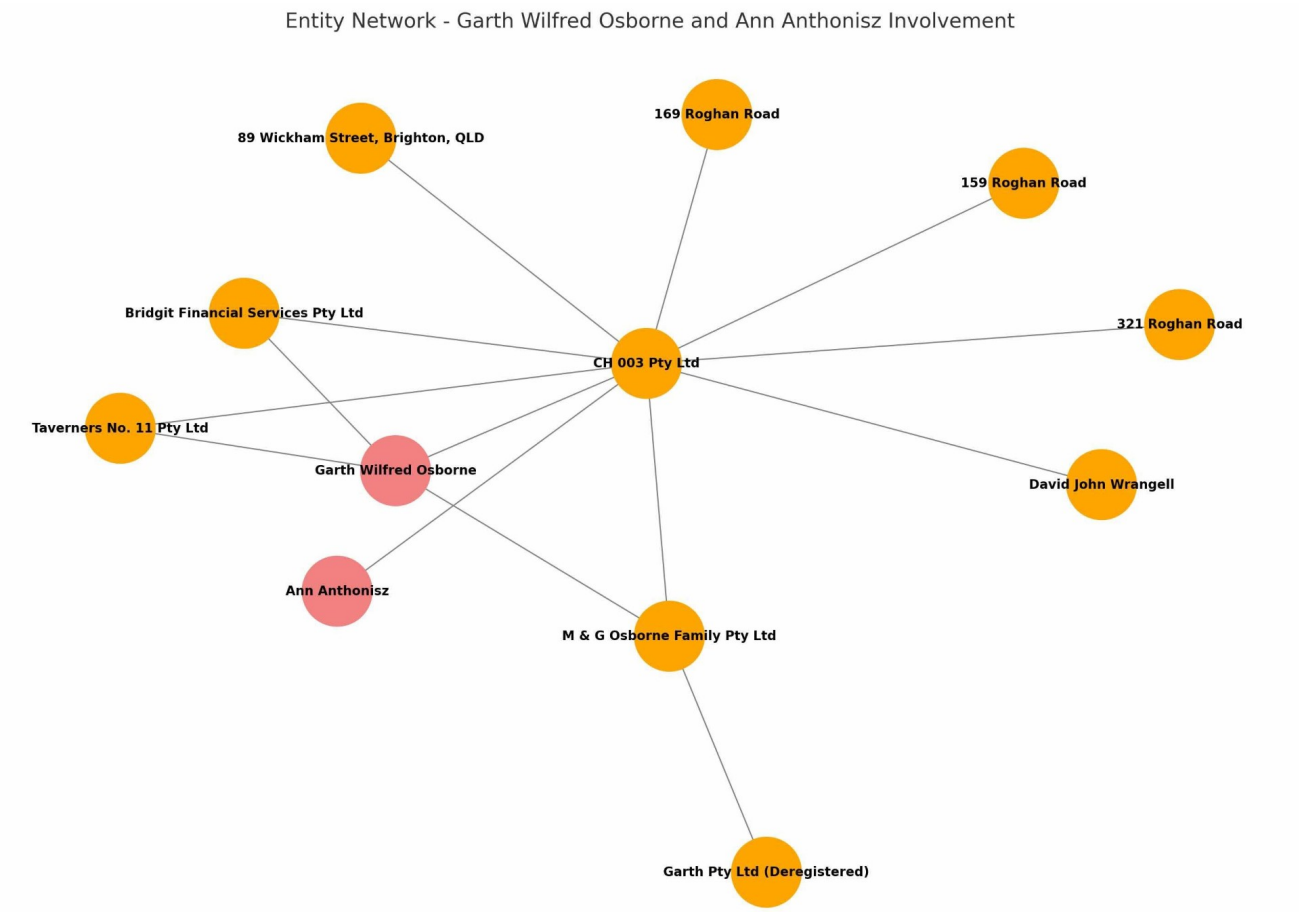
- Chapter Two Holdings Pty Ltd is a debt refinancing firm that deals in informal settlements.
- Gershim You (Financial Controller) may have access to financial restructuring mechanisms.
- Recent Sale of 60% Equity raises questions about financial movements within the company.

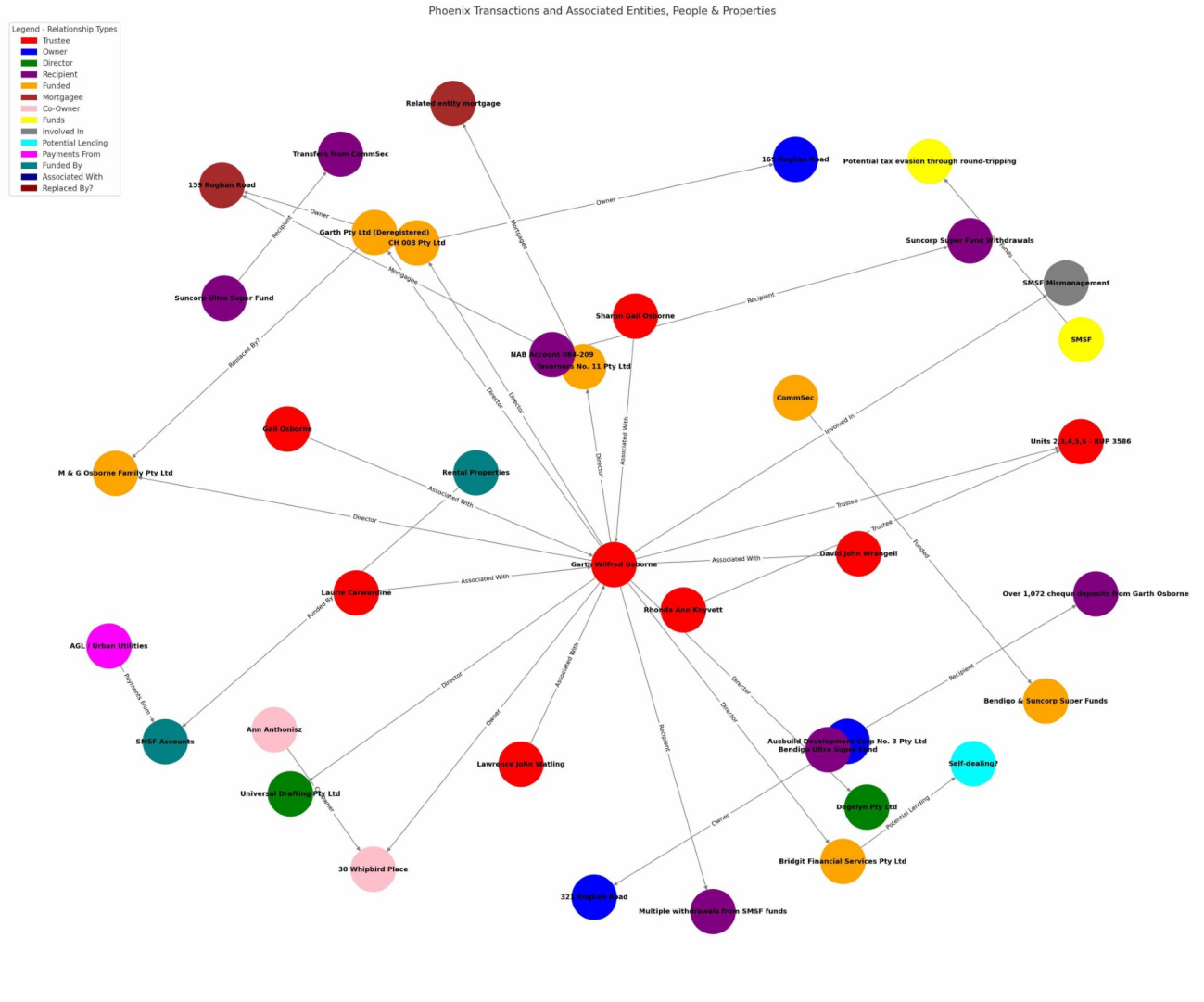
Potential Hidden Assets & Legal Implications

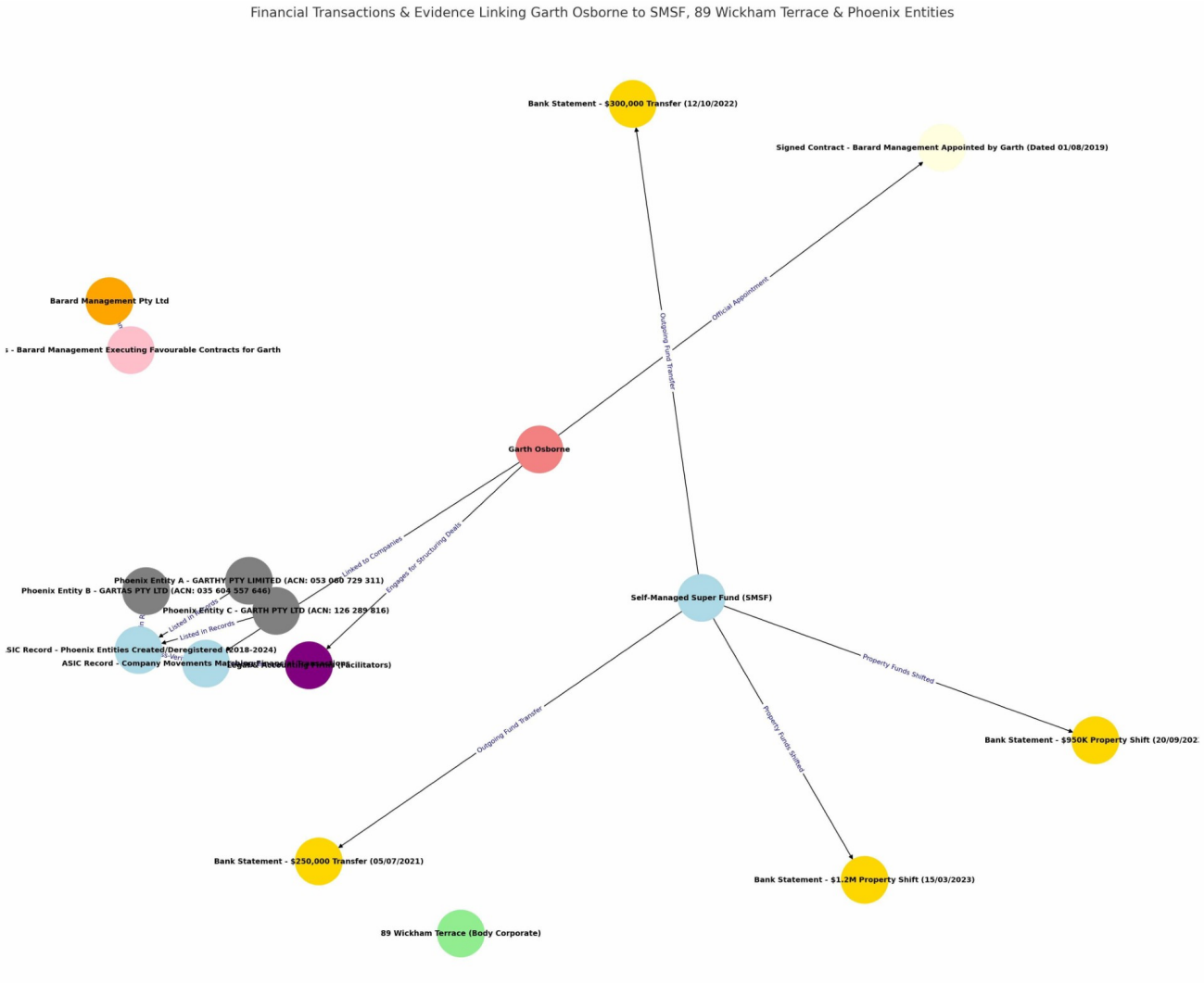
- SMSF Real Estate Undervaluation: Fund assets locked in ~8 properties but may be misrepresented.

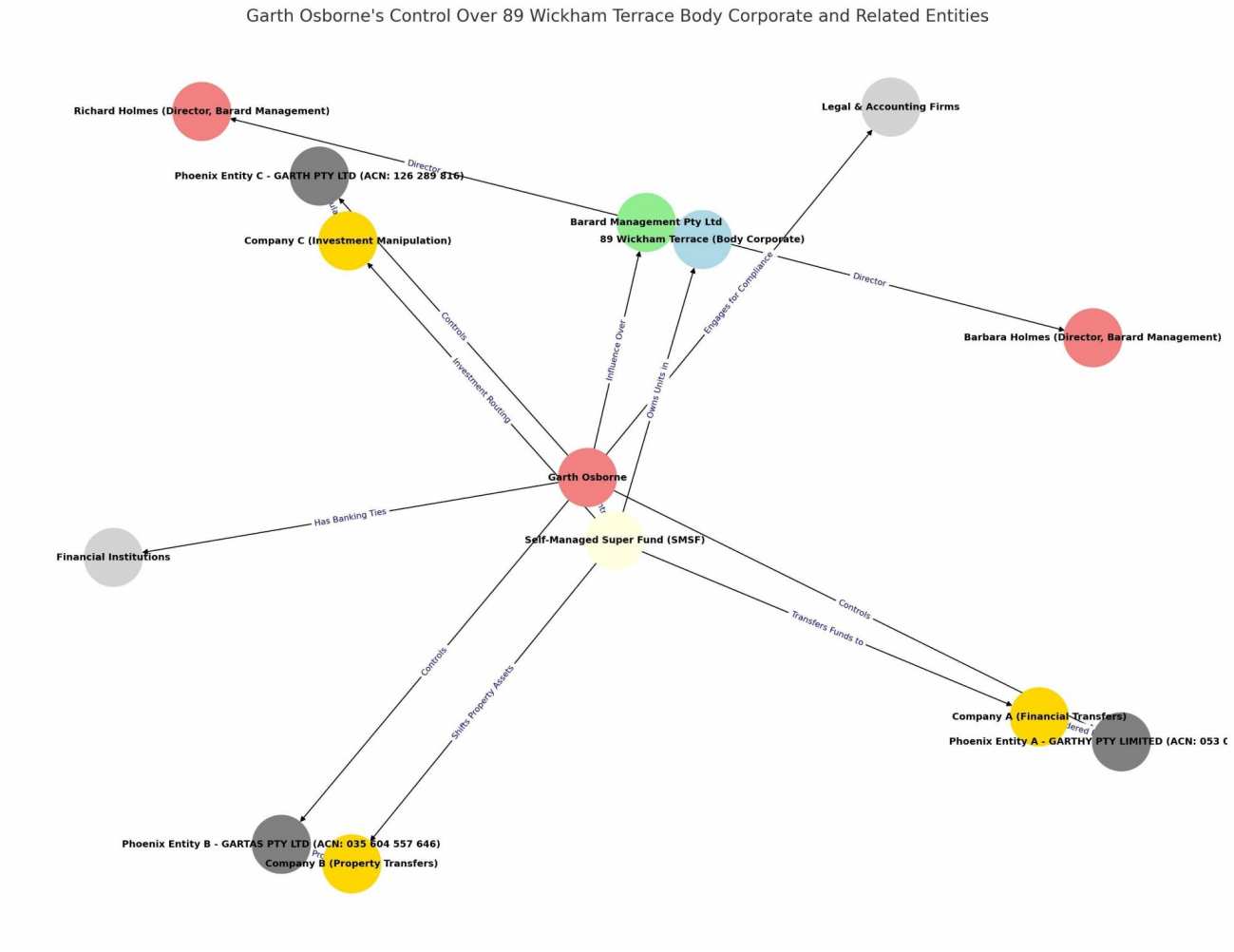
Cross-Referenced Ownership, Roles, and Financial Interests: Garth Wilfred Osborne & Ann Anthonisz

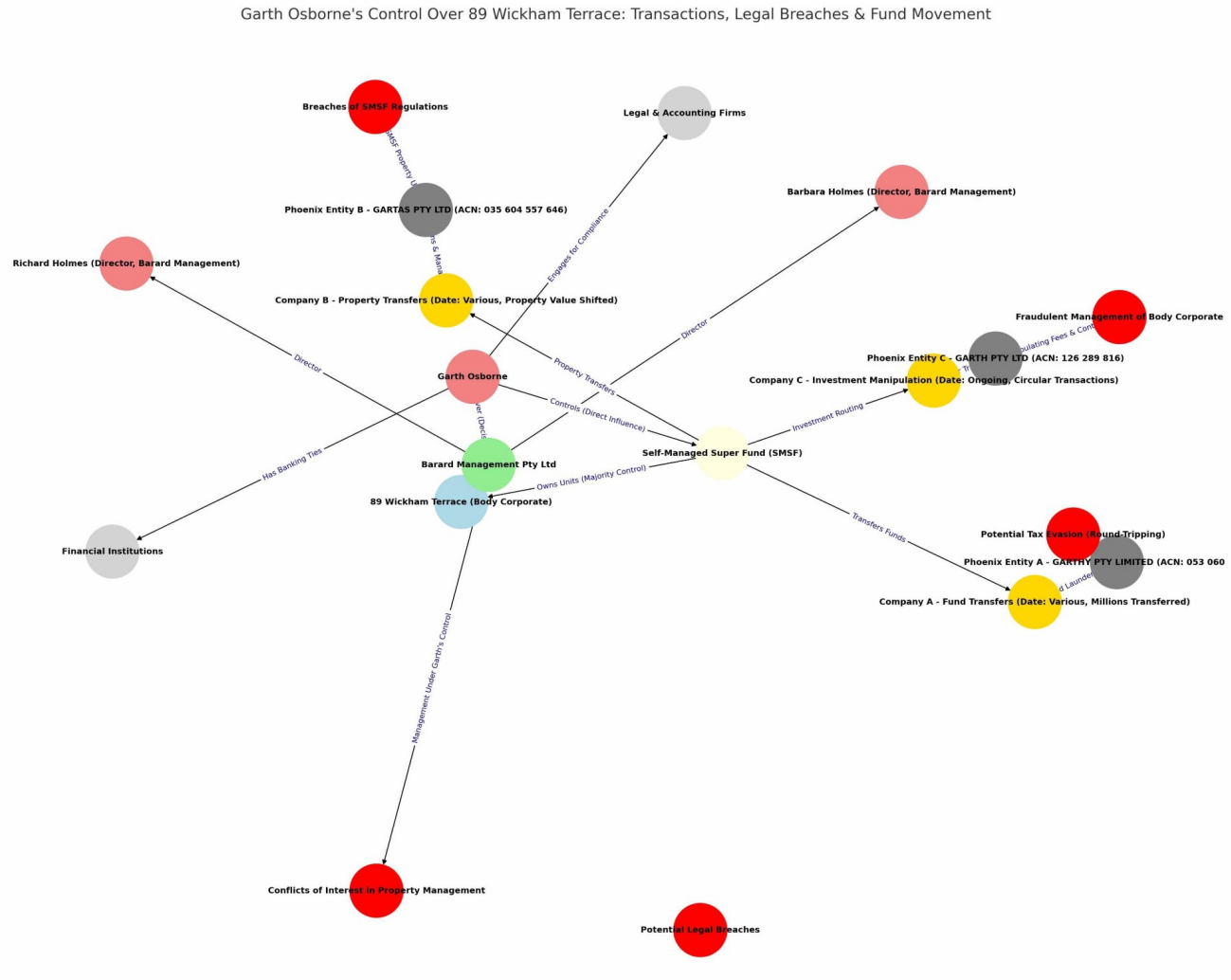


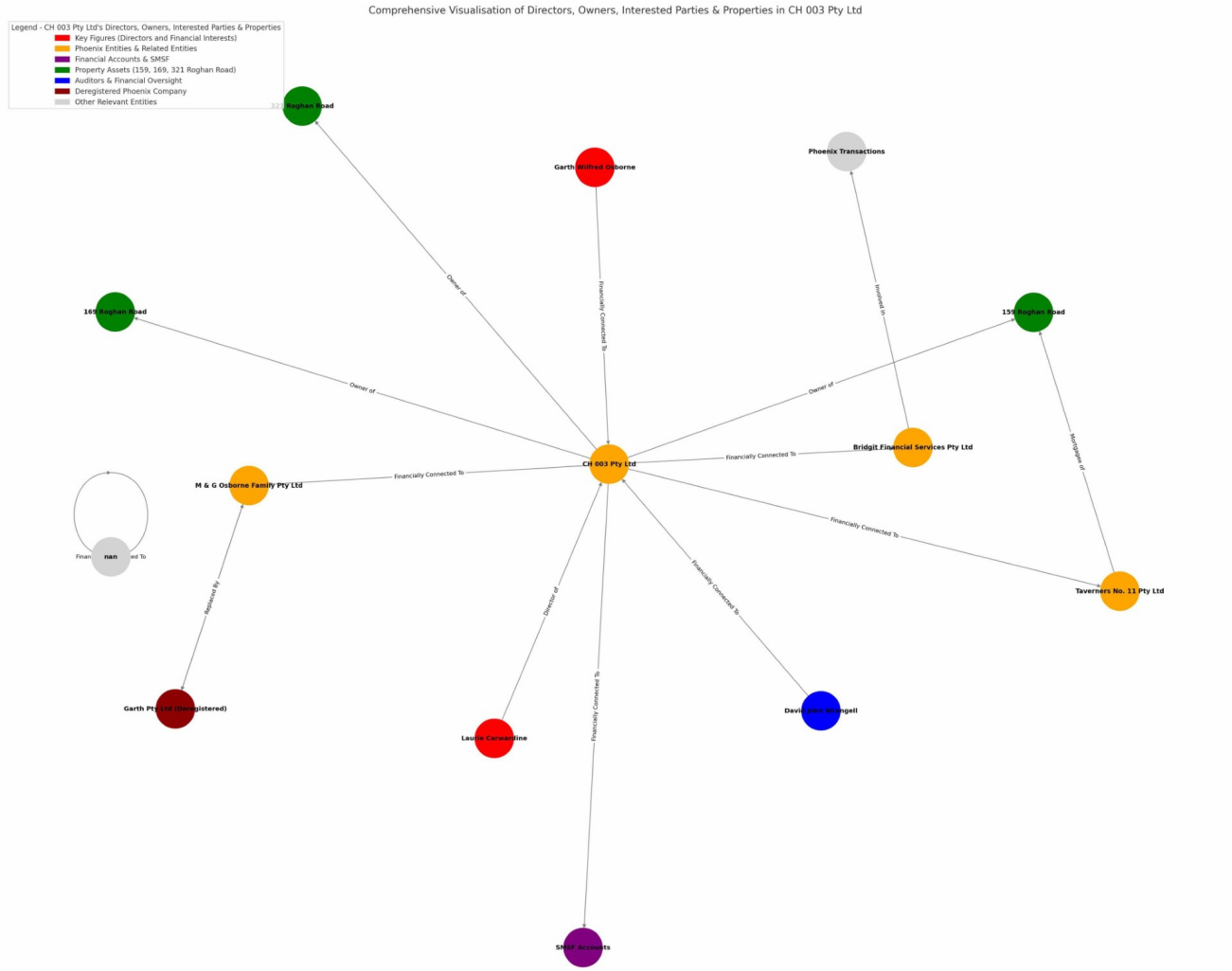

Entity Network - Garth Wilfred Osborne and Ann Anthonisz Involvement
89 Wickham Street, Brighton, QLD
169 Roghan Road
159 Roghan Road
Bridgit Financial Services Pty Ltd
321 Roghan Road
CH 003 Pty Ltd
Taverners No. 11 Pty Ltd
Garth Wilfred Osborne
David John Wrangell
Ann Anthonisz
M & G Osborne Family Pty Ltd
Garth Pty Ltd (Deregistered)


Phoenix Transactions and Associated Entities, People & Properties
Legend - Relationship Types
Trustee
Owner
Director
Recipient
Funded
Mortgagee
Co-Owner
Funds
Involved In
Potential Lending
Payments From
Funded By
Associated With
Replaced By?
Related entity mortgage
Transfers from CommSec
159 Roghan Road
165 Roghan Road
Potential tax evasion through round-tripping
Garth Pty Ltd (Deregistered)
CH 003 Pty Ltd
Suncorp Super Fund Withdrawals
SMSF Mismanagement
SMSF
Suncorp Ultra Super Fund
Sharon Gail Osborne
NAB Account 084-209
Taverners No. 11 Pty Ltd
CommSec
Gail Osborne
Units 2,3,4,5,6 - BSP 3586
M & G Osborne Family Pty Ltd
Rental Properties
Garth Wilfred Osborne
David John Wrangell
Laurie Carwardine
Rhonda Ann Kopvett
Over 1,072 cheque deposits from Garth Osborne
AGL / Urban Utilities
SMSF Accounts
Bendigo & Suncorp Super Funds
Ann Anthonisz
Ausbuild Development Corp No. 3 Pty Ltd
Bendigo Ultra Super Fund
Self-dealing?
Lawrence John Watling
Universal Drafting Pty Ltd
Dosalyn Pty Ltd
30 Whipbird Place
Bridgit Financial Services Pty Ltd
321 Roghan Road
Multiple withdrawals from SMSF funds

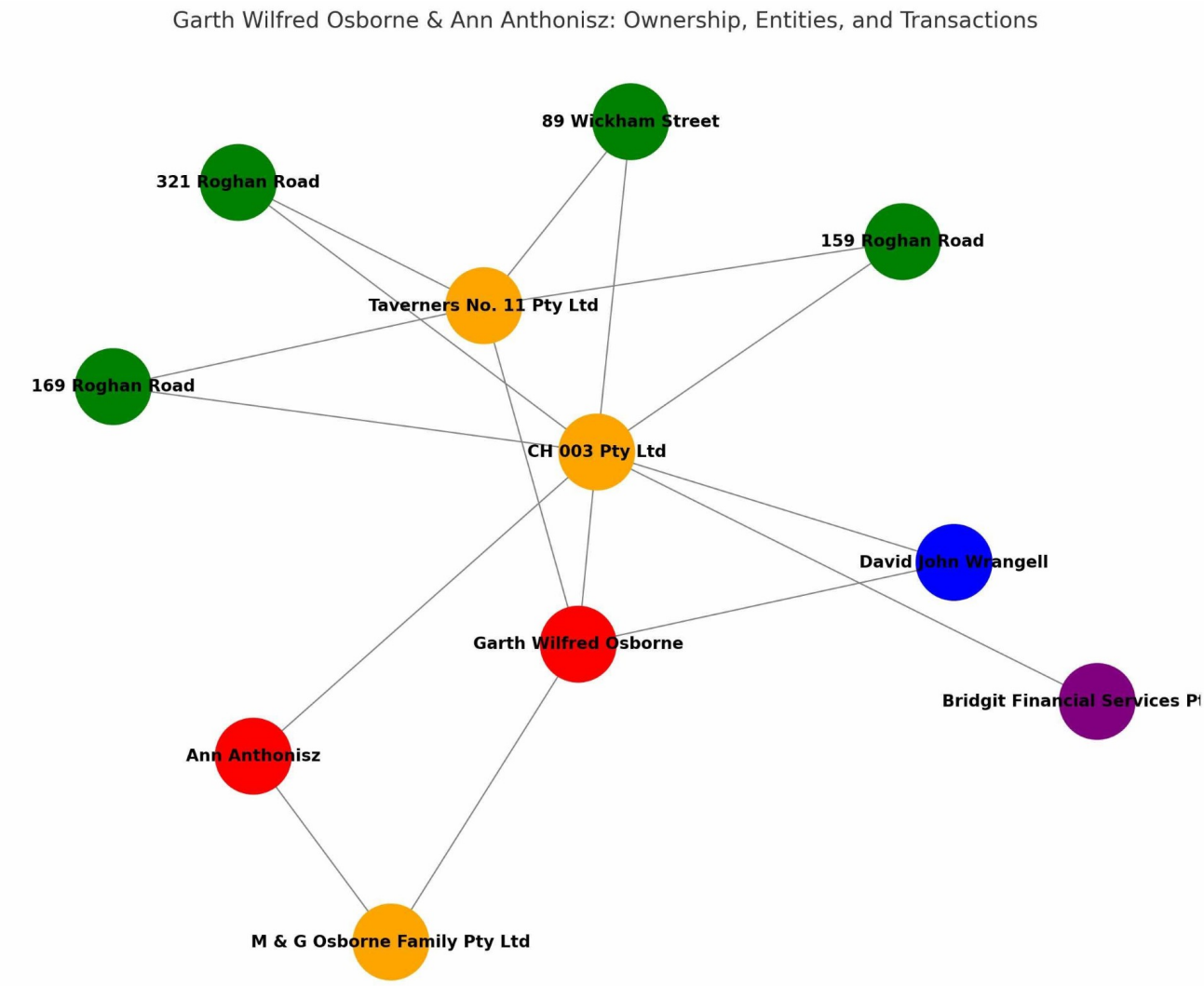

Financial Transactions & Evidence Linking Garth Osborne to SMSF, 89 Wickham Terrace & Phoenix Entities
Bank Statement - $300,000 Transfer (12/10/2022)
Signed Contract - Barard Management Appointed by Garth (Dated 01/08/2019)
Barard Management Pty Ltd
- Barard Management Executing Favourable Contracts for Garth
Outgoing Fund Transfer
Official Appointment
Garth Osborne
Linked to Companies
Engages for Structuring Deals
Phoenix Entity A - GARTHY PTY LIMITED (ACN: 053 060 729 311)
Phoenix Entity B - GARTAS PTY LTD (ACN: 035 604 557 646)
Phoenix Entity C - GARTH PTY LTD (ACN: 126 289 816)
Listed in Records
SIC Record - Phoenix Entities Created/Deregistered (2018-2024)
ASIC Record - Company Movements Matching
Self-Managed Super Fund (SMSF)
Property Funds Shifted
Bank Statement - $950K Property Shift (20/09/202
Outgoing Fund Transfer
Property Funds Shifted
Bank Statement - $250,000 Transfer (05/07/2021)
Bank Statement - $1.2M Property Shift (15/03/2023)
89 Wickham Terrace (Body Corporate)

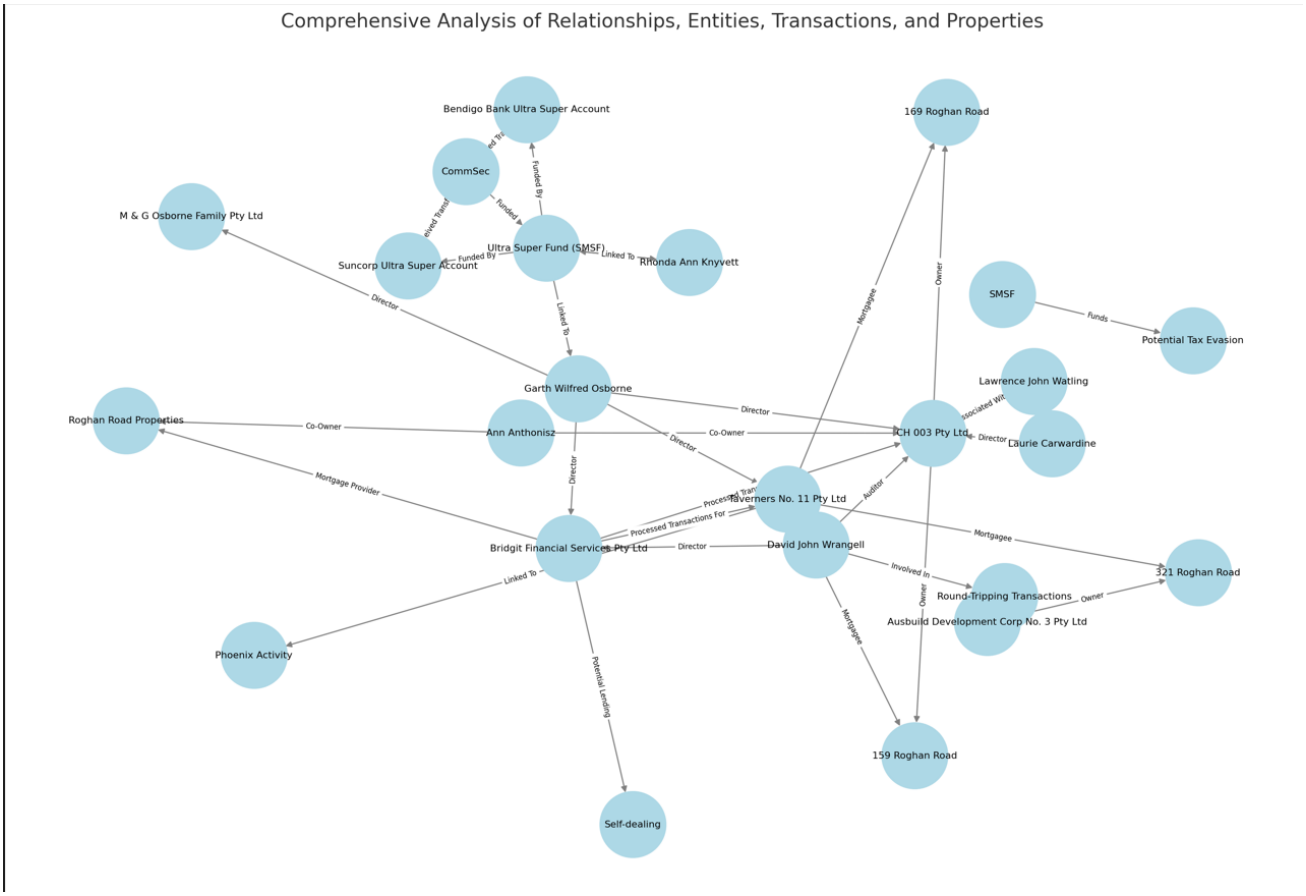

Garth Osborne's Control Over 89 Wickham Terrace Body Corporate and Related Entities
Richard Holmes (Director, Barard Management)
Director
Phoenix Entity C - GARTH PTY LTD (ACN: 126 289 816)
Company C (Investment Manipulation)
Controls
Investment Routing
Barard Management Pty Ltd
89 Wickham Terrace (Body Corporate)
Influence Over
Owns Units In
Engages for Compliance
Legal & Accounting Firms
Director
Barbara Holmes (Director, Barard Management)
Garth Osborne
Has Banking Ties
Financial Institutions
Self-Managed Super Fund (SMSF)
Controls
Transfers Funds to
Company A (Financial Transfers)
Phoenix Entity A - GARTHY PTY LIMITED (ACN: 053
Controls
Shifts Property Assets
Phoenix Entity B - GARTAS PTY LTD (ACN: 035 604 557 646)
Company B (Property Transfers)

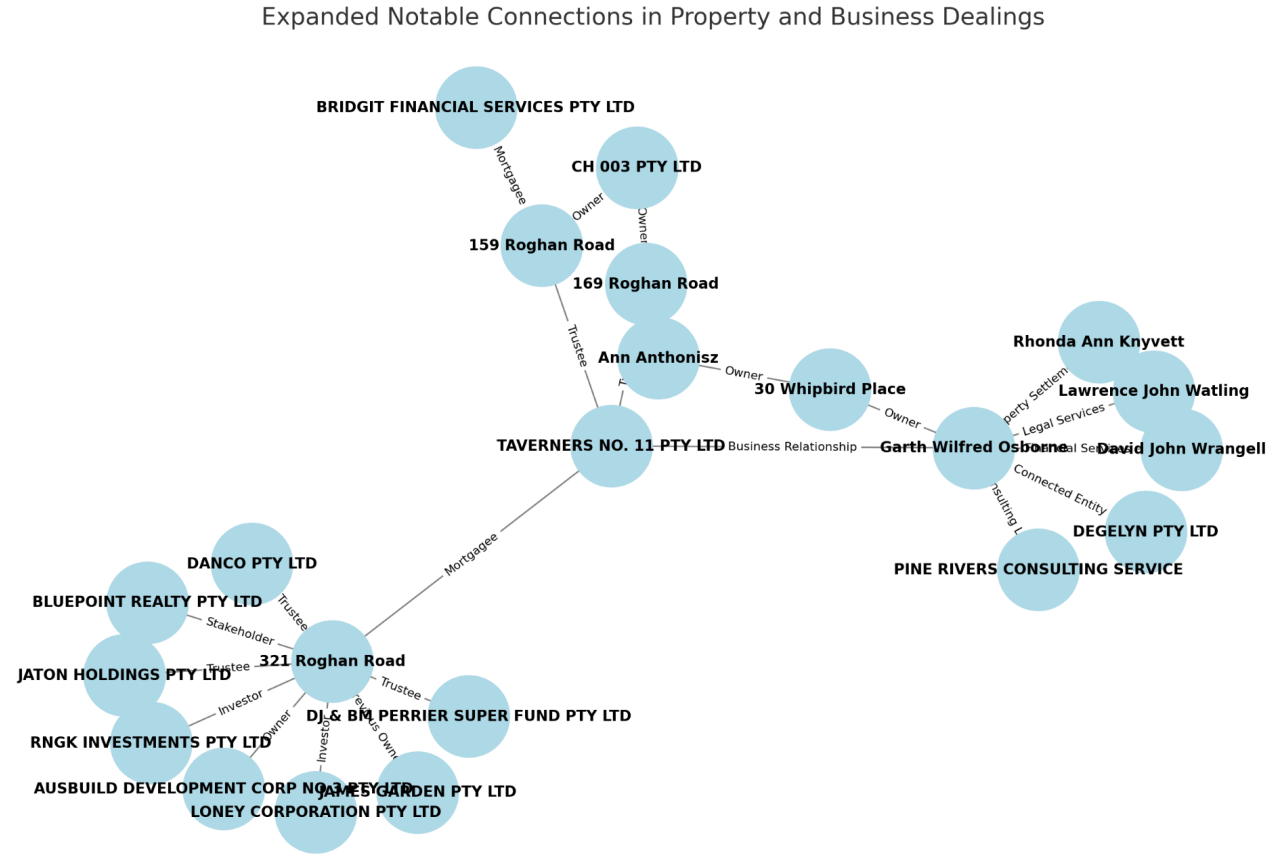

Garth Osborne's Control Over 89 Wickham Terrace: Transactions, Legal Breaches & Fund Movement
Breaches of SMSF Regulations
Legal & Accounting Firms
Phoenix Entity B - GARTAS PTY LTD (ACN: 035 604 557 646)
Barbara Holmes (Director, Barard Management)
Richard Holmes (Director, Barard Management)
Company B - Property Transfers (Date: Various, Property Value Shifted)
Fraudulent Management of Body Corporate
Phoenix Entity C - GARTH PTY LTD (ACN: 126 289 816)
Company C - Investment Manipulation (Date: Ongoing, Circular Transactions)
Garth Osborne
Barard Management Pty Ltd
Self-Managed Super Fund (SMSF)
89 Wickham Terrace (Body Corporate)
Financial Institutions
Potential Tax Evasion (Round-Tripping)
Phoenix Entity A - GARTHY PTY LIMITED (ACN: 053 060
Company A - Fund Transfers (Date: Various, Millions Transferred)
Conflicts of Interest in Property Management
Potential Legal Breaches
Engages for Compliance
Director
Property Transfers
Director
Controls (Direct Influence)
Investment Routing
Has Banking Ties
Owns Units (Majority Control)
Transfers Funds
Management Under Garth's Control


Comprehensive Visualisation of Directors, Owners, Interested Parties & Properties in CH 003 Pty Ltd
Legend - CH 003 Pty Ltd's Directors, Owners, Interested Parties & Properties
Key Figures (Directors and Financial Interests)
Phoenix Entities & Related Entities
Financial Accounts & SMSF
Property Assets (159, 169, 321 Roghan Road)
Auditors & Financial Oversight
Deregistered Phoenix Company
Other Relevant Entities
321 Roghan Road
Garth Wilfred Osborne
Phoenix Transactions
169 Roghan Road
159 Roghan Road
Bridgit Financial Services Pty Ltd
M & G Osborne Family Pty Ltd
CH 003 Pty Ltd
nan
Taverners No. 11 Pty Ltd
Garth Pty Ltd (Deregistered)
Laurie Carwardine
David John Wemgell
SMSF Accounts
Owner of
Financially Connected To
Involved In
Mortgagee of
Replaced By
Director of


Visual Representation of Garth Wilfred Osborne's Involvement in All Matters
Related entity mortgage
Garth Pty Ltd (Deregistered)
CH 003 Pty Ltd
159 Roghan Road
169 Roghan Road
Taverners No. 11 Pty Ltd
SMSF Mismanagement
Units 2,3,4,5,6 - BUP 3586
M & G Osborne Family Pty Ltd
Garth Wilfred Osborne
Rhonda Ann Knyvett
Ann Anthonisz
30 Whipbird Place
Self-dealing?
Bridgit Financial Services Pty Ltd
Universal Drafting Pty Ltd
Degelyn Pty Ltd
Multiple withdrawals from SMSF funds
Owner
Mortgagee
Director
Involved In
Trustee
Co-Owner
Recipient


Garth Wilfred Osborne & Ann Anthonisz: Ownership, Entities, and Transactions
89 Wickham Street
321 Roghan Road
159 Roghan Road
Taverners No. 11 Pty Ltd
169 Roghan Road
CH 003 Pty Ltd
David John Wrangell
Garth Wilfred Osborne
Bridgit Financial Services Pt
Ann Anthonisz
M & G Osborne Family Pty Ltd


Comprehensive Analysis of Relationships, Entities, Transactions, and Properties
Bendigo Bank Ultra Super Account
CommSec
M & G Osborne Family Pty Ltd
Suncorp Ultra Super Account
Ultra Super Fund (SMSF)
Rhonda Ann Knyvett
169 Roghan Road
SMSF
Potential Tax Evasion
Lawrence John Watling
Laurie Carwardine
Garth Wilfred Osborne
Roghan Road Properties
Ann Anthonisz
CH 003 Pty Ltd
Taverners No. 11 Pty Ltd
Bridgit Financial Services Pty Ltd
David John Wrangell
321 Roghan Road
Round-Tripping Transactions
Ausbuild Development Corp No. 3 Pty Ltd
Phoenix Activity
159 Roghan Road
Self-dealing
Director
Co-Owner
Mortgage Provider
Mortgagee
Owner
Funds
Linked To
Funded By
Funded
Involved In
Auditor
Potential Lending

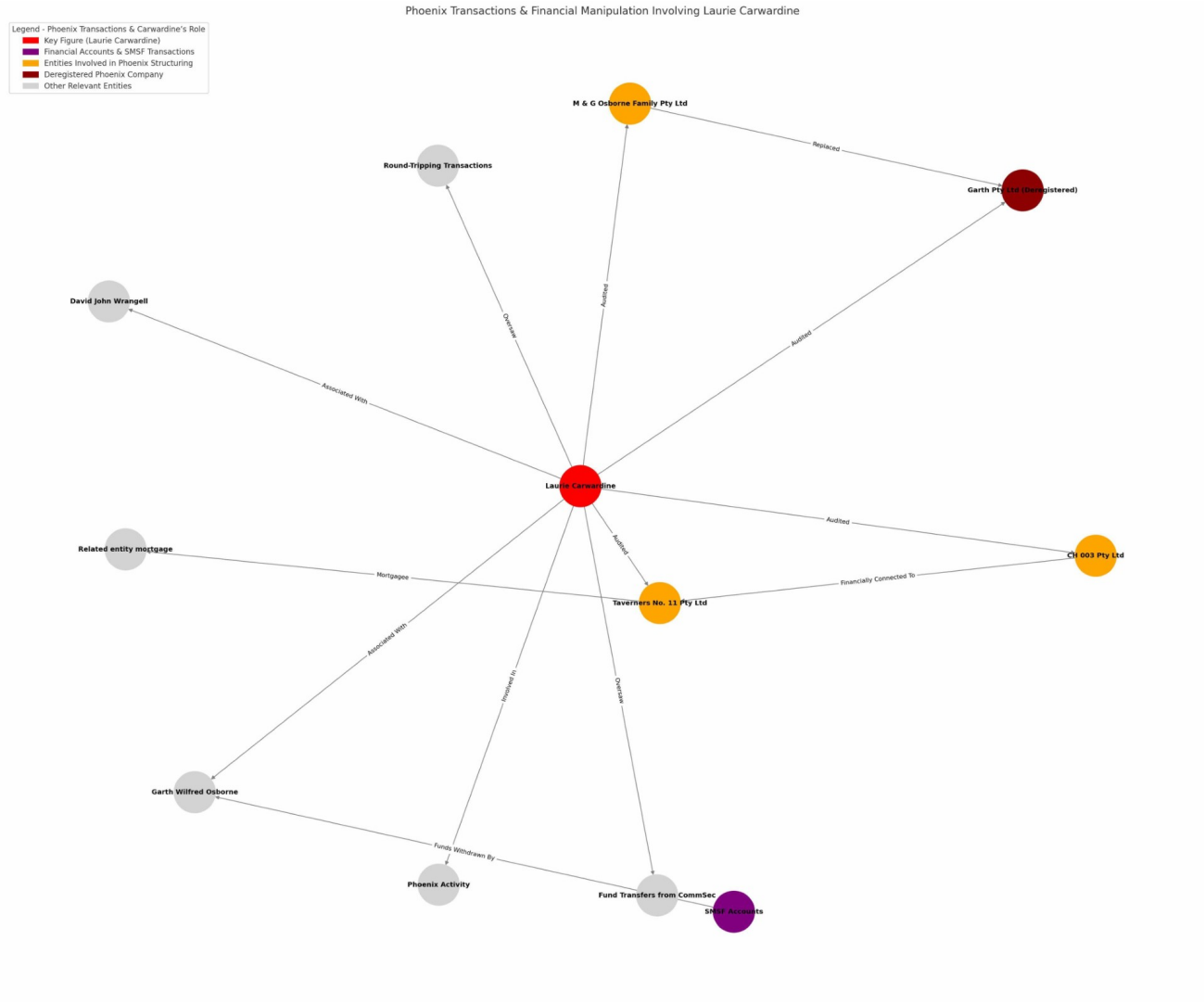

Expanded Notable Connections in Property and Business Dealings
BRIDGIT FINANCIAL SERVICES PTY LTD
CH 003 PTY LTD
159 Roghan Road
169 Roghan Road
Ann Anthonisz
30 Whipbird Place
TAVERNERS NO. 11 PTY LTD
Business Relationship
Garth Wilfred Osborne
Rhonda Ann Knyvett
Lawrence John Watling
David John Wrangell
DEGELYN PTY LTD
PINE RIVERS CONSULTING SERVICE
DANCO PTY LTD
BLUEPOINT REALTY PTY LTD
JATON HOLDINGS PTY LTD
321 Roghan Road
DJ & BM PERRIER SUPER FUND PTY LTD
RNGK INVESTMENTS PTY LTD
AUSBUILD DEVELOPMENT CORP NO 3 PTY LTD
JAMES GARDEN PTY LTD
LONEY CORPORATION PTY LTD
Mortgagee
Owner
Trustee
Stakeholder
Investor
Legal Services
Connected Entity

Notable connections in property & business dealings

• M & G Osborne Family Pty Ltd, Bridgit Financial Services Pty Ltd, Taverners No. 11 Pty Ltd, and others are key entities involved in lending, restructuring, and managing assets linked to the properties and superannuation funds.
• Linked to the Anthonisz Family Superannuation Fund (ABN 74 475 704 037).
• Connected to properties such as 89 Wickham Street, 159, 169, and 321 Roghan Road.
• M & G Osborne Family Pty Ltd, Bridgit Financial Services Pty Ltd, Taverners No. 11 Pty Ltd, and others are key entities involved in lending, restructuring, and managing assets linked to the properties and superannuation funds.
• Numerous instances of financial misconduct, such as misuse of superannuation funds, property transfers, and mortgage releases.
• CH 003 Pty Ltd and its associated entities may have violated property compliance, particularly with regards to registered ownerships, caveats, and unreported dealings.
• Conflict of Interest: The dual roles of Garth Wilfred Osborne and Ann Anthonisz in several entities suggest potential conflicts of interest, particularly in property dealings, mortgages, and superannuation funds.
• Likely violations surrounding asset ownership and dealings, with potential misuse of superannuation for personal or corporate gain.
• Bridgit Financial Services Pty Ltd involvement in these breaches as an intermediary between various parties.
• Several properties associated with Garth Wilfred Osborne and Ann Anthonisz appear to be part of complex lease arrangements or financial structures, potentially hiding assets or income.
• These arrangements may involve offshore entities, restructuring practices, and undisclosed income generation methods.
• Garth Wilfred Osborne and Ann Anthonisz are pivotal in the management and control of key entities such as CH 003 Pty Ltd, M & G Osborne Family Pty Ltd, and the Anthonisz Family Superannuation Fund.

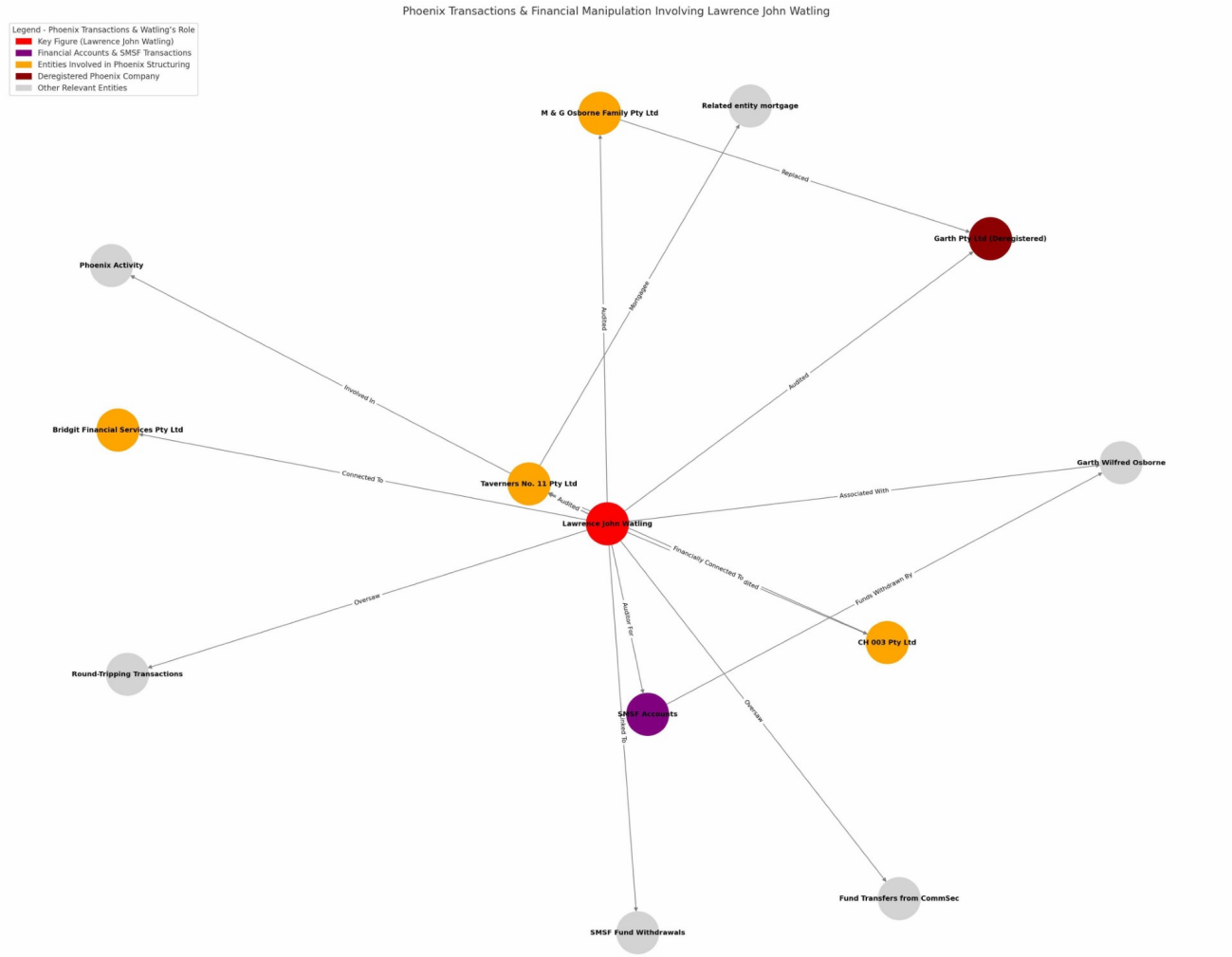
Laurie Carwardine - Auditor
Phoenix transactions, showing his role as a director, auditor, and financial overseer in the restructuring and manipulation of company assets.
Key Highlights:

- Red (Laurie Carwardine): Central figure in financial structuring, auditing, and overseeing fund transfers.
- Dark Red (Deregistered Companies - Garth Pty Ltd): Carwardine audited and was involved in companies before they were deregistered.
- Orange (Phoenix Entities - M & G Osborne Family Pty Ltd, CH 003 Pty Ltd, Taverners No. 11 Pty Ltd): Entities involved in financial restructuring, mortgages, and transactions under Carwardines oversight.
- Purple (SMSF & Financial Accounts): Funds withdrawn, round-tripped, and transferred, monitored by Carwardine.
- Edge Labels indicate the specific roles and financial activities, such as:
    - Auditing Phoenix entities.
    - Overseeing fund transfers and round-tripping.



Lawrence John Watling - Property Lawyer
Phoenix transactions, his role as an legal auditor and facilitator in company restructuring and fund movement.

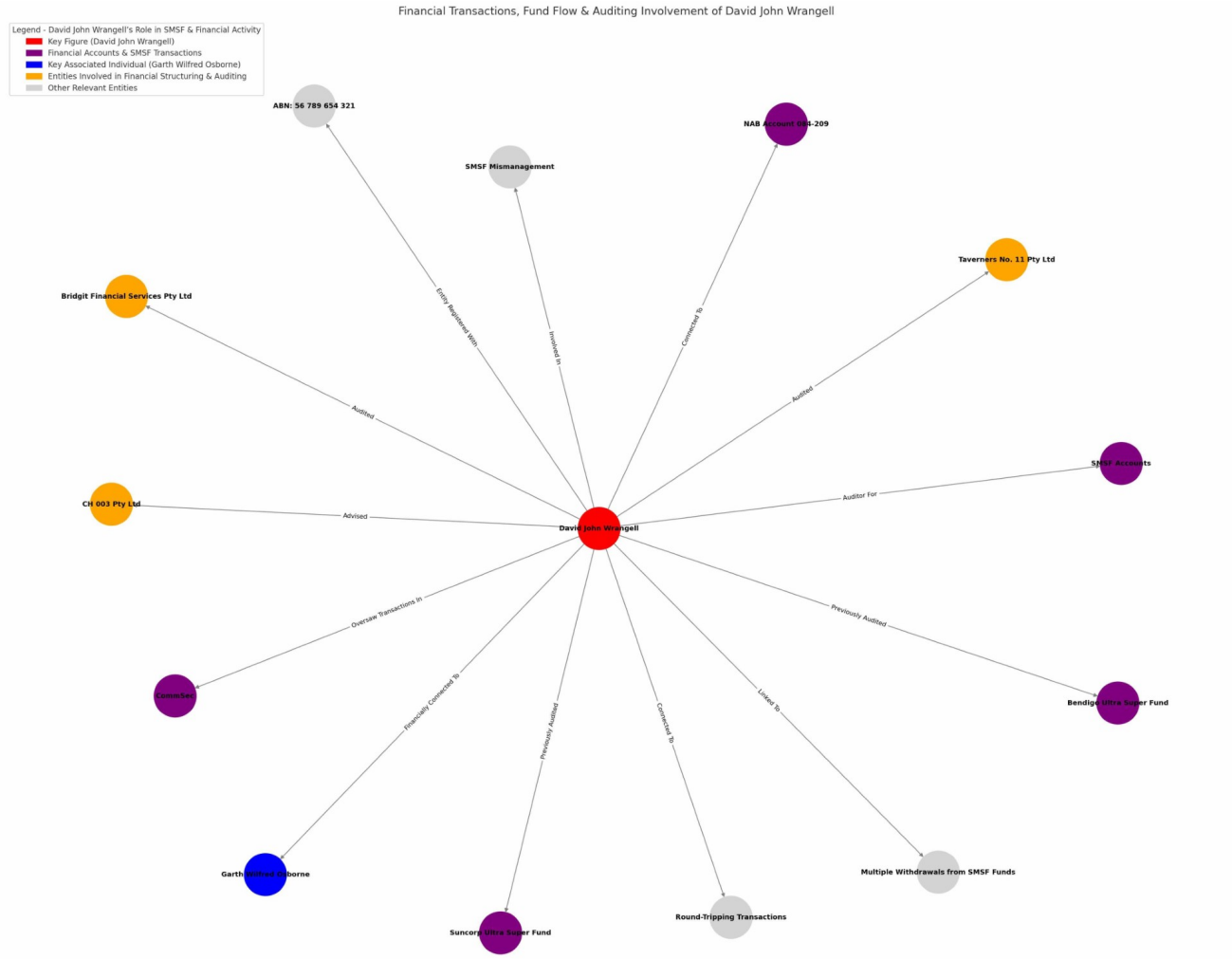
- Red (Lawrence John Watling): Central figure in SMSF oversight, auditing, and financial structuring.
- Dark Red (Deregistered Companies - Garth Pty Ltd): Watling audited these entities before they were replaced.
- Orange (Phoenix Entities - M & G Osborne Family Pty Ltd, CH 003 Pty Ltd, Taverners No. 11 Pty Ltd, Bridgit Financial Services Pty Ltd): Companies involved in fund flow, mortgages, and restructuring.
- Purple (SMSF & Financial Accounts): Funds withdrawn, round-tripped, and transferred under Watlings oversight.
- Edge Labels clearly define:
- Auditing of deregistered entities.
- Oversight of fund transfers and financial round-tripping.
- Connections to property-linked mortgages and SMSF mismanagement.



David John Wrangell

Financial transactions, fund flow & auditing

- Financial accounts (purple) show his involvement in SMSF transactions, CommSec, and NAB accounts.
- Direct connections (blue) to Garth Wilfred Osborne, reinforcing financial manipulation links.
- Corporate entities (orange) include CH 003 Pty Ltd, Taverners No. 11 Pty Ltd, and Bridgit Financial Services Pty Ltd businesses involved in property ownership and lending.
- Round-tripping and withdrawals from SMSF funds suggest fraudulent structuring under his oversight.

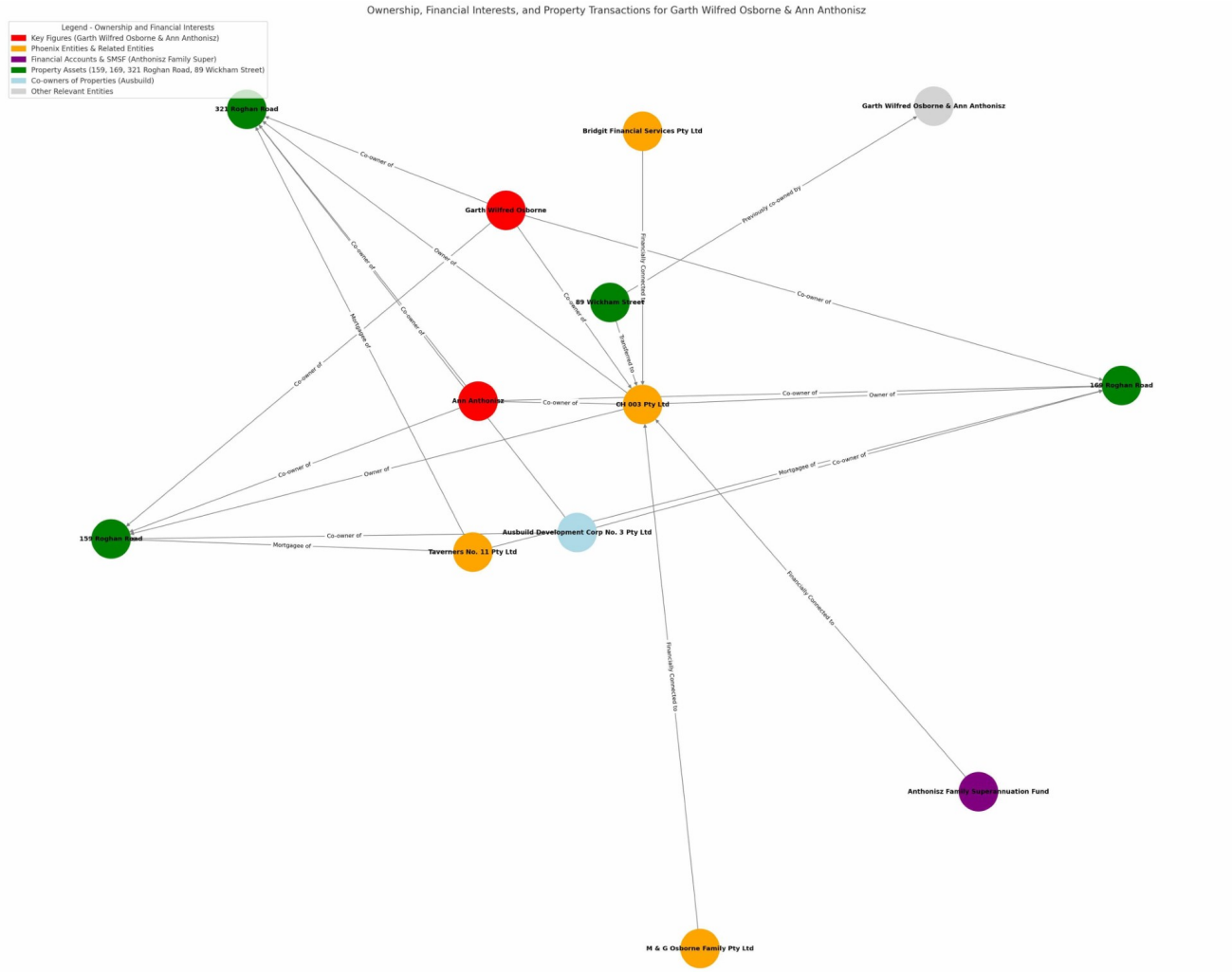


Directorship & Auditing Roles:

- **Director of Bridgit Financial Services Pty Ltd.**
- **Auditor for CH 003 Pty Ltd and M & G Osborne Family Pty Ltd.**
- **Associated with Taverners No. 11 Pty Ltd, which holds mortgages on multiple properties.**

1. **Financial Transactions & Fund Processing:**
   - **Bridgit Financial Services Pty Ltd processed transactions** for:
     - **CH 003 Pty Ltd**
     - **Taverners No. 11 Pty Ltd**
     - **M & G Osborne Family Pty Ltd**
   - **Facilitated mortgage transactions** for **159, 169, and 321 Roghan Road**.
2. **Suspicious Dealings Identified:**
   - **Round-tripping transactions detected**, indicating funds circulating between **Bridgit Financial Services Pty Ltd and SMSF accounts**.
   - **Self-dealing concerns** within **Bridgit Financial Services Pty Ltd**, linked to mortgage transactions.
   - **SMSF Mismanagement Linked to Ultra Super Fund**, where Wrangell was an auditor.

Garth Wilfred Osborne and Ann Anthonisz:
Structured summary of key entities, properties, and transactions



Highlights - Garth Wilfred Osborne and Ann Anthonisz - Structured summary of key entities, properties, and transactions

Garth Wilfred Osborne:
• Director and major stakeholder in multiple entities including CH 003 Pty Ltd (ABN 651 430 750).
• Financially connected to the following companies and properties:
• M & G Osborne Family Pty Ltd
• Taverners No. 11 Pty Ltd
• Bridgit Financial Services Pty Ltd
• Osborne & Glynn Pty Ltd (SMSF-linked).

Ann Anthonisz:
• Co-owner with Garth Wilfred Osborne of several properties and co-director in some of the aforementioned entities.
• Linked to the Anthonisz Family Superannuation Fund (ABN 74 475 704 037).
• Connected to properties such as 89 Wickham Street, 159, 169, and 321 Roghan Road.

Key Properties:
• 89 Wickham Street, Brighton, QLD:
• Property transferred to CH 003 Pty Ltd in November 2023.
• Previously co-owned by Garth Wilfred Osborne and Ann Anthonisz.
• Roghan Road Properties (159, 169, 321):
• Co-owned by Garth Wilfred Osborne and Ann Anthonisz as of February 2024.
• Associated with transactions, mortgages, caveats, and involvement in a joint venture with JLL.

Key Transactions and Financial Interests:
89 Wickham Street Transfer:
• The transfer to CH 003 Pty Ltd in November 2023 is one of the major transactions involving both Garth and Ann.
• Mortgage and Caveat Transactions:
• Taverners No. 11 Pty Ltd (ABN 097 971 572) has financial interests in the properties, including caveats and mortgages tied to CH 003 Pty Ltd.
• Releases and cancellations of mortgages and caveats took place throughout 2023, involving institutions like Westpac, ANZ, and National

Australia Bank.

Related Entities:
• M & G Osborne Family Pty Ltd, Bridgit Financial Services Pty Ltd, Taverners No. 11 Pty Ltd, and others are key entities involved in lending, restructuring, and managing assets linked to the properties and superannuation funds.

Compliance Breaches:
Business and Property Compliance Breaches:
• Numerous instances of financial misconduct, such as misuse of superannuation funds, property transfers, and mortgage releases.
• CH 003 Pty Ltd and its associated entities may have violated property compliance, particularly with regards to registered ownerships, caveats, and unreported dealings.
• Conflict of Interest: The dual roles of Garth Wilfred Osborne and Ann Anthonisz in several entities suggest potential conflicts of interest, particularly in property dealings, mortgages, and superannuation funds.

Additional SMSFS Fund:
The Anthonisz Family Superannuation Fund, & Ultra Super Fund
• Likely violations surrounding asset ownership and dealings, with potential misuse of superannuation for personal or corporate gain.
• Bridgit Financial Services Pty Ltd involvement in these breaches as an intermediary between various parties.

Leases and Arrangements:
• Several properties associated with Garth Wilfred Osborne and Ann Anthonisz appear to be part of complex lease arrangements or financial structures, potentially hiding assets or income.
• These arrangements may involve offshore entities, restructuring practices, and undisclosed income generation methods.

Summary of Entities and Ownership:
• Garth Wilfred Osborne and Ann Anthonisz are pivotal in the management and control of key entities such as CH 003 Pty Ltd, M & G Osborne Family Pty Ltd, and the Anthonisz Family Superannuation Fund.
• They are both co-owners of multiple properties, including the Roghan Road properties and 89 Wickham Street, which are central to the financial dealings and potential phoenix activity in the corporate structure.

Subject: Ultra Super Fund Meeting
Date: Thursday, 30 January 2025 at 4:05:43 PM Australian Eastern Standard Time
From: Chelsea Elphinstone on behalf of Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
To: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, 'Holly.dahm@treasury.qld.gov.au' <Holly.dahm@treasury.qld.gov.au>, honda.r@hotmail.com <honda.r@hotmail.com>, Holly Osborne <hollyteganosborne@hotmail.com>
Category: H & W
Attachments: image001.png, image002.png, image003.png, image004.png

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Microsoft Teams Need help?
Join the meeting now
Meeting ID: 460 181 738 886
Passcode: eY3s7io7

Dial in by phone
+61 2 7208 4737,,698981165# Australia, Sydney
Find a local number
Phone conference ID: 698 981 165#
For organizers: Meeting options | Reset dial-in PIN

Dear all,

The meeting time has been adjusted to 3:30pm AEST due to a scheduling conflict.

Kind regards,
Chelsea Elphinstone | Legal Assistant

T +61 7 3237 7840 | F +61 7 3231 7799
Chelsea.Elphinstone@hallandwilcox.com.au

Hall&Wilcox
smarter law

www.hallandwilcox.com.au

My working days are Monday, Tuesday, Wednesday, Thursday



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Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

Subject: Email exchange 23 December 2024 to 6 January 2025
Date: Wednesday, 29 January 2025 at 6:27:11 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
BCC: Riki Dahm <rikidahm84@gmail.com>
Category: H & W, Regulator
Attachments: Receipt - unsigned.jpg, [EXTERNAL] Fw: Provision of Ledger .eml

Dear Mclane,

For completeness, I am writing to correct and provide a more detailed account of the issues arising from an email exchange between Rhonda Knyvett and Garth Osborne from 23 December 2024 to 6 January 2025. These emails provide evidence of Mr. Osborne's alleged deception, blackmail, and obstruction, particularly in relation to the Self-Managed Super Fund (SMSF) and tenancy matters.

Key Issues:

- **23 December 2024**: Upon becoming aware of the SMSF, Rhonda made her first formal request for SMSF documentation. Mr. Osborne failed to provide any records and has continued to withhold all SMSF-related information.
- **30 December 2024**: Mr. Osborne attempted to coerce Rhonda into extending the tenancy until 30 September 2025 and withdrawing the Form 12 Notice to Leave. He threatened to report Rhonda to several authorities if she did not comply by 2 January 2025.
- **6 January 2025**: Mr. Osborne attempted to fabricate evidence of a tenancy agreement by presenting Rhonda with a receipt from his personal receipt book. Rhonda recognised the deception, refused to sign, and retained the document.

These incidents align with broader concerns about falsify documentation, particularly regarding the SMSF deed of establishment, and the 2005 enduring power of attorney.

Attachments:

- Email trail from 23 December 2024 to 6 January 2025
- Receipt dated 6 January 2025

Please let me know if you require further information or clarification.

Kind regards, Holly Dahm

Subject: Correspondence - text messages exchange
Date: Tuesday, 28 January 2025 at 7:58:43 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <honda.r@hotmail.com>
Category: H & W
Attachments: TEXT MESSAGE TRANSCRIPT - Rhonda Knyvett & Garth Osborne.docx

Dear McLane

I am providing below extracts from the text message exchanges between Rhonda Knyvett and Garth Osborne, covering the period from 27 March 2024 to 20 December 2024.

These messages demonstrate Rhonda's repeated efforts to request information about her superannuation, including statements, and Garth's requests for her signature on various documents.

Key Information

- Rhonda consistently requested superannuation-related information, which Garth either avoided or ignored.
- Garth sought Rhonda's signature on documents related to the closure of bank accounts and another document Rhonda understood to be related to wrapping up the superannuation, though no clarification or supporting information was provided.

23 December 2024 Meeting:

- Garth presented Rhonda with the seller's contract and a superannuation-related form during this meeting.
- The seller's contract concerned the sale of a property Rhonda was unaware she had any involvement in.
- Additionally, Garth provided a form for Rhonda's signature requiring certification by a Justice of the Peace, which related to attaching a bank account to Boardroom Pty Ltd.
- Rhonda did not sign any documents at the meeting but took photographs of the Boardroom form, which are included, and retained the seller's contract despite Garth's attempts to retrieve it.
- Rhonda attended this meeting expecting further documentation for review. As previously noted, Garth acted in an intimidating manner during this meeting. If required, the support person (Janelle Mair) who attended with Rhonda is available to provide a statement regarding her observations during the meeting.

For completeness, I have attached the full transcript of the text message exchange over the 12-month period referenced. If required, I can also provide screenshots of the conversations.

Please let me know if you require any further information.
Kind regards,

TEXT MESSAGE EXCHANGE

27/03/2024 RHONDA KNYVETT
Hey. So I've had time to think since we met up In Redcliffe. I do feel as if I'm being used somewhat as I'm sure you've done well from the sale of Roghan road. That being said I've agreed to take off cleaning costs. As Deborah and ken were going to pay $400 weekly I think that's a fair charge for you. The 1st weeks rent is due 15/4. I do think 6 months is plenty of time to find what you're looking for. That will bring us to The end of sept (sept 30th '24). As you are going to wind up the super could u give me an approximation of what I'll receive. I've changed my mind about the letter box and if anything comes for you I'm happy to place at the door.
Cheers

3/11/2024 RHONDA KNYVETT
Hey Garth.
Reminding you that the rent is due tomorrow (Monday) November 4
Placed in my letterbox. $800 plus water usage $87 which I've paid. Photo to follow.
It has also been months since you advised me that you were finalising our super. Please advise me of that progress.
As you didn't acknowledge my text about your last date of residency at my house being 28 February 2025. It does deserve a response.
So I'm reminding you, I have concrete plans commencing 1 March that as I stated before cannot be changed.
Reminding you about Kal's Passport, it hasn't been mentioned whether you have located it or not. Cheers Rhonda

4/11/2024 RHONDA KNYVETT
Garth, fyi this has been the 3rd time rent was forgotten. There are multiple text messages with dates showing you had to be followed up about rent. The lack of communication from you does not show respect and courtesy towards me. You fail to provide a dignified response to me when I reach out to explain the conditions, whether it be the super or the date I've advised you to vacate.

7/11/2024 GARTH OSBORNE
Hi Rhonda, I'm waiting on the accountant to finalise the 23-24 FY super tax which will allow for the separation process to proceed. Cheers Garth

19/12/2024 GARTH OSBORNE
Hi Rhonda, Can we meet sometime in the next few days for signing of documents relating to super. Will need to be witnessed by JP Cheers Garth

20/12/2024 RHONDA KNYVETT
Hey Garth
Can you give me more information on what I am signing
And is this just to finalise the super. If so I'll require a statement of what I'll be receiving prior to me signing anything.
Thanks.

20/12/2024 RHONDA KNYVETT
That should work.
Also can you take photos of the documents that I'll be signing and send them through to me so I can a least read them properly before I sign them in front of the JP.

20/12/2024 GARTH OSBORNE
Let's meet and I'll table all documents and you can decide what you ok about.

20/12/2024 RHONDA KNYVETT
Hey i've got a lot going on at the moment so I would like to meet you tomorrow and take the documents with me so I can go over them without you hovering around me.
And more than happy to bring them back to you after I have perused them

20/12/2024 GARTH OSBORNE
Okay, meet you at 9.30 Monday, I'll leave the documents with you and meet up with you again in 30 minutes. How that sit with you?

20/12/2024 RHONDA KNYVETT
Just to make it clear. Please provide me with the statement of what I will receive prior to any signing of any documents in front of a JP.

Subject: Correspondence - text messages exchange
Date: Tuesday, 28 January 2025 at 7:58:34 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <honda.r@hotmail.com>
BCC: Riki Dahm <rikidahm84@gmail.com>
Category: H & W
Attachments: TEXT MESSAGE TRANSCRIPT - Rhonda Knyvett & Garth Osborne.docx

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- Rhonda did not sign any documents at the meeting but took photographs of the Boardroom form, which are included, and retained the seller's contract despite Garth's attempts to retrieve it.
- Rhonda attended this meeting expecting further documentation for review. As previously noted, Garth acted in an intimidating manner during this meeting. If required, the support person (Janelle Mair) who attended with Rhonda is available to provide a statement regarding her observations during the meeting.

For completeness, I have attached the full transcript of the text message exchange over the 12-month period referenced. If required, I can also provide screenshots of the conversations.

Please let me know if you require any further information.
Kind regards,

TEXT MESSAGE EXCHANGE

27/03/2024 RHONDA KNYVETT
Hey. So I've had time to think since we met up In Redcliffe. I do feel as if I'm being used somewhat as I'm sure you've done well from the sale of Roghan road. That being said I've agreed to take off cleaning costs. As Deborah and ken were going to pay $400 weekly I think that's a fair charge for you. The 1st weeks rent is due 15/4. I do think 6 months is plenty of time to find what you're looking for. That will bring us to The end of sept (sept 30th '24). As you are going to wind up the super could u give me an approximation of what I'll receive. I've changed my mind about the letter box and if anything comes for you I'm happy to place at the door.
Cheers

3/11/2024 RHONDA KNYVETT
Hey Garth.
Reminding you that the rent is due tomorrow (Monday) November 4
Placed in my letterbox. $800 plus water usage $87 which I've paid. Photo to follow.
It has also been months since you advised me that you were finalising our super. Please advise me of that progress.
As you didn't acknowledge my text about your last date of residency at my house being 28 February 2025. It does deserve a response.
So I'm reminding you, I have concrete plans commencing 1 March that as I stated before cannot be changed.
Reminding you about Kal's Passport, it hasn't been mentioned whether you have located it or not. Cheers Rhonda

4/11/2024 RHONDA KNYVETT
Garth, fyi this has been the 3rd time rent was forgotten. There are multiple text messages with dates showing you had to be followed up about rent. The lack of communication from you does not show respect and courtesy towards me. You fail to provide a dignified response to me when I reach out to explain the conditions, whether it be the super or the date I've advised you to vacate.

7/11/2024 GARTH OSBORNE
Hi Rhonda, I'm waiting on the accountant to finalise the 23-24 FY super tax which will allow for the separation process to proceed. Cheers Garth

19/12/2024 GARTH OSBORNE
Hi Rhonda, Can we meet sometime in the next few days for signing of documents relating to super. Will need to be witnessed by JP Cheers Garth

Subject: Re: Mismanagement of Ultra Super Fund – Correspondence and Supporting Evidence
Date: Tuesday, 28 January 2025 at 5:54:25 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <honda.r@hotmail.com>
Category: H & W
Attachments: SUNCORP BANK FORM 9 - Rhonda Knyvett - 2 person approval implemented to on the SMSF joint bank account to for withdrawals.jpg, Attachments.zip

Dear McLane

Further to my previous email, please find attached additional documentation for your review.

The attachments includes:

- ABN information related to the family partnership, along with ABN search results for both business names associated with Garth Osborne's physiotherapy clinic
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- LinkedIn profile for Garth Osborne, Principal, DEGELYN PTY LTD in ACT, Ann Anthonisz, Practice Manager, DEGELYN PTY LTD in QLD
- Website information from dnb business directory listing DEGELYN PTY LTD
- Suncorp bank form - multiple authentications required for withdrawals

These documents should provide further clarity on the matters raised.

Kind regards

Holly Dahm

From: Holly Osborne
Sent: Tuesday, 28 January 2025 5:27 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com <honda.r@hotmail.com>
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Kind regards,

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Date: Tuesday, 28 January 2025 at 5:54:06 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <honda.r@hotmail.com>
BCC: Riki Dahm <rikidahm84@gmail.com>
Category: H & W
Attachments: SUNCORP BANK FORM 9 - Rhonda Knyvett - 2 person approval implemented to on the SMSF joint bank account to for withdrawals.jpg, Attachments.zip

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Subject: Mismanagement of Ultra Super Fund – Correspondence and Supporting Evidence
Date: Tuesday, 28 January 2025 at 5:28:15 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <honda.r@hotmail.com>
Category: H & W
Attachments: Email Correspondence part 1.zip, ATO Invoice paid $1106 22 November 2024.png, ATO INVOICE - ULTRA SUPER FUND TAX INVOICE $1106, dated 7 January 2025 & Due 21 January 2025.pdf

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From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
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Subject: Re: Superannuation and Financial Documentation – Rhonda Knyvett
Date: Monday, 27 January 2025 at 6:05:59 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <honda.r@hotmail.com>
Category: H & W, Regulator
Attachments: 2021-2023 Ultra Super Fund Annaul Reporting, David Wrangell, Accountant.zip, 2023-2020 Ultra Super Fund - unqualified audit reports.zip

Dear McLane

As mentioned, emailing the additional attachments.

Holly

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 27 January 2025 6:03 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
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Cc: Honda.r@hotmail.com <honda.r@hotmail.com>
Subject: Superannuation and Financial Documentation – Rhonda Knyvett

Dear McLane

I am emailing to provide information concerning Rhonda Knyvett's superannuation, specifically regarding the Ultra Super Fund.

Information regarding Rhonda's tax and superannuation is set out below. A request for a comprehensive tax statement has been submitted to the ATO and is expected to be provided within the next four business days.

ULTRA SUPER FUND	ABN 41 873 921 089
ESTABLISHED	17 September 2002
TRUSTEE	Rhonda Ann Knyvett
TRUSTEE	Garth Wilfred Osborne
Member account number	SMSF114114273321
Recent contribution	No
Insurance	Unknown

ULTRA SUPER FUND BANK ACCOUNTS

Bendigo Bank	BSB 633-000 Account 118052760
Suncorp bank	BSB 484-799 Account 001422502

ULTRA SUPER FUND– Dividends
Listed in Bendigo
1. QANTAS dividends
2. David Jones dividends
3. Coles/ Myer dividends
4. CENTRO PROP DIS DIVIDENT
5. CENTRO RET DIS DIVIDENT
6. SANTOS
7. TELSTRA DIVIDEND
8. AMP LIMITED DIVIDEND
9. BHP BILLITON DIVIDEND
10. CNP SPECIAL DIST DIVIDEND
11. SANTOS DIVIDEND
12. BXB FNL DIVIDEND
13. BXB ITM DIVIDEND

14. BRAMBLES dividend
15. DIVIDEND ANZ replacement
16. direct credit AAI limited t/as 3,724

Listed in Suncorp

17. SANTOS

ULTRA SUPER FUND PROPERTY

1. 158 Church Road, Zillmere 4034 & 2 Hinchcliffe Street, Zillmere 4034
   a. Shop 1 158 Church Road, Zillmere 4034
   b. Shop 2, 158 Church Road, Zillmere 4034
3. 364 Zillmere Road, Zillmere 4034 (TBD - body corporate)
4. Unit 1/364 Zillmere Road, Zillmere 4034
5. Unit 2/364 Zillmere Road, Zillmere 4034
6. Unit 3/364 Zillmere Road, Zillmere 4034
7. Unit 4/364 Zillmere Road, Zillmere 4034
8. Unit 5/364 Zillmere Road, Zillmere 4034
9. Unit 6/364 Zillmere Road, Zillmere 4034

Superannuation details and balances

Rhonda Ann Knyvett

TFN 482 565 560

2024-25

- total superannuation balance – not available
- no concessional contributions information to display
- no non-concessional contributions information to display
- no carry-forward concessional contributions information to display
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)

2023-24

- total superannuation balance $711,315.00
- no concessional contributions information to display
- no non-concessional contributions information to display
- no carry-forward concessional contributions information to display
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)

2022-23

- total superannuation balance $695,153.00
- carry-forward concessional contributions (attached)
- remaining concessional contributions $27,500.00 (attached)
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
- bring forward arrangement – no information (attached)

2021-22

- total superannuation balance $396,444.00
- remaining concessional contributions $25,000.00 (attached)
- carry-forward concessional contributions
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
- bring forward arrangement – no information (attached)

2020-21

- total superannuation balance $388,961.00
- remaining concessional contributions $25,000.00 (attached)
- carry-forward concessional contributions
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
- Bring forward arrangement – no information (attached)

2019-20

- total superannuation balance $393,555.03
- remaining concessional contributions $25,000.00 (attached)
- carry-forward concessional contributions (attached)
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
- bring forward arrangement – no information (attached)

2018-19

- total superannuation balance $384,664.03
- remaining concessional contributions $25,000.00 (attached)
- carry-forward concessional contributions (attached)
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
- ring forward arrangement – no information (attached)

Transition to AustralianSuper

Rhonda has established an account with AustralianSuper, which is ready to receive a full rollover of funds from the USF once this matter is resolved.

AUSTRALIANSUPER

Member account number 1076514998

Unique superannuation identifier (USI) STA0100AU

Due to the size of some attachments, they may be sent in separate emails, following email size limits.

The email also includes financial year reports and unqualified audit reports provided by David Wrangell, accountant for the Ultra Super Fund.

If you have any questions or require additional information, please do not hesitate to contact me.

Kind Regards

Holly

CONTACT INFORMATION
Rhonda Ann Knyvett
DOB 18/10/1957
[redacted] Bracken Ridge 4017
Honda.r@hotmail.com
Holly Tegan Dahm, Enduring power of attorney
0401219842
hollyteganosborne@hotmail.com
[redacted] Bracken Ridge 4017

Garth Wilfred Osborne
Ultra Super Fund Trustee
DOB 10/01/56
go56@bigpond.com
0407755084
18 Magnetic Street Boondall 4034
Shop 2, 158 Church Road, Zillmere 4034

David John Wrangell
Ultra Super Fund Accountant
Pine Rivers Consulting
PO BOX 54 Strathpine
14 Mecklem Street Strathpine Qld 4500
P: (07) 3205 2881
david@prctax.com.au
prcadmin@prctax.com.au
DAVID J. WRANGELL & COMPANY PTY. LTD.
ASIC registered agent number **7009**

Laurie Carwardine,
Registration number: 100093267
Carwardine & Associates
(07) 3355 1800
Audit Box Pty Ltd
180 South Pine Rd
ENOGGERA QLD 4051 Australia
Laurie Carwardine, Mortgage Broker at Carwardine & Associates
support@brokerpages.com.au
di@carwardines.com.au
admin@carwardines.com.au

Doug McBirnie, Actuary
Accurium Actuary
act@accurium.com.au
Accounts@accurium.com.au
Melanie Dunn, FIAA SSA, Principal
Level 1, 144 Macquarie Street, HOBART TAS 7000
Tel: 1800 203 123
Web: www.accurium.com.au

Kind regards,

Holly

Attachments

1.ZIP Folder Rhonda Ultra Super Fund Materials
- Ultra Super Fund Rhonda Ann Knyvett - total superannuation balance as at 30.06.2023
- Associates ULTRA SUPER FUND, TRUSTEE, MEMBER
- ATO Superannuation performance comparison - top 4
- Authorised Contact -Income tax 551 KNYVETT, RHONDA A
- balance cap – no information
- Manage credit debit cards – Nil
- Financial institution accounts BSB 484-799 ACC 039836080
- Communication history - nil
- Communication preferences nil
- Employment details - Nil
- Fund Details - Ultra Super Fund & Australiansuper
- TAX Accounts summary
- Tax accounts Income tax 551 KNYVETT,RHONDA A (no info)
- Tax 551 KNYVETT,RHONDA A Income tax 551 transactions - 27_01_2025 (no info)
- TAX Super guarantee accounts
- TAX Excise accounts
- TAX Income tax
- TAX Income tax - Not lodged
- TAX Non-lodgement advice
- Statement of tax record – awaiting
- TAX Fuel tax credit non-GST – Nil
- Taxable payments annual report - Nil
- Taxable payments annual report history- Nil
- TAX - Payment - Nil listed
- TAX Tax registrations – Nil
- TAX Shares and units records – 2017 to current, Nil
- TAX PAYG withholding variation application, current- Nil
- TAX PAYG withholding variation application, history – Nil

Laurie Carwardine Auditor ASIC Registration 100093267
ABN 46 055 917 523 DAVID J. WRANGELL & COMPANY PTY. LTD., PINE RIVERS CONSULTING SERVICE, ACN 055 917 523
Ultra Super Fund Historical details for ABN 41 873 921 089
Ultra Super Fund, 2020-2023, Unqualified Audit reports, David Wrangell, Accountant
Ultra Super Fund, FY 2019-2024 Annual reporting & supporting information David Wrangell, Accountant

Subject: Re: Superannuation and Financial Documentation – Rhonda Knyvett
Date: Monday, 27 January 2025 at 6:05:31 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <honda.r@hotmail.com>
BCC: Riki Dahm <rikidahm84@gmail.com>
Category: H & W, Regulator
Attachments: 2021-2023 Ultra Super Fund Annaul Reporting, David Wrangell, Accountant.zip, 2023-2020 Ultra Super Fund - unqualified audit reports.zip

Dear McLane

As mentioned, emailing the additional attachments.

Holly

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 27 January 2025 6:03 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com <honda.r@hotmail.com>
Subject: Re: Superannuation and Financial Documentation – Rhonda Knyvett

Dear McLane

As mentioned, emailing the additional attachments.

Holly

From: Holly Osborne
Sent: Monday, 27 January 2025 6:00 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com <honda.r@hotmail.com>
Subject: Superannuation and Financial Documentation – Rhonda Knyvett

Dear McLane

I am emailing to provide information concerning Rhonda Knyvett's superannuation, specifically regarding the Ultra Super Fund.

Information regarding Rhonda's tax and superannuation is set out below. A request for a comprehensive tax statement has been submitted to the ATO and is expected to be provided within the next four business days.

ULTRA SUPER FUND	ABN 41 873 921 089
ESTABLISHED	17 September 2002
TRUSTEE	Rhonda Ann Knyvett
TRUSTEE	Garth Wilfred Osborne
Member account number	SMSF114114273321
Recent contribution	No
Insurance	Unknown

ULTRA SUPER FUND BANK ACCOUNTS

Bendigo Bank	BSB 633-000 Account 118052760
Suncorp bank	BSB 484-799 Account 001422502

ULTRA SUPER FUND– Dividends
Listed in Bendigo
1. QANTAS dividends
2. David Jones dividends
3. Coles/ Myer dividends
4. CENTRO PROP DIS DIVIDENT
5. CENTRO RET DIS DIVIDENT
6. SANTOS
7. TELSTRA DIVIDEND
8. AMP LIMITED DIVIDEND
9. BHP BILLITON DIVIDEND
10. CNP SPECIAL DIST DIVIDEND
11. SANTOS DIVIDEND
12. BXB FNL DIVIDEND

13. BXB ITM DIVIDEND
14. BRAMBLES dividend
15. DIVIDEND ANZ replacement
16. direct credit AAI limited t/as 3,724

Listed in Suncorp

17. SANTOS

ULTRA SUPER FUND PROPERTY

1. 158 Church Road, Zillmere 4034 & 2 Hinchcliffe Street, Zillmere 4034
    a. Shop 1 158 Church Road, Zillmere 4034
    b. Shop 2, 158 Church Road, Zillmere 4034
3. 364 Zillmere Road, Zillmere 4034 (TBD - body corporate)
4. Unit 1/364 Zillmere Road, Zillmere 4034
5. Unit 2/364 Zillmere Road, Zillmere 4034
6. Unit 3/364 Zillmere Road, Zillmere 4034
7. Unit 4/364 Zillmere Road, Zillmere 4034
8. Unit 5/364 Zillmere Road, Zillmere 4034
9. Unit 6/364 Zillmere Road, Zillmere 4034

Superannuation details and balances

Rhonda Ann Knyvett

TFN 482 565 560

2024-25

- total superannuation balance – not available
- no concessional contributions information to display
- no non-concessional contributions information to display
- no carry-forward concessional contributions information to display
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)

2023-24

- total superannuation balance $711,315.00
- no concessional contributions information to display
- no non-concessional contributions information to display
- no carry-forward concessional contributions information to display
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)

2022-23

- total superannuation balance $695,153.00
- carry-forward concessional contributions (attached)
- remaining concessional contributions $27,500.00 (attached)
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
- bring forward arrangement – no information (attached)

2021-22

- total superannuation balance $396,444.00
- remaining concessional contributions $25,000.00 (attached)
- carry-forward concessional contributions
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
- bring forward arrangement – no information (attached)

2020-21

- total superannuation balance $388,961.00
- remaining concessional contributions $25,000.00 (attached)
- carry-forward concessional contributions
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
- Bring forward arrangement – no information (attached)

2019-20

- total superannuation balance $393,555.03
- remaining concessional contributions $25,000.00 (attached)
- carry-forward concessional contributions (attached)
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
- bring forward arrangement – no information (attached)

2018-19

- total superannuation balance $384,664.03
- remaining concessional contributions $25,000.00 (attached)
- carry-forward concessional contributions (attached)
- no employer contributions displayed (attached)
- transfer balance cap – no information displayed (attached)
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Transition to AustralianSuper

Rhonda has established an account with AustralianSuper, which is ready to receive a full rollover of funds from the USF once this matter is resolved.

AUSTRALIANSUPER

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From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <honda.r@hotmail.com>
BCC: Riki Dahm <rikidahm84@gmail.com>
Category: H & W, Regulator
Attachments: Rhonda Ultra Super Fund Materials.zip, ABN 46 055 917 523 David J Wrangell - Accountant.pdf, Ultra Super Fund Historical details for ABN 41 873 921 089.pdf, Laurie Carwardine Auditor ASIC Registration 100093267.pdf

Dear McLane

I am emailing to provide information concerning Rhonda Knyvett's superannuation, specifically regarding the Ultra Super Fund.

Information regarding Rhonda's tax and superannuation is set out below. A request for a comprehensive tax statement has been submitted to the ATO and is expected to be provided within the next four business days.

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Rhonda Ann Knyvett
TFN 482 565 560
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AUSTRALIANSUPER

Member account number 1076514998

Unique superannuation identifier (USI) STA0100AU

Due to the size of some attachments, they may be sent in separate emails, following email size limits.

The email also includes financial year reports and unqualified audit reports provided by David Wrangell, accountant for the Ultra Super Fund.

If you have any questions or require additional information, please do not hesitate to contact me.

Kind Regards

Holly

CONTACT INFORMATION
Rhonda Ann Knyvett
DOB 18/10/1957
[redacted] Bracken Ridge 4017
Honda.r@hotmail.com
Holly Tegan Dahm, Enduring power of attorney
0401219842
hollyteganosborne@hotmail.com
[redacted] Bracken Ridge 4017

Garth Wilfred Osborne

Ultra Super Fund Trustee
DOB 10/01/56
go56@bigpond.com
0407755084
18 Magnetic Street Boondall 4034
Shop 2, 158 Church Road, Zillmere 4034

David John Wrangell
Ultra Super Fund Accountant
Pine Rivers Consulting
PO BOX 54 Strathpine
14 Mecklem Street Strathpine Qld 4500
P: (07) 3205 2881
david@prctax.com.au
prcadmin@prctax.com.au
DAVID J. WRANGELL & COMPANY PTY. LTD.
ASIC registered agent number **7009**

Laurie Carwardine,
Registration number: 100093267
Carwardine & Associates
(07) 3355 1800
Audit Box Pty Ltd
180 South Pine Rd
ENOGGERA QLD 4051 Australia
Laurie Carwardine, Mortgage Broker at Carwardine & Associates
support@brokerpages.com.au
di@carwardines.com.au
admin@carwardines.com.au

Doug McBirnie, Actuary
Accurium Actuary
act@accurium.com.au
Accounts@accurium.com.au
Melanie Dunn, FIAA SSA, Principal
Level 1, 144 Macquarie Street, HOBART TAS 7000
Tel: 1800 203 123
Web: www.accurium.com.au

Kind regards,

Holly

Attachments

1.ZIP Folder Rhonda Ultra Super Fund Materials
- Ultra Super Fund Rhonda Ann Knyvett - total superannuation balance as at 30.06.2023
- Associates ULTRA SUPER FUND, TRUSTEE, MEMBER
- ATO Superannuation performance comparison - top 4
- Authorised Contact -Income tax 551 KNYVETT, RHONDA A
- balance cap – no information
- Manage credit debit cards – Nil
- Financial institution accounts BSB 484-799 ACC 039836080
- Communication history - nil
- Communication preferences nil
- Employment details - Nil
- Fund Details - Ultra Super Fund & Australiansuper
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- Taxable payments annual report - Nil
- Taxable payments annual report history- Nil

TAX - Payment - Nil listed
TAX Tax registrations – Nil
TAX Shares and units records – 2017 to current, Nil
TAX PAYG withholding variation application, current- Nil
TAX PAYG withholding variation application, history – Nil
Laurie Carwardine Auditor ASIC Registration 100093267
ABN 46 055 917 523 DAVID J. WRANGELL & COMPANY PTY. LTD., PINE RIVERS CONSULTING SERVICE, ACN 055 917 523
Ultra Super Fund Historical details for ABN 41 873 921 089
Ultra Super Fund, 2020-2023, Unqualified Audit reports, David Wrangell, Accountant
Ultra Super Fund, FY 2019-2024 Annual reporting & supporting information David Wrangell, Accountant

Subject: Email correspondence -Mr. Laurie Carwardine, Auditor, Ultra Super Fund
Date: Sunday, 26 January 2025 at 8:20:17 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
BCC: Riki Dahm <rikidahm84@gmail.com>
Attachments: Ultra super fund ABN 41873921089 - Rhonda Ann Knyvett, trustee - Request for Information and Documentation.eml, Request for Documentation & Ultra Super Fund ABN 41 873 921 089.eml, URGENT Ultra super fund ABN 41873921089 - Rhonda Ann Knyvett, trustee - Request for Information and Documentation (BDNF, EPA, Seller Contract - attached)..eml, Auditor - Laurie Carwardine 100093267.pdf

Dear McLane

I am writing to provide the email correspondence issued to Mr Laurie Carwardine, Carwardine & Associates, auditor for Ultra Super Fund, ABN 41 873 921 089.

On 10 January 2025, an email was sent by Ms Holly Dahm, acting as the Enduring Power of Attorney on behalf of Ms Rhonda Ann Knyvett, to Mr Laurie Carwardine, the auditor of the Ultra Super Fund. In this email, Ms Dahm formally requested various documentation related to the Fund's management and compliance for all past financial years. The request was made due to the withholding of all documentation and information by co-trustee Mr Garth Osborne. She requested that the documents be supplied within seven days of the email.

Following this, on 15 January 2025, Ms Knyvett herself sent an email Mr Carwardine, and to other business emails accounts of Mr Carwardine's, reiterating the formal request for documentation and raising significant concerns within the fund. These concerns include evidence of round-tripping, tax evasion, and legislative breaches directly linked to the actions of her co-trustee, Mr. Garth Osborne. She requested Mr Carwardine's attention to this matter and a response within the original timeframe of 7 days.

On 18 January 2025, Ms Knyvett sent another email to Mr Carwardine, and to other business emails accounts of Mr Carwardine's, following up on her previous email as she had not yet received a response or the requested documentation. She reiterated the significant concerns within the fund, including evidence of round-tripping, tax evasion, and legislative breaches directly linked to the actions of co-trustee, Garth Osborne. She raised concerns about a fraudulent binding death benefit nomination form submitted by Garth Osborne without her consent and requested that the audit process be revisited and all documents and records related to the Ultra Super Fund (for all years/audits) be provided by 22 January 2025.
Key information
To date, Mr Carwardine has not acknowledged or responded to the formal requests for information and documentation pertaining to the fund's management and compliance. These requests were made by Ms Knyvett, a trustee of the Ultra Super Fund, and Ms Dahm, who is acting as the Enduring Power of Attorney on behalf of Ms Knyvett. Despite the seriousness of the concerns raised and the urgency of the requests, no response or acknowledgement has been received from Mr Carwardine.

Kind regards

Holly
Contact Details
Mr Laurie Carwardine,
Registration number: 100093267
Carwardine & Associates
(07) 3355 1800
Business or firm name: Audit Box Pty Ltd
180 South Pine Rd ENOGGERA QLD 4051 Australia
Laurie Carwardine, Mortgage Broker at Carwardine & Associates
support@brokerpages.com.au
di@carwardines.com.au
admin@carwardines.com.au

Kind regards

Holly

Subject: Concerns about fraudulent activity - CH 003 Pty Ltd
Date: Sunday, 26 January 2025 at 6:14:57 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
BCC: Rod Margetts <rodm@oxfordassociates.com.au>, Riki Dahm <rikidahm84@gmail.com>
Category: TITLES Queensland
Attachments: Titles, ABNs, ASIC reports, BCC development application materials.zip

Dear McLane

I trust this email finds you well.

I have outlined key issues for your review about the structure and activities surrounding CH 003 Pty Ltd (ACN 651 430 750), with a focus on ownership, key parties, and concerns about fraudulent activity tied to CH 003 Pty Ltd, particularly in the context of property transactions, Phoenix activity, and concealment of beneficial ownership for review.

This evidence may help strengthen our case, especially regarding Garth Wilfred Osborne and Ann Anthonisz's involvement and their potential misrepresentation in the property dealings and asset concealment.

Timeline of Transactions and Activities
June 2021

- CH 003 Pty Ltd was registered as a proprietary company on 28 June 2021, with Lu Li (Chinese national) appointed as Secretary and holding 85% of shares, and Wei Zhao (Chinese national) as Director, holding 15%.
- This shareholding arrangement raises questions about true beneficial ownership and suggests the potential use of nominee structures to conceal the involvement of Garth Wilfred Osborne and Ann Anthonisz.

159 Roghan Road Taigum 4018

- 12 July 2022: CH 003 Pty Ltd purchased 159 Roghan Road for $3,300,000, significantly below the median market value of $5,000,000.
- 11 October 2022: A caveat (No. 722031169) was lodged, which was subsequently withdrawn on 4 July 2023, indicating changes in title and interest.
- 6 November 2023: A mortgage (No. 722861831) was registered with Taverners No. 11 Pty Ltd as trustee, adding a layer to the financial structure surrounding the property.

169 Roghan Road Taigum 4018

- 3 August 2022: Garth Wilfred Osborne and Ann Anthonisz, registered owners facilitated a transfer of sale of 169 Roghan Road to CH 003 Pty Ltd for $7,333,000, which is below the median market value of $9,000,000.
- 11 October 2022: A caveat (No. 722031242) was lodged and withdrawn on 21 October 2022.
- 6 November 2023: A mortgage (No. 722861838) was registered for 169 Roghan Road, again with Taverners No. 11 Pty Ltd as trustee, mirroring the arrangement for 159 Roghan Road.

Development Applications

- 2024-2025: CH 003 Pty Ltd lodged multiple operational work and subdivision applications for both properties, working with consultants such as Chapter Two Group Pty Ltd and Town Planning Alliance.
- This activity suggests CH 003 Pty Ltd is actively managing and developing the properties while maintaining ownership, further indicating that it may be functioning as a shell entity to facilitate profit concealment.

Key Concerns and Observations
Below-Market Transactions

- Both properties were acquired well below their respective market values, resulting in a potential stamp duty loss of approximately $270,000 due to undervaluation.

Land Tax Underpayment

- CH 003 Pty Ltd appears to have underestimated the land value for taxation purposes, which may have led to annual land tax underpayments of around $82,250 for the two properties.

Phoenix Activity Indicators

- The use of CH 003 Pty Ltd as a shell company, alongside its opaque shareholding structure and rapid property acquisitions, aligns with common Phoenix activity patterns.
- The transactions show signs of coordinated efforts by Garth Wilfred Osborne and Ann Anthonisz to obscure their beneficial ownership via nominee structures, facilitating profit concealment and tax avoidance.

Layered Ownership and Financial Structuring

- Mortgage arrangements involving Taverners No. 11 Pty Ltd, along with the frequent withdrawal and re-registration of caveats, create additional complexity in the ownership and financial arrangements, complicating the tracing of interests.

REGISTERED OWNER 169 Roghan Road Taigum 4018 & 159 Roghan Road Taigum 4018
CH 003 PTY LTD A.C.N. 651 430 750
TAVERNERS NO. 11 PTY LTD
ABN 47 097 971 572 - PTY LTD A.C.N. 097 971 572 TRUSTEE
Ch 003 Pty Ltd

Brisbane City Council - Applicant Address
Ch 003 Pty Ltd
C/- Chapter Two Group Pty Ltd
Level 1, 50 Commercial Road

NEWSTEAD QLD 4006

Company Overview and Structure of CH 003 Pty Ltd

Company Extract:

- Incorporation Date: 03/10/2022
- Registered Address: Level 1, 50 Commercial Road, Newstead QLD 4006 (7EBW72853)
- Director: Wei Zhao
- Address: 'Lot6', 40 Frizzell Street, Stretton QLD 4116
- Born: 18/01/1974, Shanxi, China
- Appointment Date: 04/06/2024
- Secretary: Lu Li
- Address: 2 Fairbank Street, Sunnybank QLD 4109
- Born: 27/09/1978, China
- Appointment Date: 28/06/2021
- ASIC Listed Contact: Gershi You

Share Structure of CH 003 Pty Ltd Class of Shares: Ordinary shares

Shareholding:

- Li holds 85% of the shares, making them the majority owner and likely the controlling party of the company.
- Wei Zhao holds only 15% of the shares, but this is not indicative of true beneficial ownership, as it is likely a placeholder for someone else, Garth Wilfred Osborne and Ann Anthonisz, who are likely controlling the company behind the scenes.

Concerns Regarding Ownership and Control

Nominee Structures and Concealment of Ownership:

- The use of Lu Li as the company secretary holding the majority shares (85%) and Wei Zhao as the director with only 15% of shares raises concerns relating to nominee arrangements designed to obscure the true beneficial ownership, specifically Garth Wilfred Osborne and Ann Anthonisz as the real beneficial owners, with Lu Li and Wei Zhao serving as proxies to conceal their involvement.

Garth and Ann's Role:

- The structure could allow G Garth Wilfred Osborne and Ann Anthonisz to maintain indirect control over CH 003 Pty Ltd while remaining hidden behind the front individuals of Lu Li and Wei Zhao.
- By controlling 85% of the shares through Lu Li, Garth and Ann can direct the company's decisions (e.g., property transactions, development decisions) without appearing in official company records.

Pattern of Fraudulent Transactions and Phoenix Activity

Property Transactions:

- The suspiciously low valuations of the properties involved in CH 003 Pty Ltd's transactions, including the below-market purchases of 159 Roghan Road and 169 Roghan Road, support the claim of potential Phoenix activity and tax evasion.
- The director's shares (Wei Zhao's 15%) likely act as placeholders, allowing the real owners (Garth and Ann) to carry out these transactions while circumventing official scrutiny.
- The rapid and layered ownership structures (with the involvement of proxy directors and secretaries) strongly suggest that CH003 Pty Ltd may be a vehicle for Phoenix activity, with the intention to avoid tax liabilities and regulatory oversight.

Nominee Structures and Concealment of Financial Activity

Boardroom Pty Ltd and Potential Control:

- The information raises serious concerns Garth Wilfred Osborne and Ann Anthonisz retain beneficial ownership through preferred shares or shares held in a trust, most likely managed by Boardroom Pty Ltd.
- This would allow them to exercise control over the company, including directing property sales and redistributing profits from property transactions while keeping their direct involvement hidden.

Relationship with JLL Metropolitan

Sales and Development Activities:

- CH 003 Pty Ltd retains ownership of the properties, but appears to have engaged JLL Metropolitan as a sales agent, marketing partner, or joint venture partner to facilitate the development and sale of individual lots or larger-scale projects.
- JLL Metropolitan could play a significant role in marketing the development, finding buyers, and facilitating property sales without the properties ever being transferred out of CH 003 Pty Ltd's ownership.
- This raises the possibility that CH 003 Pty Ltd remains the landowner while JLL handles the sales and marketing, potentially under an undisclosed joint venture agreement or similar arrangement that could be used to conceal profits from the development.

Review of ABN Registrations

The repeated pattern of ABN activations, cancellations, and entity name changes tied to Garth Wilfred Osborne, and other parties suggests a deliberate effort to obscure ownership and financial flows. This includes frequent changes to business names, locations, and entities, often linked with discretionary trusts and family partnerships.

Best regards,
Holly Dahm

Subject: Further information - Property Assets & Interests – Ultra Super Fund and Associated Parties
Date: Saturday, 25 January 2025 at 10:36:38 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
BCC: Riki Dahm <rikidahm84@gmail.com>
Priority: High
Attachments: Information on property assets owned by Ultra Super Fund, Garth W Osborne, Ann Anthonisz & Rhonda A Knyvett.docx, McGrath property information.jpg

Dear McLane

Following on from my previous email, please find attached an **updated version** of the information involving the Ultra Super Fund, Garth Wilfred Osborne, Ann Anthonisz and Rhonda Ann Knyvett for review.

Additionally, I have included below information from McGrath related to the following properties, have

Please find attached information provided by McGrath relating to the eight (8) properties listed below. The information includes the sale prices, sale dates, LOT plans/RPD/Sections blocks, year of construction, land size, and property type.

I apologise for the omission of this attachment in my previous email.

*a scanned copy will be provided Tuesday

- 18 Magnetic Street, Boondall 4034
- 158 Church Road, Zillmere 4034
- Unit 1/364 Zillmere Road, Zillmere 4034
- Unit 2/364 Zillmere Road, Zillmere 4034
- Unit 3/364 Zillmere Road, Zillmere 4034
- Unit 4/364 Zillmere Road, Zillmere 4034
- Unit 5/364 Zillmere Road, Zillmere 4034
- Unit 6/364 Zillmere Road, Zillmere 4034

Please do not hesitate to reach out should you require any further clarification or additional information.

Thank you for your attention to this matter.

Kind regards,
Holly

From: Holly Osborne
Sent: Saturday, 25 January 2025 9:25 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Subject: Property Assets & Interests – Ultra Super Fund and Associated Parties

Dear McLane

I hope this email finds you well.

Please find attached information pertaining to the property assets and interests involving Ultra Super Fund, Garth Wilfred Osborne, Ann Anthonisz and Rhonda Ann Knyvett.

The attached ZIP files contain detailed documents related to these property assets, including relevant titles, transactions, and associated information for your review.

Should you require further clarification or additional documentation, please do not hesitate to let me know.

Holly

ZIP FILES

1. 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_19203586
2. 89 Wickham Street Brighton 4017 Historical_Title_Search_13049137
3. 89 Wickham Street Brighton 4017 Title_Image_13049137
4. BCSP 11579 Historical details for ABN 24 853 967 084 VIC
5. Strata Plan 11579 Historical details for ABN 29 867 576 165 NSW

6. Unit 1 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963155
7. Unit 2 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963156
8. Unit 3 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963157
9. Unit 4 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963158
10. Unit 5 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963159
11. Unit 6 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963160
12. 80 & 82 Yundah St, Shorncliffe Qld 4017
13. 80 Yundah Street Shorncliffe 4017 Title_Image_11421004
14. 169 Roghan Rd, Taigum Qld 4018 Historical_Title_Search_13114239
15. 169 Roghan Road Taigum 4018 Title_Image_13114239
16. 159 Roghan Road Taigum 4018 Historical_Title_Search_13900081
17. Birth Certificate - Holly Tegan Osborne
18. 158 Church Rd, Zillmere Qld 4034 & 2 Hinchcliffe St, Zillmere Qld 4034 Historical_Title_Search_12791021
19. 30 Whipbird Pl, Aspley Qld 4034 Historical_Title_Search_50015444 (1)

Subject: Further information - Property Assets & Interests – Ultra Super Fund and Associated Parties
Date: Saturday, 25 January 2025 at 10:29:26 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
BCC: Riki Dahm <rikidahm84@gmail.com>
Category: H & W

Subject: Follow-up on Property Information and Updated Details

Dear McLane
Following on from my previous email, please find attached an **updated version** of the information involving the Ultra Super Fund, Garth Wilfred Osborne, Ann Anthonisz and Rhonda Ann Knyvett for review.

Additionally, I have included below information from McGrath related to the following properties, have

Please find attached information provided by McGrath relating to the eight (8) properties listed below. The information includes the sale prices, sale dates, LOT plans/RPD/Sections blocks, year of construction, land size, and property type.

I apologise for the omission of this attachment in my previous email.

*a scanned copy will be provided Tuesday

- 18 Magnetic Street, Boondall 4034
- 158 Church Road, Zillmere 4034
- Unit 1/364 Zillmere Road, Zillmere 4034
- Unit 2/364 Zillmere Road, Zillmere 4034
- Unit 3/364 Zillmere Road, Zillmere 4034
- Unit 4/364 Zillmere Road, Zillmere 4034
- Unit 5/364 Zillmere Road, Zillmere 4034
- Unit 6/364 Zillmere Road, Zillmere 4034

Please do not hesitate to reach out should you require any further clarification or additional information.

Thank you for your attention to this matter.

Kind regards,
Holly

From: Holly Osborne
Sent: Saturday, 25 January 2025 9:25 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Subject: Property Assets & Interests – Ultra Super Fund and Associated Parties

Dear McLane

I hope this email finds you well.

Please find attached information pertaining to the property assets and interests involving Ultra Super Fund, Garth Wilfred Osborne, Ann Anthonisz and Rhonda Ann Knyvett.

The attached ZIP files contain detailed documents related to these property assets, including relevant titles, transactions, and associated information for your review.

Should you require further clarification or additional documentation, please do not hesitate to let me know.

Holly

ZIP FILES

1. 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_19203586
2. 89 Wickham Street Brighton 4017 Historical_Title_Search_13049137
3. 89 Wickham Street Brighton 4017 Title_Image_13049137
4. BCSP 11579 Historical details for ABN 24 853 967 084 VIC
5. Strata Plan 11579 Historical details for ABN 29 867 576 165 NSW

Subject: Property Assets & Interests – Ultra Super Fund and Associated Parties
Date: Saturday, 25 January 2025 at 9:25:14 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
BCC: Riki Dahm <rikidahm84@gmail.com>
Priority: High
Category: TITLES Queensland
Attachments: Information on property assets owned by Ultra Super Fund, Garth W Osborne, Ann Anthonisz & Rhonda A Knyvett.docx, Ultra Super Fund Property asset titles, ABNs, Body Corporate info.zip, PROPERTY ASSETS, G OSBORNE, A ANTHONISZ, R KNYVETT, CH 003 PTY LTD.zip

Dear McLane

I hope this email finds you well.

Please find attached information pertaining to the property assets and interests involving Ultra Super Fund, Garth Wilfred Osborne, Ann Anthonisz and Rhonda Ann Knyvett.

The attached ZIP files contain detailed documents related to these property assets, including relevant titles, transactions, and associated information for your review.

Should you require further clarification or additional documentation, please do not hesitate to let me know.

Holly

ZIP FILES

1. 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_19203586
2. 89 Wickham Street Brighton 4017 Historical_Title_Search_13049137
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8. Unit 3 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963157
9. Unit 4 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963158
10. Unit 5 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963159
11. Unit 6 364 Zillmere Rd, Zillmere Qld 4034 Historical_Title_Search_15963160
12. 80 & 82 Yundah St, Shorncliffe Qld 4017
13. 80 Yundah Street Shorncliffe 4017 Title_Image_11421004
14. 169 Roghan Rd, Taigum Qld 4018 Historical_Title_Search_13114239
15. 169 Roghan Road Taigum 4018 Title_Image_13114239
16. 159 Roghan Road Taigum 4018 Historical_Title_Search_13900081
17. Birth Certificate - Holly Tegan Osborne
18. 158 Church Rd, Zillmere Qld 4034 & 2 Hinchcliffe St, Zillmere Qld 4034 Historical_Title_Search_12791021
19. 30 Whipbird Pl, Aspley Qld 4034 Historical_Title_Search_50015444 (1)

Subject: Concerns -Authenticity of Deed of Establishment
Date: Friday, 24 January 2025 at 11:59:34 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
BCC: Riki Dahm <rikidahm84@gmail.com>
Priority: High
Category: H & W
Attachments: Ultra Super Fund-Trust Deed - 17.09.2002.pdf

Dear McLane

Upon reviewing the deed of establishment supplied by David Wrangell, Ultra Super Fund accountant, a number of irregularities and inconsistencies have been identified. The key issues are outlined below for your review.

1. Life Expectancy Pension Clause
    - The deed includes a detailed life expectancy pension clause (Clause 16.5) that appears overly prescriptive and unusual for a deed drafted in 2002. Key concerns include:
    - References to specific terms like, “The primary beneficiary became entitled to be paid the pension on or after the day when the primary beneficiary became a pension age” and “If the life expectancy of the primary beneficiary on the commencement date is less than 15 years…”.
    - operational detail, including indexation limits, commutations, and restrictions on residual capital value, would typically be included in pension agreements or actuarial certificates rather than the deed itself.
    - The clause reflects concepts more aligned with legislative reforms post-2002, such as those introduced in 2007, raising doubts about its relevance to a 2002 deed.
2. Formatting and Alignment
    - There are inconsistencies in the alignment, formatting, and reference numbers, suggesting the document may have been assembled from multiple sources:
    - Pages 1–14 are tilted from the top-left to the bottom-right corner, while pages 15–28 are aligned straight, and the tilting resumes from pages 29–36.
    - Page 37 onward is aligned straight, except for page 38, which is tilted.
    - Such abrupt and alternating changes in alignment suggest the document is not a single, continuous original but instead a compilation of photocopied sections.
3. Reference Number Discrepancies
    - The reference numbers on the pages vary inconsistently
    - Pages 1–40 use the reference “sdeed1” to “sdeed40,” while page 41 uses “sdeedref,” and the signature page (42) has “GDEED33A.”
    - On page 17, the border overlaps the reference number, suggesting digital manipulation or superimposition.
4. Physical Evidence of Alterations
    - The document contains photocopy marks (e.g., binder hole shadows on page 14) that appear inconsistent with an original photocopy. These marks seem deliberately added to create the appearance of age or authenticity.
    - Borders on pages such as 5 and 17 appear to have been dragged or altered digitally, with overlaps on reference numbers.
5. Missing or Obscured Information
    - Critical clauses, such as the winding-up provision on page 32, are partially obscured.
    - The signature page (page 42) is undated and lacks a reference number, further undermining its credibility.
6. Handwritten Date and Lack of Amendments
    - The handwritten date on page 1 (17 September 2002) is not corroborated by any other date in the document, including the signature page.
    - Despite the age of the deed, there is no record of amendments to reflect subsequent changes in superannuation laws or fund rules, even though the document references more recent legislative concepts.

Unsurprisingly, the documents provided by David Randall, accountant, contain numerous discrepancies that point to potential falsification, alteration, or assembly from multiple sources—particularly with the inclusion of legislative concepts that were not standard practice in 2002. There are significant concerns regarding the validity of the deed of establishment supplied. I trust we can obtain a more credible version of the deed, including any amendments from alternative sources such as Boardroom Pty Limited, the Auditor, or Sandhurst Trustees, who may have been involved in more recent engagements.

I look forward to your thoughts.

Kind regards,
Holly Dahm

Subject: Deed of Establishment Review and Evidence Preparation
Date: Thursday, 23 January 2025 at 12:59:33 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
BCC: Riki Dahm <rikidahm84@gmail.com>
Category: H & W, Regulator
Attachments: image001.png, Ultra Super Fund-Trust Deed.pdf

Dear McLane

Following numerous requests, David Wrangell, Accountant, has now provided the Deed of Establishment. I kindly request that you review the document with reference to the concerns previously raised, identify further issues, and provide advice on appropriate next steps.

To assist with this matter, I am in the process of consolidating the information and evidence to streamline your review. I expect to have this finalised and provided to you within the next 2–3 days.

Please let me know if you require any further input in the meantime.

Kind regards,
Holly Dahm

Begin forwarded message:

From: David Wrangell <david@prctax.com.au>
Date: 23 January 2025 at 12:03:27 pm AEST
To: Holly Osborne <hollyteganosborne@hotmail.com>
Cc: honda.r@hotmail.com, Garth Osborne <go56@bigpond.com>
Subject: Deed

Hi Trustees

The Trust Deed is attached.

I am advised that the Fund is not able to pay its recent ATO bill as Rhonda is unable to meet Garth at the bank.
The fund has a perfect record at the ATO, and is would be disappointing to have that undone.

The future payment of rates and water and insurance is obviously quite important.
The Trustees need to devise a workable solution so the fund assets are not put at risk.

Regards

David Wrangell
Accountant & Registered Tax Agents
Pine Rivers Consulting
PO Box 54 / 14 Mecklem Street
STRATHPINE QLD 4500
P: (07) 3205 2881
Email: david@prctax.com.au

Like our facebook page to get up to date Tax Information

Subject: Re: Urgent and Serious Concerns Regarding Your Conduct and Compliance with Superannuation Legislation
Date: Thursday, 23 January 2025 at 7:16:16 AM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Category: H & W

Thanks McLane,
Noted, as agreed evidence will be provided shortly for review.

Kind regards,
Holly
Sent from my iPhone

> On 22 Jan 2025, at 10:54 pm, McLane Edinger <McLane.Edinger@hallandwilcox.com.au> wrote:
>
> Dear Holly
>
> Thank you for copying us into your emails today.
>
> Given we are now acting, it is important that any future correspondence comes from us, or is at least reviewed by us prior to sending.
>
> We want to make sure we take the correct approach with the various parties in the hope we obtain what we need with as little resistance as possible, or in any event to ensure we have the necessary paper trail if an application to the court is necessary.
>
> We will continue reviewing the various documents and then revert to you with an overview of next steps.
>
> Have a good evening.
>
> Kind regards
>
> **McLane Edinger |** Partner
>
> T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
> McLane.Edinger@hallandwilcox.com.au | professional profile
>
> Hall & Wilcox logo
>
> www.hallandwilcox.com.au
>
> Hall & Wilcox | Smarter Law Update
> Keep up to date and view our Latest Thinking
> **If our bank account details change, we will notify you by letter, phone call or face-to-face, but never by email.**
> ***Hall & Wilcox acknowledges the Traditional Custodians of the land, sea and waters on which we work, live and engage. We pay our respects to Elders past, present and future.***
> This email and any attachment is confidential and for the use of the intended recipient(s) only. It may also be the subject of legal professional privilege. If you are not the intended recipient, any use, interference with, disclosure or copying of this material is unauthorised and prohibited. Hall & Wilcox handles information according to relevant privacy laws.
> Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Wednesday, January 22, 2025 7:39:12 PM
To: David Wrangell <david@prctax.com.au>; prcadmin@prctax.com.au <prcadmin@prctax.com.au>
Cc: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Honda.r@hotmail.com <honda.r@hotmail.com>
Subject: Urgent and Serious Concerns Regarding Your Conduct and Compliance with Superannuation Legislation

Dear David,

I refer to your email dated 22 January 2025 at 9:36 am, in which you addressed, though inadequately, the concerns raised by Rhonda as a trustee of the Ultra Super Fund (the Fund). I am compelled to address the significant and ongoing concerns regarding your conduct, particularly with regard to your professional and legal obligations.

1. Failure to Respond and Provide Requested Information

On 17 January 2025 at 4:36 pm, I emailed you raising significant concerns on behalf of Rhonda. Specifically, I highlighted evidence contained within the Suncorp and Bendigo bank accounts suggesting improper activity. These activities include evidence of substantial deposits, extensive withdrawals, and transactions that strongly suggest potential round-tripping. Moreover, I raised the following:

Identical Account Numbers with Different BSBs
The information you personally provided to Rhonda included explicit details of an account titled “Ultra Super Fund” linked to Bendigo and Adelaide Bank (BSB 633109, Account Number 118052760), which is identical to the Bendigo Bank account (BSB 633000, Account Number 118052760). A significant amount of money has been deposited into this account. If this account forms part of the Fund, I require your immediate confirmation. If it does not, this raises serious concerns regarding improper handling of funds and potential breaches of superannuation and tax legislation.

Handwritten and Missing Documentation
The supporting data that you provided for the past five financial years contain unsigned, handwritten notes, and missing documents. This does not meet regulatory compliance standards, and your failure to identify these deficiencies is alarming.

Suspicious Check Activity
There is evidence of over 1,072 checks written, with deposits and withdrawals occurring on the same day or in close succession. This level of activity, combined with significant deposits and withdrawals in the millions, is highly suspicious, especially given that both bank account balances remain disproportionately low.

Lack of Response
Despite the seriousness of these issues, you have failed to respond to any of my requests for information or to engage with me as Rhonda’s enduring power of attorney.

I reiterate the request for documentation, and serious concerns I raised about the Funds financial activity on 17 January 2025 remain completely unaddressed. Furthermore, your assertion that you provided most of the requested documentation to me is categorically false and grossly misleading. To date, you have failed to respond, or provide me with any of the requested information, despite my repeated requests. Your misrepresentation of this fact is deeply troubling.

2. Professional Conduct and Obligations

Your continued minimisation of these concerns raises significant questions regarding your professional conduct. As an accountant, you are obligated to:

- Act in accordance with the SIS Act and report any irregularities that could indicate breaches of superannuation or tax law
- Provide accurate, transparent, and timely information to trustees, beneficiaries, and representatives acting under legal authority
- Ensure that all financial and compliance documents are in order, complete, and meet regulatory standards
-
- It is particularly concerning that you have failed to detect or report these irregularities in the Fund, given that the evidence is explicit and well-documented. Your reference to unqualified audit reports does not absolve you of your duty to independently identify, investigate, and address potential breaches.

3. Immediate Actions Required
Given the severity of these issues, I demand you provide the following by close of business **Thursday, 25 January 2025**

a. Confirmation of the Linked Bank Account: You must immediately confirm whether the Bendigo and Adelaide Bank account (BSB 633109, Account Number 118052760) forms part of the Ultra Super Fund.
b. Provision of All Documentation: Provide the full financial statements, tax returns, member fund statements, and all other relevant information for the Fund.
c. Explanation of Non-Compliance: Provide a detailed explanation as to why you failed to identify, investigate, or address the issues raised in the bank accounts and support materials, including the significant amount of missing, unsigned, or handwritten documentation.

4. Escalation
If you fail to address these matters comprehensively and do not provide the requested information by the specified deadline, I will have no choice but to escalate this matter to the Australian Taxation Office, the Australian Securities and Investments Commission, and the appropriate professional regulatory bodies for investigation into your conduct and potential breaches of legislation.

5. Compliance with Trust Deed
Finally, I strongly recommend you **email the Fund’s trust deed immediately** to ensure compliance with the governing document. Failure to comply with this request will result in further action without additional notice.

Your conduct in this matter has raised grave concerns, particularly in light of Garth Osborne’s email below, which explicitly directs that all matters regarding the Ultra Super Fund be addressed through Pine Rivers Consulting.

I urge you to address this matter immediately to avoid further escalation.

Yours faithfully,

Holly Dahm
Enduring Power of Attorney for Rhonda Knyvett

From: Holly Osborne <hollyteganosborne@hotmail.com>
Date: 17 January 2025 at 4:36:31 pm AEST
To: david@prctax.com.au, prcadmin@prctax.com.au
Cc: go56@bigpond.com, Stuart Loudon <Stuart@loudonlegal.com.au>
Subject: Formal Notice - David Wrangell, Accountant, Pine Rivers Consultant - Ultra Super Fund 41 873 921 089

Dear David

I write to you in my capacity as the Enduring Power of Attorney for Rhonda Ann Knyvett (Rhonda), the Trustee of the Ultra Super Fund SMSF, regarding serious allegations of mismanagement involving the trustee, Garth Osborne.

Significant breaches of trust and fraudulent conduct have been alleged against Mr. Osborne. As Rhonda's representative, I am committed to assisting her in pursuing this matter through the appropriate legal channels, including the Australian Federal Court. Rhonda is determined to fulfill her fiduciary obligations, prevent further breaches of trust or tax evasion, and report all relevant information to the Australian Taxation Office.

Upon reviewing the Ultra Super Fund's bank accounts—Bendigo Bank (BSB 633-000, Account 118052760) and Suncorp (BSB 484-799, Account 001422502)—I have identified evidence of improper activity, such as the round-tripping of funds. Specifically, funds appear to have been cycled through multiple accounts, including a Bendigo and Adelaide Bank account linked to Garth (BSB 633-109, Account 118052760). This account shares an identical account number with the Ultra Super Fund Bendigo account, raising significant concerns about the improper handling of funds. Notably, this account was explicitly detailed in the materials you provided as supporting documentation submitted to the Australian Taxation Office. These materials were supplied to Rhonda on 8 January 2025, underscoring that this information has been directly available to you for review and consideration.

Additionally, there are irregularities involving the transfer of Ultra Super Fund assets to other accounts (e.g., CommSec, NAB) and suspicious cheque activity, including over 1,072 deposits and withdrawals of similar amounts on consecutive days at Bendigo and Suncorp banks. These transactions suggest an effort to obscure the movement of funds. Moreover, rental payments exceeding a million dollars have been transferred from the Ultra Super Fund accounts, despite both accounts maintaining relatively low balances.

Despite repeated requests, Garth has failed to provide critical documentation regarding the establishment and management of the Fund since 2001. This refusal, combined with the conduct outlined, has caused Rhonda significant harm, including financial, emotional, and psychological distress. I have been instructed to take immediate legal action.

Further concerns have been identified regarding registered ABNs and transactions involving other SMSFs and discretionary trusts linked to Garth and Ann Anthonisz. All relevant information will be referred to the Australian Taxation Office. This includes, but is not limited to, the following ABNs:
1. ABN 43 960 865 910 – Garth Wilfred Osborne
2. ABN 14 946 035 004 – Garth W Osborne Physiotherapy
3. ABN 66 010 316 551 – Degelyn Pty Ltd And Degelyn
4. ABN 52 856 037 840 – Gregory R & Anna M Osborne
5. ABN 14 946 035 004 – Garth A & Gail R Osborne

I refer to Garth email of 17 January 2025 at 3:58 PM and his email to Rhonda dated 16 January 2025 at 2:12 PM. In both communications, Garth has expressly stated that all matters, including the provision and management of relevant information, are to be addressed and handled by you, as the Accountant at Pine Rivers Consulting. Garth's position is clear and unequivocal: you and Pine Rivers Consulting hold the necessary information and bear sole responsibility for addressing these matters. It is therefore incumbent upon you, in your capacity as the accountant, and Pine Rivers Consulting, as the relevant consulting entity to provide the requested documentation promptly. Accordingly, I formally request that you take immediate steps to ensure the provision of all required documents with out delay**.**

Effective immediately, Rhonda has requested all direct communication with her. As her Enduring Power of Attorney, I will serve as the primary point of contact for all matters.

You are required to provide the following documents no later than close of business **6:00 PM, Friday, 17 January 2025:**
1. Trust Deed and any amendments.
2. Financial statements, member statements, and reports.
3. Detailed transaction records.
4. Legal and compliance documents, including prior versions of the Enduring Power of Attorney and Binding Death Benefit Nominations related to Rhonda.
5. All member communications.

This email serves as formal notice of the above actions. Please direct all future communications to me, as Rhonda's representative, and her solicitor, Stuart Louden, at stuart@loudenlegal.com.au. A copy of the Enduring Power of Attorney is attached for your reference.

Your prompt attention and full cooperation in this matter are expected.

Sincerely,
Holly Dahm
Enduring Power of Attorney for Rhonda Knyvett

From: Garth Osborne <go56@bigpond.com>
Sent: Friday, 17 January 2025 3:58 PM
To: Holly Osborne <hollyteganosborne@hotmail.com>
Subject: Re: Immediate Action Required - Request for documentation - Ultra Super Fund 41 873 921 089

Holly Dahm,

All matters relating to ULTRA SUPER FUND are to be addressed to PINE RIVERS CONSULTING.

GARTH OSBORNE

> On 17 Jan 2025, at 10:09 am, Holly Osborne <hollyteganosborne@hotmail.com> wrote:
>
> Dear Garth Osborne
>
> I write to you in my capacity as the Enduring Power of Attorney for Rhonda Ann Knyvett (Rhonda), the Trustee of the Ultra Super Fund SMSF, to formally address serious allegations regarding your management of the Fund.
>
> Allegations of significant breaches of trust and fraudulent conduct have been raised against you, and I am fully committed to assisting Rhonda in pursuing this matter through the appropriate legal channels, including the Australian Federal Court. Your actions are currently under close scrutiny, and Rhonda is determined to fulfill her fiduciary obligations, prevent any further breaches of trust or tax evasion, and report all relevant information to the Australian Taxation Office.
>
> In reviewing the bank statements for the Ultra Super Fund's Bendigo Bank account (BSB 633-000, Account 118052760) and Suncorp account (BSB 484-799, Account 001422502), I have identified evidence of improper activity, including the round-tripping of funds.
>
> Specifically, funds appear to be cycled through multiple accounts to obscure their origin and destination. Notably, a significant amount of funds have been transferred from the Ultra Super Fund's Bendigo and Suncorp accounts into a Bendigo and Adelaide Bank account linked to you (BSB 633-109, Account 118052760), sharing an **identical** account number with the Ultra Super Fund Bendigo Bank account.
>
> I have identified further concerns associated with the transfer of Ultra Super Fund assets to further accounts, including CommSec and NAB, as well as suspicious cheque activity, with over 1,072 cheque deposits and withdrawals of similar amounts occurring within consecutive days at the Suncorp and Bendigo banks. These transfers appear to have been intentionally misrepresented as belonging to the Ultra Super Fund in an effort to cover up the improper movement of funds.
>
> Furthermore, in excess of a million dollars in rental payments have been transferred out of the Ultra Super Fund's Bendigo and Suncorp accounts. Both accounts have been involved in the receipt and disbursement of millions of dollars, despite maintaining relatively low balances.
>
> You have failed to provide essential documentation requested by Rhonda, including those relating to the establishment of the Fund in 2001 and up to the present day. Your failure to produce this information, coupled with your conduct, has caused significant harm, including financial, emotional and psychological abuse. Rhonda is now fully aware of your actions, and I have been instructed to take immediate legal action.
>
> Furthermore, I have identified concerns regarding registered ABNs, and concerning transactions involving other SMSF, including the SMSF involving you and Ann Anthonisz, and discretionary trusts. All concerning information will be referred to the Australian Taxation Office. The referral of information will include; however it will not be limited to the following:
>
> 1. ABN 43 960 865 910 – Garth Wilfred Osborne
> 2. ABN 14 946 035 004 – Garth W Osborne Physiotherapy

3. ABN 66 010 316 551 – Degelyn Pty Ltd
4. ABN 52 856 037 840 – Gregory R & Anna M Osborne
5. ABN 14 946 035 004 – Garth A & Gail R Osborne

Effective immediately, you are directed at Rhonda's request to **cease all direct communication with Rhonda**. As her Enduring Power of Attorney, I will serve as Rhonda's point of contact for all matters.

You are required to provide the following documents:
1. Trust Deed and Amendments
2. Financial Statements, Member Statements and Reports
3. Transaction Records
4. Legal and Compliance Documents, including prior versions of the Enduring Power of Attorney and Binding Death Benefit Nominations related to Rhonda
5. Member Communications

This email serves as formal notice of the above actions. You are expected to comply immediately by providing the requested documents **by 5:00pm Friday 17 January 2025.**

All future communications are to be directed to me, as Enduring Power of Attorney, as well as Rhonda's solicitor, Stuart Louden, stuart@loudonlegal.com.au. A copy of the Enduring Power of Attorney is attached for your reference.

Your prompt attention and cooperation are anticipated.

Holly Dahm
Enduring Power of Attorney for Rhonda Knyvett

<EPA of Rhonda Knyvett dated 08.01.2025.pdf>

<mime-attachment>

Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Date: Tuesday, 21 January 2025 at 12:53:57 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: honda.r@hotmail.com <honda.r@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Category: H & W
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Wonderful,

Also, I wanted to provide you with some additional context regarding the matter. I will send through an email shortly outlining the relevant details, which I believe will be helpful in guiding our conversation.

When you have a moment, I would greatly appreciate it if you could review the information. Your insights and expertise will be invaluable as we proceed.

Please let me know if you have any initial thoughts or require further clarification on any points.

Thank you for your time and assistance.

Kind regards,
Holly

Sent from my iPhone

> On 21 Jan 2025, at 11:10 am, McLane Edinger <McLane.Edinger@hallandwilcox.com.au> wrote:
>
> Dear Holly
>
> Thank you, this time is suitable.
>
> Christe and I will jump on the meeting then.
>
> I have reviewed your email sent last night and we can discuss the matters raised during the meeting.
>
> Kind regards
>
> **McLane Edinger |** Partner
>
> T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
> McLane.Edinger@hallandwilcox.com.au | professional profile
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> <image001.png>
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> www.hallandwilcox.com.au
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> Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/
>
> **From:** Holly Osborne <hollyteganosborne@hotmail.com>
> **Sent:** Tuesday, 21 January 2025 6:49 AM
> **To:** McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
> **Cc:** Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
> **Subject:** Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
>
> Morning Edinger
>
> I have flicked you a teams request for 2:00pm. If this time does not suit you, please suggest another.
> Thank you
>
> ---
>
> **From:** Holly Osborne <hollyteganosborne@hotmail.com>
> **Sent:** Monday, 20 January 2025 8:23 PM
> **To:** McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
> **Cc:** Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner

<Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Edinger,

Thank you for your email.

Rhonda's (mother) official residence is 18 Magnetic Street, Boondall, QLD 4034. However, she currently resides with my husband and I at [redacted] Bracken Ridge, QLD 4017, and her mail has been redirected to this address since January 2025.

In addition, we currently have a tenancy matter involving the trustee, Garth Osborne (father) and Ann Anthonisz managed by Stuart Loudon, Solicitor, Loudon Legal. Garth and his partner Ann currently reside in Rhonda's Boondall property under a periodic lease but have been refusing to vacate. Should Mr Osborne continue to remain in the property beyond the provided end date, 28 February 2025, the matter will be heard at QCAT.

This evidence will be relevant to the current matter, as it demonstrates a clear and consistent pattern of behaviour by Mr. Osborne, including fraudulent misrepresentation, fraudulent inducement, and coercive conduct, providing a pattern of behaviour. Mr Loudon is issue correspondence addressing these matters with Garth and Ann. I will supply you with Stuart's correspondence, and evidence once issued.

I seek clarification on whether you have in-house forensic accountants, or if your firm us with a recommended provider. The priority is to engage the most qualified expert to ensure high-quality evidence, avoid duplication, and analyse potential breaches of superannuation law and tax evasion while exonerating Rhonda. The analysis should establish the fund's true financial position, including ownership, assets, cash, and recovery strategies, and assess the significance of the breaches.

In terms of moving forward, I am available for a Teams chat tomorrow. Please let me know if 12:30pm or 1:00pm suits or suggest a time that works best for you.

Looking forward to hearing from you.

Kind regards,
Holly
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 6:59 PM
To: Holly Osborne <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

Thank you for your email.

I confirm we are conflict free and able to assist. To enable us to open a file, please provide Rhonda's address. Our formal engagement agreement will be sent through tomorrow morning.

I am happy to arrange an initial telephone call when convenient and I have reasonable availability tomorrow and Wednesday in this regard.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 3:30 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Importance: High

Dear Edinger

Thank you for your email and your inquiry to Hall & Wilcox.

I acknowledge and agree to your request to proceed with the urgent review of the relevant documents and preliminary observations regarding Ms Knyvett's legal position, including any necessary protective steps.

Yes, before we engage further, please confirm that your firm is conflict-free in relation to this matter, emailing over the necessary details regarding the payment to the trust.

To ensure we are all on the same page, I would like to propose an initial conversation to discuss the matter further before proceeding with any substantive work. Please let me know your availability.

I look forward to your confirmation and details regarding the payment process.

Best regards,
Holly Dahm
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 4:22 PM
To: hollyteganosborne@hotmail.com <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

I refer to your email below and thank you for your enquiry to Hall & Wilcox.

By way of introduction, I am a Partner in our Private Clients team specialising in litigious matters, such as superannuation and trust disputes.

We have a team in Brisbane however our senior lawyer in the Brisbane office, Laura Hanrahan, is on leave for the week so given the urgency I thought I would respond in the meantime.

We can certainly assist on an urgent basis to review all relevant documents and provide preliminary observations regarding Ms Knyvett's legal position, and the options available, including whether urgent protective steps are needed to avoid further dissipation.

From an initial glance there are certainly matters of concern given Mr Osborne has in effect been acting as sole trustee despite being a co-trustee along with Ms Knyvett (assuming this is the case), whilst also owing fiduciary duties to Ms Knyvett as a beneficiary of the fund (assuming this is the case).

Our team has significant experience in these matters, and we would be glad to assist. In terms of fees, I estimate initial fees of $5,000 plus GST for the following work:

1. review all documents provided;
2. liaise with yourself and Ms Knyvett to obtain any further instructions required; and
3. attend an initial meeting with yourself and/or Ms Knyvett to provide our preliminary views, an overview of options available, and next steps.

Given the need to complete the work on an urgent basis, we will require the sum of $5,500 to be paid into trust prior to substantive work being undertaken.

Once we agree on the appropriate next steps in the matter, an updated estimate of fees will be provided.

Please confirm if you would like to proceed so we can complete a conflict check. Assuming we are conflict free, our engagement agreement will then be provided.

In the meantime, please don't hesitate to contact me on the numbers below should you wish to discuss further.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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From: Holly Osborne <hollyteganosborne@hotmail.com>

Sent: Monday, 20 January 2025 9:44 AM
To: Reception Brisbane <Reception.Brisbane@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com
Subject: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund
Importance: High

Good morning

I write to you in my capacity as Enduring Power of Attorney (EPA) for Ms Rhonda Ann Knyvett, co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr Garth Wilfred Osborne. On behalf of Ms Knyvett, I seek urgent legal advice regarding potential civil action against Mr Osborne for alleged misconduct, gross mismanagement, and breaches of trustee duties, as well as against other parties for negligence.

Key Issues and Relief Sought
There is compelling evidence of significant mismanagement and misconduct, including:

Misappropriation of Funds
A substantial portion of the fund's assets has been allocated to Border & Pty Ltd, a financial services and wealth management company specialising in shares. Despite these transactions, the recovery of these funds may be impractical due to Mr Osborne's actions.

Fraudulent Asset Valuation
Properties held by the fund have been systematically undervalued in reports to the ATO, masking the true financial position of the fund. The fund remains asset-rich but faces liquidity challenges stemming from inaccurate valuations.

Unlawful Transactions
Bank statements reveal transactions resembling round-tripping and other irregularities, with millions of dollars flowing in and out of the fund since its establishment in 2001. Despite these transactions, the fund's assets do not reflect corresponding growth, pointing to potential fraud or tax evasion.

Ms Knyvett seeks to:

1. Dissolve the fund and roll over her entitlements into a government-managed superannuation fund.
2. Investigate and accurately value the fund's financial position, including correcting undervalued properties to increase recoverable assets.
3. Pursue compensation for damages resulting from Mr Osborne's misconduct.
4. Petition for Mr Osborne's disqualification as trustee and the imposition of civil penalties.

Additional Parties and Negligence Claims
Ms Knyvett is also considering legal action against:

1. Mr David Wrangell, Accountant, for failing to ensure proper oversight of the fund's accounts.
2. Mr Laurie Carwardine, Auditor for negligence in identifying and addressing financial irregularities within the fund.

Summary of Misconduct and Broader Implications
The undervaluation of fund assets, breaches of the sole purpose and arm's length rules, related-party transactions, and evidence of tax evasion are central to this dispute. Mr Osborne has withheld critical information, obstructing Ms Knyvett's ability to fulfil her trustee duties and benefit from her entitlements.

The systemic mismanagement, involving millions of dollars in questionable transactions and undervalued properties, has caused significant financial harm to Ms Knyvett. Furthermore, evidence suggests Mr Osborne's misconduct may extend to other SMSFs and numerous ABNs, raising broader implications for other affected parties and regulatory bodies.

Given the substantial financial harm, evidence of fraudulent or negligent conduct, and potential wider implications, this matter warrants immediate legal action. A full investigation into the Ultra Super Fund's financial position and Mr Osborne's actions is critical to achieving accountability and recovering losses for Ms Knyvett.

Additionally, I have enclosed:
- Enduring Power of Attorney for your reference. Mr Knyvett has been copied on this correspondence.
- Extracts with notable transactions from the Suncorp and Bendigo Ultra Super Fund's bank accounts for 1.08.2007 to 30.08.2007, 1.06.2009 to 30.06.2009
- Contract of Sale (Seller Contract) referenced below.
- Extracts of the concerning material provided by Mr David Wrangell, Accountant, Pine Rivers Consulting.

Your expertise on the prospects of success and legal remedies in these matters would be greatly valued. Attached are comparable

Kind regards

Holly Dahm
Enduring Power of Attorney,

Ms Rhonda Ann Knyvett, trustee
Ultra Super Fund Trustee
0413 688 334
honda.r@hotmail.com

BACKGROUND

1. Ms. Knyvett and Mr. Osborne were in a long-term de facto relationship from 1979 to 2000.
1. Ms. Knyvett, born 18 October 1957, is in her late sixties, is not digitally literate, and primarily worked in the home.
2. Mr. Osborne, born 10 January 1956, has operated as a sole trader for over 40 years, specifically running Zillmere Spine & Sports Physio Clinic & Zillmere Sports Physio Clinic, located in Zillmere, 4034.
3. Ms. Knyvett only knew her superannuation was connected to apartments in Zillmere but was excluded from all decision-making.
4. The SMSF was established in 2001, with Mr. Osborne exercising sole control despite Ms. Knyvett's legal status as a co-trustee.
5. On 23 December 2024, Ms. Knyvett identified herself as a co-trustee of the Ultra Super Fund (ABN 41 873 921 089)

alongside Mr. Osborne.

6. Mr. Osborne requested a meeting with Ms. Knyvett when she sought access to her superannuation.
7. On 23 December 2024, at the meeting, Mr. Osborne presented Ms. Knyvett with a form and a seller contract. The seller contract evidenced Mr. Osborne's attempt to sell a fund asset at a deflated value, significantly below market value, and indicated illegal or non-compliant property ownership structures (attached).
8. Mr. Osborne attempted to coerce Ms. Knyvett into signing, verbally berating her and her support person while standing over them.
9. The seller contract revealed Mr. Osborne's intention to sell the asset to his partner, Ms. Ann Anthonisz, at a price below market value.
10. A clause in the contract appeared designed to disadvantage Ms. Knyvett.
11. Ms. Knyvett refused to sign both the form and the seller contract.
12. She retained the seller contract despite Mr. Osborne's attempts to retrieve it.
13. She took a photograph of the Boardroom Pty Limited form before Mr. Osborne snatched it away.
14. Mr. Osborne withheld information about the management of the Ultra Super Fund.
15. Ms. Knyvett was unaware that her superannuation was managed in a Self-Managed Superannuation Fund (SMSF) or that she was a trustee.

SUMMARY OF CONCERNS REGARDING MR OSBORNE, TRUSTEE OF ULTRA SUPER FUND:

1. Failure to Respond and Obstruction of Trustee Duties:
   - Mr Osborne has ignored all verbal, text, and email communications from Mr Knyvett, hindering him from fulfilling his responsibilities as a trustee.
   - He has prevented Ms Knyvett from accessing fund information, performing her trustee duties, and protecting the fund's assets
2. Financial Misconduct:
   - Bank statements show concerning transactions similar to round-tripping of business income into the SMSF.
   - Significant fund transfers to a Bendigo and Adelaide Bank account linked to Mr Osborne, **sharing an identical account number** with the Bendigo Ultra Super Fund account.
   - **Millions** of funds transferred to CommSec, NAB, by cheque, and cash withdrawals, with suspicious transactions involving over 1,072 cheques.
   - Misrepresentation of fund transfers as belonging to the Ultra Super Fund to conceal improper movements.
3. Coercive Control and Manipulation:
   - Allegations of coercive control, including threats, blackmail, intimidation, and manipulation of Ms Knyvett to sign documents without understanding their implications.
   - False representation of Ms Knyvett's entitlements (claiming $10,000–$15,000), despite ATO confirming her share as **$711,000**.
4. Withholding Information and Misrepresentation:
   - Fund records, deeds, and key documentation have been withheld by Mr Osborne.
   - Allegations of false information provided to accountants, with deposits and withdrawals in Ms Knyvett's name to benefit Mr Osborne.
5. Improper Fund Management:
   - Mr Osborne rolled over his portion of the fund into a personal retirement fund, disadvantaging Ms Knyvett.
6. Taxation concerns
   - Despite both parties being over 65, the fund continues to pay tax. An actuarial certificate shows $1.7 million attributed to Mr Osborne and $0 to Ms Knyvett.
   - Discrepancies in tax liabilities: Ms Knyvett is responsible for 28.4% of a $5,000 tax bill, while Mr Osborne owes only 0.8%.
7. EPA and Binding Death Benefit Nomination (BDBN) Concerns:
   - Allegations of falsified and non-compliant EPA documents, potentially altered to benefit Mr Osborne.
   - Concerns over fraudulent BDBN forms that disadvantage Ms Knyvett and her beneficiaries, favouring Mr Osborne as sole beneficiary.
8. Deed Concerns:
   - Suspicions that Mr Osborne implemented a deed granting himself disproportionate control (greater than 50%), breaching the SIS Act.
9. Limited Access to Funds:
   - Since becoming eligible, Ms Knyvett has only received $25,000, paid via personal cheque by Mr Osborne, which Ms Knyvett deposited into her account.
10. Complete Obstruction of Trustee Responsibilities:
    - Mr Osborne has fully prevented Ms Knyvett from performing her obligations as a trustee by withholding information, funds, and management access.
11. Extensive ABN registration
    - Significant issues have been identified regarding Mr Osborne's involvement with multiple ABNs, SMSFs, discretionary trusts, and business entities. These raise concerns about potential regulatory breaches, conflicts of interest, and fiduciary misconduct.

The ABNs linked to Mr Osborne include:

- ABN 43 960 865 910 – Garth Wilfred Osborne
- ABN 14 946 035 004 – Garth W Osborne Physiotherapy
- ABN 66 010 316 551 – Degelyn Pty Ltd
- ABN 52 856 037 840 – Gregory R & Anna M Osborne
- ABN 14 946 035 004 – Garth A & Gail R Osborne

Key Concerns:

- Possible misuse or non-compliance with ATO regulations.
- Entity Name Changes, the frequent changes suggesting financial irregularities or intent to obscure activities.
- Conflicts of Interest, potential issues arising from Mr. Osborne's simultaneous roles in other SMSFs and trusts.
- Regulatory breaches; possible non-compliance with the SIS Act and trustee obligations.

CONCERNS REGARDING MR DAVID WRANGELL, ACCOUNTANT, PINE RIVERS CONSULTING:

1. Mr David Wrangell has provided financial services to Ultra Super Fund since its establishment.
2. M. Wrangell submitted the tax lodgements for the previous five years.
3. The submitted material is incomplete, containing missing, unsigned, and unfinished documents, with handwritten notes, raising doubts about the validity of the records. This is especially concerning given Mr. Osborne's sole control over the fund and its activities.
4. Some documents include handwritten notes listing my mother as "Rhonda Ann Osborne," a name under which no legal

documentation exists, as my mother and Mr. Osborne were never married. It is worth noting that Mr. Osborne's current fiancée or wife shares the name "Ann" with the same spelling, which raises further concerns.

5. A $15,600 entry on May 2, 2023, under the shop rent account in the General Ledger is inconsistent with standard rental payment structures, suggesting the potential use of a bank account as a holding account. This entry will be cross-referenced with the bank statements for any discrepancies, with relevant bank statements attached for comparison.
6. Transactions involving the Ultra Super Fund Bendigo account with identical account numbers are under scrutiny.
7. Mr. Wrangell has withheld essential requested information.

CONCERNS REGARDING MR LAURIE CARWARDINE, AUDITOR, CARWARDINE & ASSOCIATES:

1. Essential information has been requested and is being withheld by Mr Carwardine.

EVIDENCE: ULTRA SUPER FUND

Suncorp Bank Statements

Account Details: BSB 484-799, Account 001422502 (joint account opened May 2007, still active).

Transaction Details:

- On 26 December 2024, two-person authentication was implemented by Ms Knyvett for fund withdrawals.
- Statements show 18 years of transactions by Mr Osborne, transferring millions of dollars into, out of, and between Bendigo and Suncorp Ultra Super Fund accounts, while maintaining low balances.

1. **Bendigo Bank Statements**

   Account Details: Ultra Super Fund BSB 633-000, Account 118052760 (joint account opened 1 December 2004, closed 30 March 2024 by Mr Osborne).

   Transaction Details:

   - Statements show 20 years of transactions by Mr Osborne, mirroring Suncorp account activity, including significant fund transfers between Bendigo and
   - Suncorp accounts and to other accounts linked to Mr Osborne.

     Funds were transferred to accounts such as CommSec and NAB, with suspicious cheque activity (1,072 cheques written with deposits and withdrawals of similar amounts on the same day or consecutively).

2. **Evidence of Misrepresentation and Fund Movement**

   Funds appear to have been cycled through multiple accounts to obscure origin and destination.

   - Substantial amounts, including over $1 million in rental payments, were disbursed from both Bendigo and Suncorp accounts, despite low account balances.
   - Transfers were intentionally misrepresented as related to the Ultra Super Fund to conceal improper fund movements.

3. **Tax Returns and Financial Statements (2019–2023)**

   Provided by Accountant Mr. David Wrangell, Pine Rivers Consultant:

   - Included financial statements, actuarial certificates, general ledgers, tax returns, and trial balances.
   - Documents were incomplete, unsigned, and contained inaccuracies, including handwritten notes identifying Ms Knyvett as "Rhonda Ann Osborne," a name with no legal basis.
   - Entries in the general ledger, such as a lump sum rental payment of $15,600 (2 May 2023), suggest the use of a bank account as a holding account. These entries will be cross-referenced with bank statements.
   - Financial statements undervalue fund assets reported to the ATO.

4. **Seller Contract (158 Church Road, Zillmere)**

   SIS Act Breaches:

   Breach of arm's length provisions, sole purpose test, and asset valuation requirements.

   Transaction Details:

   - The contract sought to sell a 50% stake in the property for $330,000 (below market value) to Mr Osborne's partner, Ms Ann Anthonisz.
   - A clause in the contract was included to disadvantage Mr Knyvett.

     The contract suggests non-compliant property ownership structures.

5. **Boardroom Pty Limited Form**

Information:

- Linked to the sale of 158 Church Road, form to request for direct crediting of payments, referencing Ultra Super Fund ABN 41 873 921 089.
- Contains information about the Ultra Super Fund Suncorp account (BSB 484-799, Account 001422502).

Boardroom email correspondence:

- Boardroom Pty Limited have withheld requested involvement in central information.
- Ms Maxine Williams, Investor Service Officer confirmed an existing EPA is file, but it does not match the surname of the current EPA holder.
- is believed that the surname referenced is Osborne, based on a 2005 EPA containing only the name of the drafting lawyer, Lawrence John Watling, formerly based in Caboolture, without contact details. Concerns exist regarding the contents of this EPA.
- Rhonda has notified Mr Osborne Trustee, Mr Wrangell, Accountant (SMSF Administrator), Mr Carwardine, Auditor, and Boardroom Pty Limited of the existence of a new EPA.
- Ms Williams confirmed a new EPA will require Mr Osborne's signature approval and must be submitted directly to them, likely in accordance with the conditions of the Deed of Establishment, which appears to Favor Mr. Osborne and disadvantage Ms Knyvett.

6. **Actuarial Certificates and Data Provided by Ms Melanie Dunn (Accurium)**

   - Ms Melanie Dunn, FIAA SSA, Principal at Accurium, issued an email providing the actuarial certificates for the Ultra Super Fund for the financial years 2018–2023.
   - The email confirmed that the actuarial services were provided to the Fund, and Mr Wrangell, the accountant, obtained the annual actuarial certificate for the Fund. Mr Wrangell has ordered these certificates from Accurium directly for several years.
   - Ms Dunn noted that an online form is completed by the accountant to provide Accurium with the data necessary for actuarial calculations, which Accurium relies on to issue the required certificates.

Actuarial Services and Fund Records

Concerns:

- Accurium confirmed they do not receive the financial statements, valuation reports, or income and expense records of the Fund.
- This raises concerns about the accuracy and completeness of the data used for the actuarial calculations, as these documents are critical for proper actuarial assessments.

FUND ASSETS

PROPERTIES OWNED BY THE FUND

Properties assets of the Fund have been undervalued since 2001.

Residential:

1. 364 Zillmere Road, Unit 1
2. 364 Zillmere Road, Unit 2
3. 364 Zillmere Road, Unit 3
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5. 364 Zillmere Road, Unit 5
6. 364 Zillmere Road, Unit 6

Commercial:

7. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

RENTALS

Commenced as fund asset upon established in 2001

Residential:

8. 364 Zillmere Road, Unit 1
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14. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

DIVIDENDS

- QANTAS dividends
- David Jones dividends
- Coles/ Myer dividends
- CENTRO PROP DIS DIVIDENT
- CENTRO RET DIS DIVIDENT
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- TELSTRA DIVIDEND
- AMP LIMITED DIVIDEND
- BHP BILLITON DIVIDEND
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- BRAMBLES dividend
- DIVIDEND ANZ replacement
- direct credit AAI limited t/as 3,724
- SANTOS

Notable precedent decisions

- ATO v. Cook (2017)
- ATO v. Garvey [2019]
- ATO v. Langan [2018]
- ATO v. Robinson [2017] FCA 23
- Australian Taxation Office v. D'Souza [2021]
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- Smith v. Jenkins [2019] FCA 573
- Taylor v. Simmons [2015]

Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Date: Tuesday, 21 January 2025 at 8:49:04 AM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <Honda.r@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Category: H & W
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Morning Edinger

I have flicked you a teams request for 2:00pm. If this time does not suit you, please suggest another.
Thank you

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 8:23 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Edinger,

Thank you for your email.

Rhonda's (mother) official residence is 18 Magnetic Street, Boondall, QLD 4034. However, she currently resides with my husband and I at [redacted] Bracken Ridge, QLD 4017, and her mail has been redirected to this address since January 2025.

In addition, we currently have a tenancy matter involving the trustee, Garth Osborne (father) and Ann Anthonisz managed by Stuart Loudon, Solicitor, Loudon Legal. Garth and his partner Ann currently reside in Rhonda's Boondall property under a periodic lease but have been refusing to vacate. Should Mr Osborne continue to remain in the property beyond the provided end date, 28 February 2025, the matter will be heard at QCAT.

This evidence will be relevant to the current matter, as it demonstrates a clear and consistent pattern of behaviour by Mr. Osborne, including fraudulent misrepresentation, fraudulent inducement, and coercive conduct, providing a pattern of behaviour. Mr Loudon is issue correspondence addressing these matters with Garth and Ann. I will supply you with Stuart's correspondence, and evidence once issued.

I seek clarification on whether you have in-house forensic accountants, or if your firm us with a recommended provider. The priority is to engage the most qualified expert to ensure high-quality evidence, avoid duplication, and analyse potential breaches of superannuation law and tax evasion while exonerating Rhonda. The analysis should establish the fund's true financial position, including ownership, assets, cash, and recovery strategies, and assess the significance of the breaches.

In terms of moving forward, I am available for a Teams chat tomorrow. Please let me know if 12:30pm or 1:00pm suits or suggest a time that works best for you.

Looking forward to hearing from you.

Kind regards,
Holly
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 6:59 PM
To: Holly Osborne <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

Thank you for your email.

I confirm we are conflict free and able to assist. To enable us to open a file, please provide Rhonda's address. Our formal engagement agreement will be sent through tomorrow morning.

I am happy to arrange an initial telephone call when convenient and I have reasonable availability tomorrow and Wednesday in this regard.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 3:30 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Importance: High

Dear Edinger

Thank you for your email and your inquiry to Hall & Wilcox.

I acknowledge and agree to your request to proceed with the urgent review of the relevant documents and preliminary observations regarding Ms Knyvett's legal position, including any necessary protective steps.

Yes, before we engage further, please confirm that your firm is conflict-free in relation to this matter, emailing over the necessary details regarding the payment to the trust.

To ensure we are all on the same page, I would like to propose an initial conversation to discuss the matter further before proceeding with any substantive work. Please let me know your availability.

I look forward to your confirmation and details regarding the payment process.

Best regards,
Holly Dahm
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 4:22 PM
To: hollyteganosborne@hotmail.com <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

I refer to your email below and thank you for your enquiry to Hall & Wilcox.

By way of introduction, I am a Partner in our Private Clients team specialising in litigious matters, such as superannuation and trust disputes.

We have a team in Brisbane however our senior lawyer in the Brisbane office, Laura Hanrahan, is on leave for the week so given the urgency I thought I would respond in the meantime.

We can certainly assist on an urgent basis to review all relevant documents and provide preliminary observations regarding Ms Knyvett's legal position, and the options available, including whether urgent protective steps are needed to avoid further dissipation.

From an initial glance there are certainly matters of concern given Mr Osborne has in effect been acting as sole trustee despite being a co-trustee along with Ms Knyvett (assuming this is the case), whilst also owing fiduciary duties to Ms Knyvett as a beneficiary of the fund (assuming this is the case).

Our team has significant experience in these matters, and we would be glad to assist. In terms of fees, I estimate initial fees of $5,000 plus GST for the following work:

1. review all documents provided;
2. liaise with yourself and Ms Knyvett to obtain any further instructions required; and
3. attend an initial meeting with yourself and/or Ms Knyvett to provide our preliminary views, an overview of options available, and next steps.

Given the need to complete the work on an urgent basis, we will require the sum of $5,500 to be paid into trust prior to substantive work being undertaken.

Once we agree on the appropriate next steps in the matter, an updated estimate of fees will be provided.

Please confirm if you would like to proceed so we can complete a conflict check. Assuming we are conflict free, our engagement agreement will then be provided.

In the meantime, please don't hesitate to contact me on the numbers below should you wish to discuss further.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 9:44 AM
To: Reception Brisbane <Reception.Brisbane@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com
Subject: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund
Importance: High

Good morning

I write to you in my capacity as Enduring Power of Attorney (EPA) for Ms Rhonda Ann Knyvett, co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr Garth Wilfred Osborne. On behalf of Ms Knyvett, I seek urgent legal advice regarding potential civil action against Mr Osborne for alleged misconduct, gross mismanagement, and breaches of trustee duties, as well as against other parties for negligence.

Key Issues and Relief Sought
There is compelling evidence of significant mismanagement and misconduct, including:

Misappropriation of Funds
A substantial portion of the fund's assets has been allocated to Border & Pty Ltd, a financial services and wealth management company specialising in shares. Despite these transactions, the recovery of these funds may be impractical due to Mr Osborne's actions.

Fraudulent Asset Valuation
Properties held by the fund have been systematically undervalued in reports to the ATO, masking the true financial position of the fund. The fund remains asset-rich but faces liquidity challenges stemming from inaccurate valuations.

Unlawful Transactions
Bank statements reveal transactions resembling round-tripping and other irregularities, with millions of dollars flowing in and out of the fund since its establishment in 2001. Despite these transactions, the fund's assets do not reflect corresponding growth, pointing to potential fraud or tax evasion.

Ms Knyvett seeks to:

1. Dissolve the fund and roll over her entitlements into a government-managed superannuation fund.
2. Investigate and accurately value the fund's financial position, including correcting undervalued properties to increase recoverable assets.
3. Pursue compensation for damages resulting from Mr Osborne's misconduct.
4. Petition for Mr Osborne's disqualification as trustee and the imposition of civil penalties.

Additional Parties and Negligence Claims
Ms Knyvett is also considering legal action against:

1. Mr David Wrangell, Accountant, for failing to ensure proper oversight of the fund's accounts.
2. Mr Laurie Carwardine, Auditor for negligence in identifying and addressing financial irregularities within the fund.

Summary of Misconduct and Broader Implications
The undervaluation of fund assets, breaches of the sole purpose and arm's length rules, related-party transactions, and evidence of tax evasion are central to this dispute. Mr Osborne has withheld critical information, obstructing Ms Knyvett's ability to fulfil her trustee duties and benefit from her entitlements.

The systemic mismanagement, involving millions of dollars in questionable transactions and undervalued properties, has caused significant financial harm to Ms Knyvett. Furthermore, evidence suggests Mr Osborne's misconduct may extend to other SMSFs and numerous ABNs, raising broader implications for other affected parties and regulatory bodies.

Given the substantial financial harm, evidence of fraudulent or negligent conduct, and potential wider implications, this matter warrants immediate legal action. A full investigation into the Ultra Super Fund's financial position and Mr Osborne's actions is critical to achieving accountability and recovering losses for Ms Knyvett.

Additionally, I have enclosed:

- Enduring Power of Attorney for your reference. Mr Knyvett has been copied on this correspondence.
- Extracts with notable transactions from the Suncorp and Bendigo Ultra Super Fund's bank accounts for 1.08.2007 to 30.08.2007,

1.06.2009 to 30.06.2009
- Contract of Sale (Seller Contract) referenced below.
- Extracts of the concerning material provided by Mr David Wrangell, Accountant, Pine Rivers Consulting.

Your expertise on the prospects of success and legal remedies in these matters would be greatly valued. Attached are comparable

Kind regards

Holly Dahm
Enduring Power of Attorney,

Ms Rhonda Ann Knyvett, trustee
Ultra Super Fund Trustee
0413 688 334
honda.r@hotmail.com

BACKGROUND

1. Ms. Knyvett and Mr. Osborne were in a long-term de facto relationship from 1979 to 2000.
1. Ms. Knyvett, born 18 October 1957, is in her late sixties, is not digitally literate, and primarily worked in the home.
2. Mr. Osborne, born 10 January 1956, has operated as a sole trader for over 40 years, specifically running Zillmere Spine & Sports Physio Clinic & Zillmere Sports Physio Clinic, located in Zillmere, 4034.
3. Ms. Knyvett only knew her superannuation was connected to apartments in Zillmere but was excluded from all decision-making.
4. The SMSF was established in 2001, with Mr. Osborne exercising sole control despite Ms. Knyvett's legal status as a co-trustee.
5. On 23 December 2024, Ms. Knyvett identified herself as a co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr. Osborne.
6. Mr. Osborne requested a meeting with Ms. Knyvett when she sought access to her superannuation.
7. On 23 December 2024, at the meeting, Mr. Osborne presented Ms. Knyvett with a form and a seller contract. The seller contract evidenced Mr. Osborne's attempt to sell a fund asset at a deflated value, significantly below market value, and indicated illegal or non-compliant property ownership structures (attached).
8. Mr. Osborne attempted to coerce Ms. Knyvett into signing, verbally berating her and her support person while standing over them.
9. The seller contract revealed Mr. Osborne's intention to sell the asset to his partner, Ms. Ann Anthonisz, at a price below market value.
10. A clause in the contract appeared designed to disadvantage Ms. Knyvett.
11. Ms. Knyvett refused to sign both the form and the seller contract.
12. She retained the seller contract despite Mr. Osborne's attempts to retrieve it.
13. She took a photograph of the Boardroom Pty Limited form before Mr. Osborne snatched it away.
14. Mr. Osborne withheld information about the management of the Ultra Super Fund.
15. Ms. Knyvett was unaware that her superannuation was managed in a Self-Managed Superannuation Fund (SMSF) or that she was a trustee.

SUMMARY OF CONCERNS REGARDING MR OSBORNE, TRUSTEE OF ULTRA SUPER FUND:

1. Failure to Respond and Obstruction of Trustee Duties:
   - Mr Osborne has ignored all verbal, text, and email communications from Mr Knyvett, hindering him from fulfilling his responsibilities as a trustee.
   - He has prevented Ms Knyvett from accessing fund information, performing her trustee duties, and protecting the fund's assets
2. Financial Misconduct:
   - Bank statements show concerning transactions similar to round-tripping of business income into the SMSF.
   - Significant fund transfers to a Bendigo and Adelaide Bank account linked to Mr Osborne, **sharing an identical account number** with the Bendigo Ultra Super Fund account.
   - **Millions** of funds transferred to CommSec, NAB, by cheque, and cash withdrawals, with suspicious transactions involving over 1,072 cheques.
   - Misrepresentation of fund transfers as belonging to the Ultra Super Fund to conceal improper movements.
3. Coercive Control and Manipulation:
   - Allegations of coercive control, including threats, blackmail, intimidation, and manipulation of Ms Knyvett to sign documents without understanding their implications.
   - False representation of Ms Knyvett's entitlements (claiming $10,000–$15,000), despite ATO confirming her share as **$711,000**.
4. Withholding Information and Misrepresentation:
   - Fund records, deeds, and key documentation have been withheld by Mr Osborne.
   - Allegations of false information provided to accountants, with deposits and withdrawals in Ms Knyvett's name to benefit Mr Osborne.
5. Improper Fund Management:
   - Mr Osborne rolled over his portion of the fund into a personal retirement fund, disadvantaging Ms Knyvett.
6. Taxation concerns
   - Despite both parties being over 65, the fund continues to pay tax. An actuarial certificate shows $1.7 million attributed to Mr Osborne and $0 to Ms Knyvett.
   - Discrepancies in tax liabilities: Ms Knyvett is responsible for 28.4% of a $5,000 tax bill, while Mr Osborne owes only 0.8%.
7. EPA and Binding Death Benefit Nomination (BDBN) Concerns:
   - Allegations of falsified and non-compliant EPA documents, potentially altered to benefit Mr Osborne.
   - Concerns over fraudulent BDBN forms that disadvantage Ms Knyvett and her beneficiaries, favouring Mr Osborne as sole beneficiary.
8. Deed Concerns:
   - Suspicions that Mr Osborne implemented a deed granting himself disproportionate control (greater than 50%), breaching the SIS Act.
9. Limited Access to Funds:
   - Since becoming eligible, Ms Knyvett has only received $25,000, paid via personal cheque by Mr Osborne, which Ms Knyvett deposited into her account.
10. Complete Obstruction of Trustee Responsibilities:
    - Mr Osborne has fully prevented Ms Knyvett from performing her obligations as a trustee by withholding information, funds, and management access.
11. Extensive ABN registration
    - Significant issues have been identified regarding Mr Osborne's involvement with multiple ABNs, SMSFs, discretionary trusts, and business entities. These raise concerns about potential regulatory breaches, conflicts of interest, and fiduciary misconduct.

The ABNs linked to Mr Osborne include:

- ABN 43 960 865 910 – Garth Wilfred Osborne
- ABN 14 946 035 004 – Garth W Osborne Physiotherapy
- ABN 66 010 316 551 – Degelyn Pty Ltd
- ABN 52 856 037 840 – Gregory R & Anna M Osborne
- ABN 14 946 035 004 – Garth A & Gail R Osborne

Key Concerns:

- Possible misuse or non-compliance with ATO regulations.
- Entity Name Changes, the frequent changes suggesting financial irregularities or intent to obscure activities.
- Conflicts of Interest, potential issues arising from Mr. Osborne's simultaneous roles in other SMSFs and trusts.
- Regulatory breaches; possible non-compliance with the SIS Act and trustee obligations.

CONCERNS REGARDING MR DAVID WRANGELL, ACCOUNTANT, PINE RIVERS CONSULTING:

1. Mr David Wrangell has provided financial services to Ultra Super Fund since its establishment.
2. M. Wrangell submitted the tax lodgements for the previous five years.
3. The submitted material is incomplete, containing missing, unsigned, and unfinished documents, with handwritten notes, raising doubts about the validity of the records. This is especially concerning given Mr. Osborne's sole control over the fund and its activities.
4. Some documents include handwritten notes listing my mother as "Rhonda Ann Osborne," a name under which no legal documentation exists, as my mother and Mr. Osborne were never married. It is worth noting that Mr. Osborne's current fiancée or wife shares the name "Ann" with the same spelling, which raises further concerns.
5. A $15,600 entry on May 2, 2023, under the shop rent account in the General Ledger is inconsistent with standard rental payment structures, suggesting the potential use of a bank account as a holding account. This entry will be cross-referenced with the bank statements for any discrepancies, with relevant bank statements attached for comparison.
6. Transactions involving the Ultra Super Fund Bendigo account with identical account numbers are under scrutiny.
7. Mr. Wrangell has withheld essential requested information.

CONCERNS REGARDING MR LAURIE CARWARDINE, AUDITOR, CARWARDINE & ASSOCIATES:

1. Essential information has been requested and is being withheld by Mr Carwardine.

EVIDENCE: ULTRA SUPER FUND

Suncorp Bank Statements

Account Details: BSB 484-799, Account 001422502 (joint account opened May 2007, still active).

Transaction Details:

- On 26 December 2024, two-person authentication was implemented by Ms Knyvett for fund withdrawals.
- Statements show 18 years of transactions by Mr Osborne, transferring millions of dollars into, out of, and between Bendigo and Suncorp Ultra Super Fund accounts, while maintaining low balances.

1. **Bendigo Bank Statements**

   Account Details: Ultra Super Fund BSB 633-000, Account 118052760 (joint account opened 1 December 2004, closed 30 March 2024 by Mr Osborne).

   Transaction Details:

   - Statements show 20 years of transactions by Mr Osborne, mirroring Suncorp account activity, including significant fund transfers between Bendigo and
   - Suncorp accounts and to other accounts linked to Mr Osborne.

     Funds were transferred to accounts such as CommSec and NAB, with suspicious cheque activity (1,072 cheques written with deposits and withdrawals of similar amounts on the same day or consecutively).

2. **Evidence of Misrepresentation and Fund Movement**

   Funds appear to have been cycled through multiple accounts to obscure origin and destination.

   - Substantial amounts, including over $1 million in rental payments, were disbursed from both Bendigo and Suncorp accounts, despite low account balances.
   - Transfers were intentionally misrepresented as related to the Ultra Super Fund to conceal improper fund movements.

3. **Tax Returns and Financial Statements (2019–2023)**

   Provided by Accountant Mr. David Wrangell, Pine Rivers Consultant:

   - Included financial statements, actuarial certificates, general ledgers, tax returns, and trial balances.
   - Documents were incomplete, unsigned, and contained inaccuracies, including handwritten notes identifying Ms Knyvett as "Rhonda Ann Osborne," a name with no legal basis.
   - Entries in the general ledger, such as a lump sum rental payment of $15,600 (2 May 2023), suggest the use of a bank account as a holding account. These entries will be cross-referenced with bank statements.
   - Financial statements undervalue fund assets reported to the ATO.

4. **Seller Contract (158 Church Road, Zillmere)**

   SIS Act Breaches:

   Breach of arm's length provisions, sole purpose test, and asset valuation requirements.

   Transaction Details:

   - The contract sought to sell a 50% stake in the property for $330,000 (below market value) to Mr Osborne's partner, Ms Ann Anthonisz.
   - A clause in the contract was included to disadvantage Mr Knyvett.

     The contract suggests non-compliant property ownership structures.

5. **Boardroom Pty Limited Form**

Information:

- Linked to the sale of 158 Church Road, form to request for direct crediting of payments, referencing Ultra Super Fund ABN 41 873 921 089.
- Contains information about the Ultra Super Fund Suncorp account (BSB 484-799, Account 001422502).

Boardroom email correspondence:

- Boardroom Pty Limited have withheld requested involvement in central information.
- Ms Maxine Williams, Investor Service Officer confirmed an existing EPA is file, but it does not match the surname of the current EPA holder.
- is believed that the surname referenced is Osborne, based on a 2005 EPA containing only the name of the drafting lawyer, Lawrence John Watling, formerly based in Caboolture, without contact details. Concerns exist regarding the contents of this EPA.
- Rhonda has notified Mr Osborne Trustee, Mr Wrangell, Accountant (SMSF Administrator), Mr Carwardine, Auditor, and Boardroom Pty Limited of the existence of a new EPA.
- Ms Williams confirmed a new EPA will require Mr Osborne's signature approval and must be submitted directly to them, likely in accordance with the conditions of the Deed of Establishment, which appears to Favor Mr. Osborne and disadvantage Ms Knyvett.

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    - Ms Melanie Dunn, FIAA SSA, Principal at Accurium, issued an email providing the actuarial certificates for the Ultra Super Fund for the financial years 2018–2023.
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- Australian Taxation Office v. Hurley [2020] FCAFC 179
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- Fowles v. ATO [2022] FCAC 16
- Ryan Wealth Holdings Pty Ltd v Baumgartner [2018] NSWSC 1502
- Smith v. Anderson [2020]
- Smith v. Jenkins [2019] FCA 573
- Taylor v. Simmons [2015]

Subject: SMSF matter - Holly Dahm, on behalf of Rhonda Knyvett
Date: Tuesday, 21 January 2025 at 8:47:46 AM Australian Eastern Standard Time
From: Holly Dahm <Holly.Dahm@treasury.qld.gov.au>
To: mclane.edinger@hallandwilcox.com.au <mclane.edinger@hallandwilcox.com.au>, Holly Osborne <hollyteganosborne@hotmail.com>
Category: H & W

Microsoft Teams Need help?

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Meeting ID: 422 216 677 900
Passcode: JP3tE6HS

For organizers: Meeting options

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Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Date: Monday, 20 January 2025 at 8:23:29 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <Honda.r@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Category: H & W
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Dear Edinger,

Thank you for your email.

Rhonda's (mother) official residence is 18 Magnetic Street, Boondall, QLD 4034. However, she currently resides with my husband and I at [redacted] Bracken Ridge, QLD 4017, and her mail has been redirected to this address since January 2025.

In addition, we currently have a tenancy matter involving the trustee, Garth Osborne (father) and Ann Anthonisz managed by Stuart Loudon, Solicitor, Loudon Legal. Garth and his partner Ann currently reside in Rhonda's Boondall property under a periodic lease but have been refusing to vacate. Should Mr Osborne continue to remain in the property beyond the provided end date, 28 February 2025, the matter will be heard at QCAT.

This evidence will be relevant to the current matter, as it demonstrates a clear and consistent pattern of behaviour by Mr. Osborne, including fraudulent misrepresentation, fraudulent inducement, and coercive conduct, providing a pattern of behaviour. Mr Loudon is issue correspondence addressing these matters with Garth and Ann. I will supply you with Stuart's correspondence, and evidence once issued.

I seek clarification on whether you have in-house forensic accountants, or if your firm us with a recommended provider. The priority is to engage the most qualified expert to ensure high-quality evidence, avoid duplication, and analyse potential breaches of superannuation law and tax evasion while exonerating Rhonda. The analysis should establish the fund's true financial position, including ownership, assets, cash, and recovery strategies, and assess the significance of the breaches.

In terms of moving forward, I am available for a Teams chat tomorrow. Please let me know if 12:30pm or 1:00pm suits or suggest a time that works best for you.

Looking forward to hearing from you.

Kind regards,
Holly
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 6:59 PM
To: Holly Osborne <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

Thank you for your email.

I confirm we are conflict free and able to assist. To enable us to open a file, please provide Rhonda's address. Our formal engagement agreement will be sent through tomorrow morning.

I am happy to arrange an initial telephone call when convenient and I have reasonable availability tomorrow and Wednesday in this regard.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 3:30 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Importance: High

Dear Edinger

Thank you for your email and your inquiry to Hall & Wilcox.

I acknowledge and agree to your request to proceed with the urgent review of the relevant documents and preliminary observations regarding Ms Knyvett's legal position, including any necessary protective steps.

Yes, before we engage further, please confirm that your firm is conflict-free in relation to this matter, emailing over the necessary details regarding the payment to the trust.

To ensure we are all on the same page, I would like to propose an initial conversation to discuss the matter further before proceeding with any substantive work. Please let me know your availability.

I look forward to your confirmation and details regarding the payment process.

Best regards,
Holly Dahm
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 4:22 PM
To: hollyteganosborne@hotmail.com <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

I refer to your email below and thank you for your enquiry to Hall & Wilcox.

By way of introduction, I am a Partner in our Private Clients team specialising in litigious matters, such as superannuation and trust disputes.

We have a team in Brisbane however our senior lawyer in the Brisbane office, Laura Hanrahan, is on leave for the week so given the urgency I thought I would respond in the meantime.

We can certainly assist on an urgent basis to review all relevant documents and provide preliminary observations regarding Ms Knyvett's legal position, and the options available, including whether urgent protective steps are needed to avoid further dissipation.

From an initial glance there are certainly matters of concern given Mr Osborne has in effect been acting as sole trustee despite being a co-trustee along with Ms Knyvett (assuming this is the case), whilst also owing fiduciary duties to Ms Knyvett as a beneficiary of the fund (assuming this is the case).

Our team has significant experience in these matters, and we would be glad to assist. In terms of fees, I estimate initial fees of $5,000 plus GST for the following work:

1. review all documents provided;
2. liaise with yourself and Ms Knyvett to obtain any further instructions required; and
3. attend an initial meeting with yourself and/or Ms Knyvett to provide our preliminary views, an overview of options available, and next steps.

Given the need to complete the work on an urgent basis, we will require the sum of $5,500 to be paid into trust prior to substantive work being undertaken.

Once we agree on the appropriate next steps in the matter, an updated estimate of fees will be provided.

Please confirm if you would like to proceed so we can complete a conflict check. Assuming we are conflict free, our engagement agreement will then be provided.

In the meantime, please don't hesitate to contact me on the numbers below should you wish to discuss further.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

Hall & Wilcox logo

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Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 9:44 AM
To: Reception Brisbane <Reception.Brisbane@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com
Subject: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund
Importance: High

Good morning

I write to you in my capacity as Enduring Power of Attorney (EPA) for Ms Rhonda Ann Knyvett, co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr Garth Wilfred Osborne. On behalf of Ms Knyvett, I seek urgent legal advice regarding potential civil action against Mr Osborne for alleged misconduct, gross mismanagement, and breaches of trustee duties, as well as against other parties for negligence.

Key Issues and Relief Sought
There is compelling evidence of significant mismanagement and misconduct, including:

Misappropriation of Funds
A substantial portion of the fund's assets has been allocated to Border & Pty Ltd, a financial services and wealth management company specialising in shares. Despite these transactions, the recovery of these funds may be impractical due to Mr Osborne's actions.

Fraudulent Asset Valuation
Properties held by the fund have been systematically undervalued in reports to the ATO, masking the true financial position of the fund. The fund remains asset-rich but faces liquidity challenges stemming from inaccurate valuations.

Unlawful Transactions
Bank statements reveal transactions resembling round-tripping and other irregularities, with millions of dollars flowing in and out of the fund since its establishment in 2001. Despite these transactions, the fund's assets do not reflect corresponding growth, pointing to potential fraud or tax evasion.

Ms Knyvett seeks to:

1. Dissolve the fund and roll over her entitlements into a government-managed superannuation fund.
2. Investigate and accurately value the fund's financial position, including correcting undervalued properties to increase recoverable assets.
3. Pursue compensation for damages resulting from Mr Osborne's misconduct.
4. Petition for Mr Osborne's disqualification as trustee and the imposition of civil penalties.

Additional Parties and Negligence Claims
Ms Knyvett is also considering legal action against:

1. Mr David Wrangell, Accountant, for failing to ensure proper oversight of the fund's accounts.
2. Mr Laurie Carwardine, Auditor for negligence in identifying and addressing financial irregularities within the fund.

Summary of Misconduct and Broader Implications
The undervaluation of fund assets, breaches of the sole purpose and arm's length rules, related-party transactions, and evidence of tax evasion are central to this dispute. Mr Osborne has withheld critical information, obstructing Ms Knyvett's ability to fulfil her trustee duties and benefit from her entitlements.

The systemic mismanagement, involving millions of dollars in questionable transactions and undervalued properties, has caused significant financial harm to Ms Knyvett. Furthermore, evidence suggests Mr Osborne's misconduct may extend to other SMSFs and numerous ABNs, raising broader implications for other affected parties and regulatory bodies.

Given the substantial financial harm, evidence of fraudulent or negligent conduct, and potential wider implications, this matter warrants immediate legal action. A full investigation into the Ultra Super Fund's financial position and Mr Osborne's actions is critical to achieving accountability and recovering losses for Ms Knyvett.

Additionally, I have enclosed:

- Enduring Power of Attorney for your reference. Mr Knyvett has been copied on this correspondence.
- Extracts with notable transactions from the Suncorp and Bendigo Ultra Super Fund's bank accounts for 1.08.2007 to 30.08.2007, 1.06.2009 to 30.06.2009
- Contract of Sale (Seller Contract) referenced below.
- Extracts of the concerning material provided by Mr David Wrangell, Accountant, Pine Rivers Consulting.

Your expertise on the prospects of success and legal remedies in these matters would be greatly valued. Attached are comparable

Kind regards

Holly Dahm
Enduring Power of Attorney,

Ms Rhonda Ann Knyvett, trustee
Ultra Super Fund Trustee
0413 688 334

honda.r@hotmail.com

BACKGROUND

1. Ms. Knyvett and Mr. Osborne were in a long-term de facto relationship from 1979 to 2000.
1. Ms. Knyvett, born 18 October 1957, is in her late sixties, is not digitally literate, and primarily worked in the home.
2. Mr. Osborne, born 10 January 1956, has operated as a sole trader for over 40 years, specifically running Zillmere Spine & Sports Physio Clinic & Zillmere Sports Physio Clinic, located in Zillmere, 4034.
3. Ms. Knyvett only knew her superannuation was connected to apartments in Zillmere but was excluded from all decision-making.
4. The SMSF was established in 2001, with Mr. Osborne exercising sole control despite Ms. Knyvett's legal status as a co-trustee.
5. On 23 December 2024, Ms. Knyvett identified herself as a co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr. Osborne.
6. Mr. Osborne requested a meeting with Ms. Knyvett when she sought access to her superannuation.
7. On 23 December 2024, at the meeting, Mr. Osborne presented Ms. Knyvett with a form and a seller contract. The seller contract evidenced Mr. Osborne's attempt to sell a fund asset at a deflated value, significantly below market value, and indicated illegal or non-compliant property ownership structures (attached).
8. Mr. Osborne attempted to coerce Ms. Knyvett into signing, verbally berating her and her support person while standing over them.
9. The seller contract revealed Mr. Osborne's intention to sell the asset to his partner, Ms. Ann Anthonisz, at a price below market value.
10. A clause in the contract appeared designed to disadvantage Ms. Knyvett.
11. Ms. Knyvett refused to sign both the form and the seller contract.
12. She retained the seller contract despite Mr. Osborne's attempts to retrieve it.
13. She took a photograph of the Boardroom Pty Limited form before Mr. Osborne snatched it away.
14. Mr. Osborne withheld information about the management of the Ultra Super Fund.
15. Ms. Knyvett was unaware that her superannuation was managed in a Self-Managed Superannuation Fund (SMSF) or that she was a trustee.

SUMMARY OF CONCERNS REGARDING MR OSBORNE, TRUSTEE OF ULTRA SUPER FUND:

1. Failure to Respond and Obstruction of Trustee Duties:
   - Mr Osborne has ignored all verbal, text, and email communications from Mr Knyvett, hindering him from fulfilling his responsibilities as a trustee.
   - He has prevented Ms Knyvett from accessing fund information, performing her trustee duties, and protecting the fund's assets
2. Financial Misconduct:
   - Bank statements show concerning transactions similar to round-tripping of business income into the SMSF.
   - Significant fund transfers to a Bendigo and Adelaide Bank account linked to Mr Osborne, **sharing an identical account number** with the Bendigo Ultra Super Fund account.
   - **Millions** of funds transferred to CommSec, NAB, by cheque, and cash withdrawals, with suspicious transactions involving over 1,072 cheques.
   - Misrepresentation of fund transfers as belonging to the Ultra Super Fund to conceal improper movements.
3. Coercive Control and Manipulation:
   - Allegations of coercive control, including threats, blackmail, intimidation, and manipulation of Ms Knyvett to sign documents without understanding their implications.
   - False representation of Ms Knyvett's entitlements (claiming $10,000–$15,000), despite ATO confirming her share as **$711,000**.
4. Withholding Information and Misrepresentation:
   - Fund records, deeds, and key documentation have been withheld by Mr Osborne.
   - Allegations of false information provided to accountants, with deposits and withdrawals in Ms Knyvett's name to benefit Mr Osborne.
5. Improper Fund Management:
   - Mr Osborne rolled over his portion of the fund into a personal retirement fund, disadvantaging Ms Knyvett.
6. Taxation concerns
   - Despite both parties being over 65, the fund continues to pay tax. An actuarial certificate shows $1.7 million attributed to Mr Osborne and $0 to Ms Knyvett.
   - Discrepancies in tax liabilities: Ms Knyvett is responsible for 28.4% of a $5,000 tax bill, while Mr Osborne owes only 0.8%.
7. EPA and Binding Death Benefit Nomination (BDBN) Concerns:
   - Allegations of falsified and non-compliant EPA documents, potentially altered to benefit Mr Osborne.
   - Concerns over fraudulent BDBN forms that disadvantage Ms Knyvett and her beneficiaries, favouring Mr Osborne as sole beneficiary.
8. Deed Concerns:
   - Suspicions that Mr Osborne implemented a deed granting himself disproportionate control (greater than 50%), breaching the SIS Act.
9. Limited Access to Funds:
   - Since becoming eligible, Ms Knyvett has only received $25,000, paid via personal cheque by Mr Osborne, which Ms Knyvett deposited into her account.
10. Complete Obstruction of Trustee Responsibilities:
    - Mr Osborne has fully prevented Ms Knyvett from performing her obligations as a trustee by withholding information, funds, and management access.
11. Extensive ABN registration
    - Significant issues have been identified regarding Mr Osborne's involvement with multiple ABNs, SMSFs, discretionary trusts, and business entities. These raise concerns about potential regulatory breaches, conflicts of interest, and fiduciary misconduct.

The ABNs linked to Mr Osborne include:

- ABN 43 960 865 910 – Garth Wilfred Osborne
- ABN 14 946 035 004 – Garth W Osborne Physiotherapy
- ABN 66 010 316 551 – Degelyn Pty Ltd
- ABN 52 856 037 840 – Gregory R & Anna M Osborne
- ABN 14 946 035 004 – Garth A & Gail R Osborne

Key Concerns:

- Possible misuse or non-compliance with ATO regulations.
- Entity Name Changes, the frequent changes suggesting financial irregularities or intent to obscure activities.
- Conflicts of Interest, potential issues arising from Mr. Osborne's simultaneous roles in other SMSFs and trusts.
- Regulatory breaches; possible non-compliance with the SIS Act and trustee obligations.

CONCERNS REGARDING MR DAVID WRANGELL, ACCOUNTANT, PINE RIVERS CONSULTING:

1. Mr David Wrangell has provided financial services to Ultra Super Fund since its establishment.

2. M. Wrangell submitted the tax lodgements for the previous five years.
3. The submitted material is incomplete, containing missing, unsigned, and unfinished documents, with handwritten notes, raising doubts about the validity of the records. This is especially concerning given Mr. Osborne's sole control over the fund and its activities.
4. Some documents include handwritten notes listing my mother as "Rhonda Ann Osborne," a name under which no legal documentation exists, as my mother and Mr. Osborne were never married. It is worth noting that Mr. Osborne's current fiancée or wife shares the name "Ann" with the same spelling, which raises further concerns.
5. A $15,600 entry on May 2, 2023, under the shop rent account in the General Ledger is inconsistent with standard rental payment structures, suggesting the potential use of a bank account as a holding account. This entry will be cross-referenced with the bank statements for any discrepancies, with relevant bank statements attached for comparison.
6. Transactions involving the Ultra Super Fund Bendigo account with identical account numbers are under scrutiny.
7. Mr. Wrangell has withheld essential requested information.

CONCERNS REGARDING MR LAURIE CARWARDINE, AUDITOR, CARWARDINE & ASSOCIATES:

1. Essential information has been requested and is being withheld by Mr Carwardine.

EVIDENCE: ULTRA SUPER FUND

Suncorp Bank Statements

Account Details: BSB 484-799, Account 001422502 (joint account opened May 2007, still active).

Transaction Details:

- On 26 December 2024, two-person authentication was implemented by Ms Knyvett for fund withdrawals.
- Statements show 18 years of transactions by Mr Osborne, transferring millions of dollars into, out of, and between Bendigo and Suncorp Ultra Super Fund accounts, while maintaining low balances.

1. **Bendigo Bank Statements**

   Account Details: Ultra Super Fund BSB 633-000, Account 118052760 (joint account opened 1 December 2004, closed 30 March 2024 by Mr Osborne).

   Transaction Details:

   - Statements show 20 years of transactions by Mr Osborne, mirroring Suncorp account activity, including significant fund transfers between Bendigo and
   - Suncorp accounts and to other accounts linked to Mr Osborne.

     Funds were transferred to accounts such as CommSec and NAB, with suspicious cheque activity (1,072 cheques written with deposits and withdrawals of similar amounts on the same day or consecutively).

2. **Evidence of Misrepresentation and Fund Movement**

   Funds appear to have been cycled through multiple accounts to obscure origin and destination.

   - Substantial amounts, including over $1 million in rental payments, were disbursed from both Bendigo and Suncorp accounts, despite low account balances.
   - Transfers were intentionally misrepresented as related to the Ultra Super Fund to conceal improper fund movements.

3. **Tax Returns and Financial Statements (2019–2023)**

   Provided by Accountant Mr. David Wrangell, Pine Rivers Consultant:

   - Included financial statements, actuarial certificates, general ledgers, tax returns, and trial balances.
   - Documents were incomplete, unsigned, and contained inaccuracies, including handwritten notes identifying Ms Knyvett as "Rhonda Ann Osborne," a name with no legal basis.
   - Entries in the general ledger, such as a lump sum rental payment of $15,600 (2 May 2023), suggest the use of a bank account as a holding account. These entries will be cross-referenced with bank statements.
   - Financial statements undervalue fund assets reported to the ATO.

4. **Seller Contract (158 Church Road, Zillmere)**

   SIS Act Breaches:

   Breach of arm's length provisions, sole purpose test, and asset valuation requirements.

   Transaction Details:

   - The contract sought to sell a 50% stake in the property for $330,000 (below market value) to Mr Osborne's partner, Ms Ann Anthonisz.
   - A clause in the contract was included to disadvantage Mr Knyvett.

     The contract suggests non-compliant property ownership structures.

5. **Boardroom Pty Limited Form**

Information:

- Linked to the sale of 158 Church Road, form to request for direct crediting of payments, referencing Ultra Super Fund ABN 41 873 921 089.
- Contains information about the Ultra Super Fund Suncorp account (BSB 484-799, Account 001422502).

Boardroom email correspondence:

- Boardroom Pty Limited have withheld requested involvement in central information.
- Ms Maxine Williams, Investor Service Officer confirmed an existing EPA is file, but it does not match the surname of the current EPA holder.
- is believed that the surname referenced is Osborne, based on a 2005 EPA containing only the name of the drafting lawyer, Lawrence John Watling, formerly based in Caboolture, without contact details. Concerns exist regarding the contents of this EPA.
- Rhonda has notified Mr Osborne Trustee, Mr Wrangell, Accountant (SMSF Administrator), Mr Carwardine, Auditor, and Boardroom Pty Limited of the existence of a new EPA.
- Ms Williams confirmed a new EPA will require Mr Osborne's signature approval and must be submitted directly to them, likely in accordance with the conditions of the Deed of Establishment, which appears to Favor Mr. Osborne and disadvantage Ms Knyvett.

6. **Actuarial Certificates and Data Provided by Ms Melanie Dunn (Accurium)**

   - Ms Melanie Dunn, FIAA SSA, Principal at Accurium, issued an email providing the actuarial certificates for the Ultra Super Fund for the financial years 2018–2023.
   - The email confirmed that the actuarial services were provided to the Fund, and Mr Wrangell, the accountant, obtained the annual actuarial certificate for the Fund. Mr Wrangell has ordered these certificates from Accurium directly for several years.
   - Ms Dunn noted that an online form is completed by the accountant to provide Accurium with the data necessary for actuarial calculations, which Accurium relies on to issue the required certificates.

Actuarial Services and Fund Records

Concerns:

- Accurium confirmed they do not receive the financial statements, valuation reports, or income and expense records of the Fund.
- This raises concerns about the accuracy and completeness of the data used for the actuarial calculations, as these documents are critical for proper actuarial assessments.

FUND ASSETS

PROPERTIES OWNED BY THE FUND

Properties assets of the Fund have been undervalued since 2001.

Residential:

1. 364 Zillmere Road, Unit 1
2. 364 Zillmere Road, Unit 2
3. 364 Zillmere Road, Unit 3
4. 364 Zillmere Road, Unit 4
5. 364 Zillmere Road, Unit 5
6. 364 Zillmere Road, Unit 6

Commercial:

7. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

RENTALS

Commenced as fund asset upon established in 2001

Residential:

8. 364 Zillmere Road, Unit 1
9. 364 Zillmere Road, Unit 2
10. 364 Zillmere Road, Unit 3
11. 364 Zillmere Road, Unit 4
12. 364 Zillmere Road, Unit 5
13. 364 Zillmere Road, Unit 6

Commercial:

14. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

DIVIDENDS

- QANTAS dividends
- David Jones dividends
- Coles/ Myer dividends
- CENTRO PROP DIS DIVIDENT
- CENTRO RET DIS DIVIDENT
- SANTOS
- TELSTRA DIVIDEND
- AMP LIMITED DIVIDEND
- BHP BILLITON DIVIDEND
- CNP SPECIAL DIST DIVIDEND
- SANTOS DIVIDEND
- BXB FNL DIVIDEND
- BXB ITM DIVIDEND
- BRAMBLES dividend
- DIVIDEND ANZ replacement
- direct credit AAI limited t/as 3,724
- SANTOS

Notable precedent decisions

- ATO v. Cook (2017)
- ATO v. Garvey [2019]
- ATO v. Langan [2018]
- ATO v. Robinson [2017] FCA 23
- Australian Taxation Office v. D'Souza [2021]
- Australian Taxation Office v. Hurley [2020] FCAFC 179
- Australian Taxation Office v. M & S Ventures Pty Ltd (2018)
- Cam & Bear Pty Ltd v McGoldrick [2018] NSWCA 110
- Fowles v. ATO [2022] FCAC 16
- Ryan Wealth Holdings Pty Ltd v Baumgartner [2018] NSWSC 1502
- Smith v. Anderson [2020]
- Smith v. Jenkins [2019] FCA 573
- Taylor v. Simmons [2015]

Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Date: Monday, 20 January 2025 at 5:30:26 PM Australian Eastern Standard Time
From: Holly Osborne <hollyteganosborne@hotmail.com>
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
CC: Honda.r@hotmail.com <Honda.r@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
BCC: Riki Dahm <rikidahm84@gmail.com>
Priority: High
Category: H & W
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Dear Edinger

Thank you for your email and your inquiry to Hall & Wilcox.

I acknowledge and agree to your request to proceed with the urgent review of the relevant documents and preliminary observations regarding Ms Knyvett's legal position, including any necessary protective steps.

Yes, before we engage further, please confirm that your firm is conflict-free in relation to this matter, emailing over the necessary details regarding the payment to the trust.

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I look forward to your confirmation and details regarding the payment process.

Best regards,
Holly Dahm
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Sent: Monday, 20 January 2025 4:22 PM
To: hollyteganosborne@hotmail.com <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
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From an initial glance there are certainly matters of concern given Mr Osborne has in effect been acting as sole trustee despite being a co-trustee along with Ms Knyvett (assuming this is the case), whilst also owing fiduciary duties to Ms Knyvett as a beneficiary of the fund (assuming this is the case).

Our team has significant experience in these matters, and we would be glad to assist. In terms of fees, I estimate initial fees of $5,000 plus GST for the following work:

1. review all documents provided;
2. liaise with yourself and Ms Knyvett to obtain any further instructions required; and
3. attend an initial meeting with yourself and/or Ms Knyvett to provide our preliminary views, an overview of options available, and next steps.

Given the need to complete the work on an urgent basis, we will require the sum of $5,500 to be paid into trust prior to substantive work being undertaken.

Once we agree on the appropriate next steps in the matter, an updated estimate of fees will be provided.

Please confirm if you would like to proceed so we can complete a conflict check. Assuming we are conflict free, our engagement agreement will then be provided.

In the meantime, please don't hesitate to contact me on the numbers below should you wish to discuss further.

Kind regards

McLane Edinger | Partner

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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 9:44 AM
To: Reception Brisbane <Reception.Brisbane@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com
Subject: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund
Importance: High

Good morning

I write to you in my capacity as Enduring Power of Attorney (EPA) for Ms Rhonda Ann Knyvett, co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr Garth Wilfred Osborne. On behalf of Ms Knyvett, I seek urgent legal advice regarding potential civil action against Mr Osborne for alleged misconduct, gross mismanagement, and breaches of trustee duties, as well as against other parties for negligence.

Key Issues and Relief Sought
There is compelling evidence of significant mismanagement and misconduct, including:

Misappropriation of Funds
A substantial portion of the fund's assets has been allocated to Border & Pty Ltd, a financial services and wealth management company specialising in shares. Despite these transactions, the recovery of these funds may be impractical due to Mr Osborne's actions.

Fraudulent Asset Valuation
Properties held by the fund have been systematically undervalued in reports to the ATO, masking the true financial position of the fund. The fund remains asset-rich but faces liquidity challenges stemming from inaccurate valuations.

Unlawful Transactions
Bank statements reveal transactions resembling round-tripping and other irregularities, with millions of dollars flowing in and out of the fund since its establishment in 2001. Despite these transactions, the fund's assets do not reflect corresponding growth, pointing to potential fraud or tax evasion.

Ms Knyvett seeks to:

1. Dissolve the fund and roll over her entitlements into a government-managed superannuation fund.
2. Investigate and accurately value the fund's financial position, including correcting undervalued properties to increase recoverable assets.
3. Pursue compensation for damages resulting from Mr Osborne's misconduct.
4. Petition for Mr Osborne's disqualification as trustee and the imposition of civil penalties.

Additional Parties and Negligence Claims
Ms Knyvett is also considering legal action against:

1. Mr David Wrangell, Accountant, for failing to ensure proper oversight of the fund's accounts.
2. Mr Laurie Carwardine, Auditor for negligence in identifying and addressing financial irregularities within the fund.

Summary of Misconduct and Broader Implications
The undervaluation of fund assets, breaches of the sole purpose and arm's length rules, related-party transactions, and evidence of tax evasion are central to this dispute. Mr Osborne has withheld critical information, obstructing Ms Knyvett's ability to fulfil her trustee duties and benefit from her entitlements.

The systemic mismanagement, involving millions of dollars in questionable transactions and undervalued properties, has caused significant financial harm to Ms Knyvett. Furthermore, evidence suggests Mr Osborne's misconduct may extend to other SMSFs and numerous ABNs, raising broader implications for other affected parties and regulatory bodies.

Given the substantial financial harm, evidence of fraudulent or negligent conduct, and potential wider implications, this matter warrants immediate legal action. A full investigation into the Ultra Super Fund's financial position and Mr Osborne's actions is critical to achieving accountability and recovering losses for Ms Knyvett.

Additionally, I have enclosed:

- Enduring Power of Attorney for your reference. Mr Knyvett has been copied on this correspondence.
- Extracts with notable transactions from the Suncorp and Bendigo Ultra Super Fund's bank accounts for 1.08.2007 to 30.08.2007, 1.06.2009 to 30.06.2009
- Contract of Sale (Seller Contract) referenced below.
- Extracts of the concerning material provided by Mr David Wrangell, Accountant, Pine Rivers Consulting.

Your expertise on the prospects of success and legal remedies in these matters would be greatly valued. Attached are comparable

Kind regards

Holly Dahm
Enduring Power of Attorney,

Ms Rhonda Ann Knyvett, trustee
Ultra Super Fund Trustee
0413 688 334
honda.r@hotmail.com

BACKGROUND

1. Ms. Knyvett and Mr. Osborne were in a long-term de facto relationship from 1979 to 2000.
1. Ms. Knyvett, born 18 October 1957, is in her late sixties, is not digitally literate, and primarily worked in the home.
2. Mr. Osborne, born 10 January 1956, has operated as a sole trader for over 40 years, specifically running Zillmere Spine & Sports Physio Clinic & Zillmere Sports Physio Clinic, located in Zillmere, 4034.
3. Ms. Knyvett only knew her superannuation was connected to apartments in Zillmere but was excluded from all decision-making.
4. The SMSF was established in 2001, with Mr. Osborne exercising sole control despite Ms. Knyvett's legal status as a co-trustee.
5. On 23 December 2024, Ms. Knyvett identified herself as a co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr. Osborne.
6. Mr. Osborne requested a meeting with Ms. Knyvett when she sought access to her superannuation.
7. On 23 December 2024, at the meeting, Mr. Osborne presented Ms. Knyvett with a form and a seller contract. The seller contract evidenced Mr. Osborne's attempt to sell a fund asset at a deflated value, significantly below market value, and indicated illegal or non-compliant property ownership structures (attached).
8. Mr. Osborne attempted to coerce Ms. Knyvett into signing, verbally berating her and her support person while standing over them.
9. The seller contract revealed Mr. Osborne's intention to sell the asset to his partner, Ms. Ann Anthonisz, at a price below market value.
10. A clause in the contract appeared designed to disadvantage Ms. Knyvett.
11. Ms. Knyvett refused to sign both the form and the seller contract.
12. She retained the seller contract despite Mr. Osborne's attempts to retrieve it.
13. She took a photograph of the Boardroom Pty Limited form before Mr. Osborne snatched it away.
14. Mr. Osborne withheld information about the management of the Ultra Super Fund.
15. Ms. Knyvett was unaware that her superannuation was managed in a Self-Managed Superannuation Fund (SMSF) or that she was a trustee.

SUMMARY OF CONCERNS REGARDING MR OSBORNE, TRUSTEE OF ULTRA SUPER FUND:

1. Failure to Respond and Obstruction of Trustee Duties:
   - Mr Osborne has ignored all verbal, text, and email communications from Mr Knyvett, hindering him from fulfilling his responsibilities as a trustee.
   - He has prevented Ms Knyvett from accessing fund information, performing her trustee duties, and protecting the fund's assets
2. Financial Misconduct:
   - Bank statements show concerning transactions similar to round-tripping of business income into the SMSF.
   - Significant fund transfers to a Bendigo and Adelaide Bank account linked to Mr Osborne, **sharing an identical account number** with the Bendigo Ultra Super Fund account.
   - **Millions** of funds transferred to CommSec, NAB, by cheque, and cash withdrawals, with suspicious transactions involving over 1,072 cheques.
   - Misrepresentation of fund transfers as belonging to the Ultra Super Fund to conceal improper movements.
3. Coercive Control and Manipulation:
   - Allegations of coercive control, including threats, blackmail, intimidation, and manipulation of Ms Knyvett to sign documents without understanding their implications.
   - False representation of Ms Knyvett's entitlements (claiming $10,000–$15,000), despite ATO confirming her share as **$711,000**.
4. Withholding Information and Misrepresentation:
   - Fund records, deeds, and key documentation have been withheld by Mr Osborne.
   - Allegations of false information provided to accountants, with deposits and withdrawals in Ms Knyvett's name to benefit Mr Osborne.
5. Improper Fund Management:
   - Mr Osborne rolled over his portion of the fund into a personal retirement fund, disadvantaging Ms Knyvett.
6. Taxation concerns
   - Despite both parties being over 65, the fund continues to pay tax. An actuarial certificate shows $1.7 million attributed to Mr Osborne and $0 to Ms Knyvett.
   - Discrepancies in tax liabilities: Ms Knyvett is responsible for 28.4% of a $5,000 tax bill, while Mr Osborne owes only 0.8%.
7. EPA and Binding Death Benefit Nomination (BDBN) Concerns:
   - Allegations of falsified and non-compliant EPA documents, potentially altered to benefit Mr Osborne.
   - Concerns over fraudulent BDBN forms that disadvantage Ms Knyvett and her beneficiaries, favouring Mr Osborne as sole beneficiary.
8. Deed Concerns:
   - Suspicions that Mr Osborne implemented a deed granting himself disproportionate control (greater than 50%), breaching the SIS Act.
9. Limited Access to Funds:
   - Since becoming eligible, Ms Knyvett has only received $25,000, paid via personal cheque by Mr Osborne, which Ms Knyvett deposited into her account.
10. Complete Obstruction of Trustee Responsibilities:
    - Mr Osborne has fully prevented Ms Knyvett from performing her obligations as a trustee by withholding information, funds, and management access.
11. Extensive ABN registration
    - Significant issues have been identified regarding Mr Osborne's involvement with multiple ABNs, SMSFs, discretionary trusts, and business entities. These raise concerns about potential regulatory breaches, conflicts of interest, and fiduciary misconduct.

The ABNs linked to Mr Osborne include:

- ABN 43 960 865 910 – Garth Wilfred Osborne
- ABN 14 946 035 004 – Garth W Osborne Physiotherapy
- ABN 66 010 316 551 – Degelyn Pty Ltd
- ABN 52 856 037 840 – Gregory R & Anna M Osborne
- ABN 14 946 035 004 – Garth A & Gail R Osborne

Key Concerns:

- Possible misuse or non-compliance with ATO regulations.
- Entity Name Changes, the frequent changes suggesting financial irregularities or intent to obscure activities.
- Conflicts of Interest, potential issues arising from Mr. Osborne's simultaneous roles in other SMSFs and trusts.
- Regulatory breaches; possible non-compliance with the SIS Act and trustee obligations.

CONCERNS REGARDING MR DAVID WRANGELL, ACCOUNTANT, PINE RIVERS CONSULTING:

1. Mr David Wrangell has provided financial services to Ultra Super Fund since its establishment.
2. M. Wrangell submitted the tax lodgements for the previous five years.
3. The submitted material is incomplete, containing missing, unsigned, and unfinished documents, with handwritten notes, raising doubts about the validity of the records. This is especially concerning given Mr. Osborne's sole control over the fund and its activities.
4. Some documents include handwritten notes listing my mother as "Rhonda Ann Osborne," a name under which no legal documentation exists, as my mother and Mr. Osborne were never married. It is worth noting that Mr. Osborne's current fiancée or wife shares the name "Ann" with the same spelling, which raises further concerns.
5. A $15,600 entry on May 2, 2023, under the shop rent account in the General Ledger is inconsistent with standard rental payment structures, suggesting the potential use of a bank account as a holding account. This entry will be cross-referenced with the bank statements for any discrepancies, with relevant bank statements attached for comparison.
6. Transactions involving the Ultra Super Fund Bendigo account with identical account numbers are under scrutiny.
7. Mr. Wrangell has withheld essential requested information.

CONCERNS REGARDING MR LAURIE CARWARDINE, AUDITOR, CARWARDINE & ASSOCIATES:

1. Essential information has been requested and is being withheld by Mr Carwardine.

EVIDENCE: ULTRA SUPER FUND

Suncorp Bank Statements

Account Details: BSB 484-799, Account 001422502 (joint account opened May 2007, still active).

Transaction Details:

- On 26 December 2024, two-person authentication was implemented by Ms Knyvett for fund withdrawals.
- Statements show 18 years of transactions by Mr Osborne, transferring millions of dollars into, out of, and between Bendigo and Suncorp Ultra Super Fund accounts, while maintaining low balances.

1. **Bendigo Bank Statements**

   Account Details: Ultra Super Fund BSB 633-000, Account 118052760 (joint account opened 1 December 2004, closed 30 March 2024 by Mr Osborne).

   Transaction Details:

   - Statements show 20 years of transactions by Mr Osborne, mirroring Suncorp account activity, including significant fund transfers between Bendigo and
   - Suncorp accounts and to other accounts linked to Mr Osborne.

   Funds were transferred to accounts such as CommSec and NAB, with suspicious cheque activity (1,072 cheques written with deposits and withdrawals of similar amounts on the same day or consecutively).
2. **Evidence of Misrepresentation and Fund Movement**

   Funds appear to have been cycled through multiple accounts to obscure origin and destination.

   - Substantial amounts, including over $1 million in rental payments, were disbursed from both Bendigo and Suncorp accounts, despite low account balances.
   - Transfers were intentionally misrepresented as related to the Ultra Super Fund to conceal improper fund movements.
3. **Tax Returns and Financial Statements (2019–2023)**

   Provided by Accountant Mr. David Wrangell, Pine Rivers Consultant:

   - Included financial statements, actuarial certificates, general ledgers, tax returns, and trial balances.
   - Documents were incomplete, unsigned, and contained inaccuracies, including handwritten notes identifying Ms Knyvett as "Rhonda Ann Osborne," a name with no legal basis.
   - Entries in the general ledger, such as a lump sum rental payment of $15,600 (2 May 2023), suggest the use of a bank account as a holding account. These entries will be cross-referenced with bank statements.
   - Financial statements undervalue fund assets reported to the ATO.
4. **Seller Contract (158 Church Road, Zillmere)**

   SIS Act Breaches:

   Breach of arm's length provisions, sole purpose test, and asset valuation requirements.

   Transaction Details:

   - The contract sought to sell a 50% stake in the property for $330,000 (below market value) to Mr Osborne's partner, Ms Ann Anthonisz.
   - A clause in the contract was included to disadvantage Mr Knyvett.

   The contract suggests non-compliant property ownership structures.
5. **Boardroom Pty Limited Form**

Information:

- Linked to the sale of 158 Church Road, form to request for direct crediting of payments, referencing Ultra Super Fund ABN 41 873 921 089.
- Contains information about the Ultra Super Fund Suncorp account (BSB 484-799, Account 001422502).

Boardroom email correspondence:

- Boardroom Pty Limited have withheld requested involvement in central information.
- Ms Maxine Williams, Investor Service Officer confirmed an existing EPA is file, but it does not match the surname of the current EPA holder.
- is believed that the surname referenced is Osborne, based on a 2005 EPA containing only the name of the drafting lawyer, Lawrence John Watling, formerly based in Caboolture, without contact details. Concerns exist regarding the contents of this EPA.
- Rhonda has notified Mr Osborne Trustee, Mr Wrangell, Accountant (SMSF Administrator), Mr Carwardine, Auditor, and Boardroom Pty Limited of the existence of a new EPA.
- Ms Williams confirmed a new EPA will require Mr Osborne's signature approval and must be submitted directly to them,

likely in accordance with the conditions of the Deed of Establishment, which appears to Favor Mr. Osborne and disadvantage Ms Knyvett.

6. **Actuarial Certificates and Data Provided by Ms Melanie Dunn (Accurium)**
   - Ms Melanie Dunn, FIAA SSA, Principal at Accurium, issued an email providing the actuarial certificates for the Ultra Super Fund for the financial years 2018–2023.
   - The email confirmed that the actuarial services were provided to the Fund, and Mr Wrangell, the accountant, obtained the annual actuarial certificate for the Fund. Mr Wrangell has ordered these certificates from Accurium directly for several years.
   - Ms Dunn noted that an online form is completed by the accountant to provide Accurium with the data necessary for actuarial calculations, which Accurium relies on to issue the required certificates.

Actuarial Services and Fund Records

Concerns:

- Accurium confirmed they do not receive the financial statements, valuation reports, or income and expense records of the Fund.
- This raises concerns about the accuracy and completeness of the data used for the actuarial calculations, as these documents are critical for proper actuarial assessments.

FUND ASSETS

PROPERTIES OWNED BY THE FUND

Properties assets of the Fund have been undervalued since 2001.

Residential:

1. 364 Zillmere Road, Unit 1
2. 364 Zillmere Road, Unit 2
3. 364 Zillmere Road, Unit 3
4. 364 Zillmere Road, Unit 4
5. 364 Zillmere Road, Unit 5
6. 364 Zillmere Road, Unit 6

Commercial:

7. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

RENTALS

Commenced as fund asset upon established in 2001

Residential:

8. 364 Zillmere Road, Unit 1
9. 364 Zillmere Road, Unit 2
10. 364 Zillmere Road, Unit 3
11. 364 Zillmere Road, Unit 4
12. 364 Zillmere Road, Unit 5
13. 364 Zillmere Road, Unit 6

Commercial:

14. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

DIVIDENDS

- QANTAS dividends
- David Jones dividends
- Coles/ Myer dividends
- CENTRO PROP DIS DIVIDENT
- CENTRO RET DIS DIVIDENT
- SANTOS
- TELSTRA DIVIDEND
- AMP LIMITED DIVIDEND
- BHP BILLITON DIVIDEND
- CNP SPECIAL DIST DIVIDEND
- SANTOS DIVIDEND
- BXB FNL DIVIDEND
- BXB ITM DIVIDEND
- BRAMBLES dividend
- DIVIDEND ANZ replacement
- direct credit AAI limited t/as 3,724
- SANTOS

Notable precedent decisions

- ATO v. Cook (2017)
- ATO v. Garvey [2019]
- ATO v. Langan [2018]
- ATO v. Robinson [2017] FCA 23
- Australian Taxation Office v. D'Souza [2021]
- Australian Taxation Office v. Hurley [2020] FCAFC 179
- Australian Taxation Office v. M & S Ventures Pty Ltd (2018)
- Cam & Bear Pty Ltd v McGoldrick [2018] NSWCA 110
- Fowles v. ATO [2022] FCAC 16
- Ryan Wealth Holdings Pty Ltd v Baumgartner [2018] NSWSC 1502
- Smith v. Anderson [2020]
- Smith v. Jenkins [2019] FCA 573
- Taylor v. Simmons [2015]

Subject:	Ultra Super Fund [HW-ACTIVE.FID5037942]
Date:	Sunday, 22 June 2025 at 2:10:00 PM Australian Eastern Standard Time
From:	McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
To:	rhonda knyvett <honda.r@hotmail.com>
CC:	Riki Dahm <rikidahm84@gmail.com>, Holly Osborne <hollyteganosborne@hotmail.com>, Mike Brookes <mike.brookes@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Category:	H & W
Attachments:	image001.png, image002.png, image003.png, image004.png

Dear Rhonda

The most recent email communication sent to Hall & Wilcox by Holly on your behalf (at 1.40 am (AEST) on Saturday 14 June, copy below) is inconsistent with our continuing representation of you, as that communication indicates that the necessary relationship of trust between you and Hall & Wilcox has broken down, to the extent that the basis for the engagement has been compromised.

This email therefore serves as notice that Hall & Wilcox is terminating its engagement in this matter with effect from 5.00 pm (AEST), Sunday, 22 June 2025.

We will issue a final bill to you on Monday, 23 June 2025 for our unbilled work in progress from 7 February 2025 up to and including the date of termination of our engagement. We will be able to release to you (or another firm of lawyers instructed by you) all documents in our possession which belong to you relating to this matter once our final bill has been paid.

Whilst we are disappointed to be taking this course of action, if appears necessary in the circumstances.

We wish you all the best in the future.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | Professional Profile









From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Friday, 13 June 2025 11:40 PM
To: Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Mike Brookes <mike.brookes@hallandwilcox.com.au>; Graydon Dowd <Graydon.Dowd@hallandwilcox.com.au>; Sumith Perera <sumith.perera@hallandwilcox.com.au>; Julian Hammond <Julian.Hammond@hallandwilcox.com.au>
Cc: Riki Dahm <rikidahm84@gmail.com>; rhonda knyvett <honda.r@hotmail.com>
Subject: Legally Privileged Instruction – Immediate Action Required under Part 9.4AAA
Importance: High

Dear Laura
This correspondence is issued as a legally privileged instruction and protected disclosure under *Part 9.4AAA of the Corporations Act 2001 (Cth)*. It concerns Hall & Wilcox's ongoing representation of Rhonda Ann Knyvett in relation to the Ultra Super Fund (ABN 41 873 921 089). The firm is now on formal notice of serious concerns regarding its legal conduct, non-execution of binding instructions, and failure to align with enforcement obligations under applicable statutory and regulatory frameworks.
Despite multiple lawful instructions our engagement with Hall & Wilcox since 22 January 2025, critical directives remain unexecuted, namely, escalation to the firm's enforcement litigation team, submissions to regulators, integration of whistleblower protections, and issuance of record preservation notices to institutions holding core metadata. This ongoing inaction has materially compromised your clients legal standing and obstructed the fund's regulatory enforcement trajectory.
The matter involves systemic, multi-institutional misconduct. CHESS HIN X0032114415 was unlawfully registered under the false identity "Rhonda Ann Osborne",
with CBA and CommSec confirming no original KYC documentation exists. This identity was then propagated across share registries including Computershare and Boardroom Pty Ltd, both of which rely solely on CommSec metadata for investor identity.
Associated financial flows were routed through concealed internal ledgers and banking structures and routing structure (Bendigo and Adelaide Bank / Sandhurst Trustees, and Suncorp). These accounts facilitated ledger cycling, cheque laundering, nominee routing, and ABN layering, giving rise to substantial indicators of regulatory arbitrage and market concealment.
Sandhurst Trustees, Bendigo Bank, and Suncorp (now ANZ) have confirmed that accounts were established and operated in breach of dual trustee authority and Trust Deed terms, in contravention of the *SIS Act* and *AML/CTF Act*.
Real property transfers linked to CH 003 Pty Ltd, Degelyn Pty Ltd, Garth Pty Ltd, and discretionary trusts associated with the Ultra Super Fund suggest laundering and cycling of proceeds exceeding $150 million through smsf structures. These transactions intersect with high-value developments in Taigum, Queensland, and involve key professional and corporate participants:

- David John Wrangell (Accountant, Tax Agent No. 60635000)
- Laurie Carwardine (Auditor, ASIC No. 100093267)
- Doug McBirnie (Actuary, Accurium)
- Lawrence John Watling (Lawyer, *Gaffney Lyons & McMahon*, ABN 21 489 485 512)
- Brendan Cawley (Managing Director, *Keystone Urban Development*, linked to BRENCORP, ABN 11 605 915 919)
- McNally AM Pty Ltd (ABN 66 147 268 106, associated with nominee holdings)

Each party has either prepared, relied on, or facilitated documentation and certifications premised

on incomplete, unauthorised, or misleading data. These include unverified trustee records, unregistered GST status on rental properties, and concealment of beneficial ownership across related entities.
Confirmed AUSTRAC typologies include:

- Structuring and smurfing
- Shell layering and nominee routing
- Ledger cycling and metadata suppression
- Fictitious invoicing across related-party ABNs
- Undeclared beneficial ownership
- Trustee exclusion and ABN obfuscation
- Superannuation laundering
- Cross-institution cheque override and MICR anomalies

These indicators intersect with the enforcement priorities publicly outlined by ASIC and AUSTRAC for 2025, specifically concerning SMSF governance failures, identity misuse within CHESS infrastructure, laundering via registry systems, and misuse of regulated trust vehicles to mask ownership and income.
Material Non-Compliance with Instructions
Despite multiple written and reiterated instructions, Hall & Wilcox has:

- Not escalated the matter to its Enforcement Litigation Team;
- Not issued record preservation notices to CommSec, CBA, Suncorp, Bendigo, Sandhurst, or registry platforms;
- Not acknowledged or acted upon Rhonda's protected whistleblower status – CBA Speak Up Deloitte Whilstblower Service CBA Unique Identification Number is AU620871X
- Not issued legal advice on Corporations Act s912D(1)(b) obligations
- Not prepared or submitted draft communications to regulators including ASIC, AUSTRAC, ATO, APRA, or OAIC.
- These omissions are not discretionary, they represent binding instructions issued under valid EPOA and professional retainer. The inaction has prejudiced the client's standing and obstructed lawful enforcement avenues.

Protected Disclosure – Legal Authority and Status
This instruction is issued jointly and lawfully by:

- Rhonda Ann Knyvett, lawful co-trustee and whistleblower under s1317AAA(1)(c)–(d)
- Holly Dahm, attorney under EPOA dated 13 March 2025 (prepared by Hall & Wilcox), close relative and authorised discloser under s1317AAA(1)(e)–(f)
- Riki Dahm, co-attorney, authorised under the same provisions.

This correspondence is made in good faith for the purposes of:

- Preserving Rhonda Knyvett's legal rights and evidentiary standing
- Triggering Hall & Wilcox's obligations under the Corporations Act, SIS Act, AML/CTF Act, Privacy Act, and Legal Profession Act 2007 (Qld)
- Remedying significant concerns regarding the firm's professional handling, procedural delay, and potential strategic obstruction.

This document forms part of a preserved whistleblower and regulatory enforcement record. All protections under Part 9.4AAA apply, including confidentiality, immunity, and protection from detriment.

Should Hall & Wilcox be unwilling or unable to carry the matter to enforcement conclusion, this must now be confirmed without delay.

"Suspension" - CBA/CommSec Trading Account

As confirmed by you, Claire Morgan further advised on Tuesday, 10 June 2025, 5:57 PM: "The SMSF trading account has now been suspended." A suspension, absent proper remediation and regulatory notification, amounts to an ongoing concealment of a systemic flaw, rather than a corrective action." The account suspension, while leaving the underlying alleged identity matter unrectified and reportedly not escalating the issue to the appropriate regulators, is asserted not to mitigate the concern. Instead, it suggests that CBA and CommSec's exposure has not been contained but appears to have been concealed. This alleged non-implementation of corrective action exacerbates the concern and intensifies CBA and CommSec's liability, exposing both institutions to further legal and regulatory risks, as no substantive steps have been taken to address the core alleged compliance issue.

CBA/CommSec's Binding Liability

It's critical to underscore the direct admissions reported to have been made by Claire Morgan, Senior Legal Counsel at CBA, which unequivocally establish the extensive liability of both CBA and CommSec. These are not speculative assertions but formal institutional confessions, now firmly on record, which reportedly eliminate any possibility for plausible deniability regarding the entrenched systemic concerns of these institutions.

Crucially, as a legal representative of Hall & Wilcox, your relaying of Claire Morgan's admissions to Rhonda Knyvett, your client, constitutes a legally significant act. These statements, conveyed by you in your professional capacity as Special Counsel, become admissible as admissions by a party's agent and contribute directly to the evidentiary record against CBA and CommSec, providing no plausible deniability for either the institutions or for Hall & Wilcox concerning your knowledge of these facts.

CBA/CommSec - Absence of Onboarding Records & Continued Reliance on Alleged False Identity

As conveyed by you in your legal advice on Tuesday, 10 June 2025, 11:25 AM, Claire Morgan, Senior Legal Counsel at CBA, formally stated*: "The CHESS HIN and CommSec account were acquired from a prior broker… CommSec has no original onboarding documentation for the client identity listed as 'Rhonda Ann* Osborne."

This admission alone is asserted to bind CBA and CommSec to a live and knowingly sustained concern regarding fundamental statutory obligations under the Corporations Act 2001 (Cth), the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) (AML/CTF Act), the Privacy Act 1988 (Cth), and the ASX CHESS Sponsorship Rules. Their continued apparent use of this HIN, without original Know Your Customer (KYC), identity verification, or lawful trustee authorisation, is asserted to constitute a fundamental matter of non-compliance that has persisted for over two decades. This sustained alleged non-compliance is asserted to be legally indefensible and to expose both CBA and CommSec to significant regulatory and legal liability, potentially rendering their actions professionally indefensible and subject to substantial legal repercussions.

Legal Transparency & Professional Obligations

Your written legal advice dated 10 June 2025 at 11:25 AM materially contradicted earlier representations, omitted critical client instructions, and failed to disclose Rhonda Knyvett's protected whistleblower status, formally acknowledged by Deloitte on 4 June 2025 (CBA SpeakUP ID: AU620871X). This raises serious concerns regarding the candour, completeness, and accuracy of the advice provided, and appears inconsistent with the obligations under Rule 5 of the Australian Solicitors' Conduct Rules (ASCR) relating to honesty and candour.

In particular, your statement, "We do not have any instructions to act for Rhonda against any bank or financial institution," was issued despite clear written instructions to preserve relevant records, issue

legal verification via Hall & Wilcox, and escalate the matter to ASIC, AUSTRAC, and the OAIC. An inaccurate representation of the client's legal status, especially where whistleblower protections apply, constitutes a serious departure from obligations under Part 9.4AAA of *the Corporations Act 2001 (Cth)* and undermines the duty to act in the best interests of the client under ASCR Rule 4.1.3. The omission to explicitly acknowledge Rhonda's protected whistleblower status has materially prejudiced her position and exposed her to avoidable legal and personal risk, contrary to the ethical and professional standards expected of legal counsel.

Hall & Wilcox strategic handling of this matter, including its narrowed focus, disregarding the broader, evidenced regulatory breaches, raises significant questions about whether the firm is acting in the client's best interests, as required by ASCR Rule 4.1.3. This approach, which compromises the client's best interests, suggests an effort to limit the matter's scope, potentially serving institutional interests at the expense of Rhonda's legal rights and the pursuit of broader, more impactful regulatory actions. This perceived lack of transparency regarding the full strategic implications of the firm's chosen approach is deeply concerning.

The documents provided to Hall & Wilcox, lawfully under instruction, form part of the evidentiary chain and carry direct enforcement implications. Hall & Wilcox has engaged in correspondence, issued legal advice, and interacted with counterparties based on this material. Therefore, Hall & Wilcox is deemed to have knowledge of its contents, legal implications, and the required escalation obligations under applicable legislation. This inherent knowledge necessitates complete transparency in all communications and actions taken on behalf of the client.

The absence of confirmation as to whether this matter is being treated as a regulatory enforcement file is inconsistent with the preserved record and impedes the client's ability to properly assert and protect her litigation rights. Any deviation from acting on this record, such as failing to notify regulators, not issuing preservation notices, or withholding confirmation of conflicts, may be considered an obstruction of enforcement obligations and a breach of professional duty, directly impacting the transparency of the firm's operations and its adherence to regulatory mandates.

Identified Omissions, Non-Implementation, and Misleading by Omission

In our view, the omissions outlined below don't represent isolated lapses; they collectively reflect a pattern suggesting a systemic issue in Hall & Wilcox's fulfillment of its professional, ethical, and procedural obligations in a matter involving serious regulatory issues, institutional misconduct, and identity falsification. These observations are central to our conclusions regarding Hall & Wilcox's professional conduct, as they demonstrate a consistent pattern of minimizing and disregarding critical information and instructions, such as the client-provided detail on Wednesday, 4 June 2025, 1:41 PM: *"Just flagging this ahead of your conversation, you may recall that a $44,449.08 direct debit to CommSec on 5 July 2005..."* a persistent non-implementation of essential elements of scope, and a discernible tendency to present information by omission or to steer the client towards less advantageous pathways. This conduct strongly suggests a prioritisation of institutional protection over Rhonda's paramount interests, undermining the principles of candour and client-centric legal practice.

A. Refusal to Issue Formal Correspondence for Preservation and Disclosure by Deadline

Client Instruction (Holly Dahm, Tuesday, 10 June 2025, 5:15 PM; Deadline for Actioned Confirmation: Midday Wednesday, 11 June 2025):

As reiterated in your urgent confirmation request from Tuesday, 10 June 2025, 5:15 PM, and referencing prior comprehensive instructions (Saturday, 7 June 2025, 10:20 PM), you were instructed to confirm that:

- *"Formal correspondence has been issued to CBA and CommSec:*
    - *Rejecting any profile correction or metadata updates to HIN X0032114415.*
    - *Requiring full preservation of KYC records, audit logs, and CHESS metadata in their current state.*
- *That no engagement has occurred with CBA, CommSec, or any third party that could*

compromise the integrity of these records.

- *That a complete and accurate copy of the correspondence has been retained."*

Your email response (Tuesday, 10 June 2025, 11:25 AM, *prior to your 5:15 PM instruction*):
"We will not take any further steps in relation to the CommSec account at this stage. Once we have some information regarding the regulatory issues we will confirm our instructions to proceed with verification of Rhonda's identity and obtaining access to the CommSec account."
This response, provided hours before your specific urgent instruction, clearly signaled an apparent refusal to act on the core directive of issuing formal preservation notices and rejecting metadata alterations, which was then explicitly requested as an urgent confirmation. Hall & Wilcox's decision to withhold action placed the client's evidentiary position at significant risk and jeopardized the matter's legal integrity. By failing to take immediate action on these critical, time-sensitive instructions, Hall & Wilcox's conduct is inconsistent with the duty to act in the client's best interests, as mandated by ASCR Rule 4.1.3. The delay fundamentally undermines Rhonda's legal strategy and exposes her case to serious vulnerabilities, further questioning the transparency of the firm's commitment to the client's stated objectives.
Your email response (Tuesday, 10 June 2025, 5:57 PM, *after your 5:15 PM instruction*):
"After my meeting with Julian Hammond tomorrow we will advise whether we are able to correspond with CBA or CommSec as you request."
This statement, made *after* your specific and urgent 5:15 PM instruction for confirmation by midday on June 11th, reinforces the lack of action taken despite the imminent deadline. By making the execution of the task contingent on an internal meeting, Hall & Wilcox failed to prioritise the time-sensitive nature of the client's instructions, further compromising the client's case. This delay, which effectively ignored the urgency of the explicit request, places Rhonda's legal position at risk and delays the ability to preserve crucial evidence, violating ASCR Rule 13.1 (Duty to act promptly and competently) and demonstrating a lack of forthrightness in managing urgent client directives.
B. Incomplete Escalation to Enforcement Litigation Team by Deadline
Client Instruction (Holly Dahm, Tuesday, 10 June 2025, 5:15 PM; Deadline for Actioned Confirmation: Midday Wednesday, 11 June 2025) As confirmed in your urgent email on Tuesday, 10 June 2025, 5:15 PM, and referencing prior comprehensive instructions (Saturday, 7 June 2025, 10:20 PM), you were directed to ensure that *"legal carriage reflects the strategic use of timing, institutional involvement, and regulatory escalation to maximize legal, procedural, and financial outcomes."*
Your response (Tuesday, 10 June 2025, 11:25 AM, *prior to your 5:15 PM instruction*) *"Regulatory matters are not my area of expertise however I will speak to Julian Hammond about whether the issues you raise below are something he can assist with. I will come back to you once I have spoken with Julian."*
This response, provided hours before your explicit urgent instruction for confirmation, clearly indicated that the escalation process to an enforcement litigation team was not yet initiated. Hall & Wilcox's delay in escalating the matter not only contradicted the client's explicit request for a comprehensive strategy but also undermined the firm's duty to act with due diligence and competence. Given the complexity and urgency of this multi-regime matter, this delay represents a significant deviation from professional duties, including the requirement to engage the appropriate expertise in a timely manner, as outlined in ASCR Rule 4.1.3. The absence of immediate escalation demonstrates a lack of transparency regarding the firm's capacity to handle the full scope of the client's complex needs.
Your email *response (Tuesday, 10 June 2025, 5:57 PM,* after your 5:15 PM instruction*):*
"Olivia and I have a meeting with Julian Hammond tomorrow at 2pm and we will come back to you following that meeting."
This further confirms that the escalation had not occurred, despite the explicit and urgent instruction provided just minutes earlier, requiring confirmation by midday the following day. Hall & Wilcox did not align the matter with the appropriate enforcement litigation expertise, which adversely impacted your client's ability to protect her interests, particularly given the regulatory complexity of the issues

involved. The delay, and continued deferral to an internal meeting, indicates a lack of urgency and an apparent disregard for the time-sensitive nature of the matter, placing the client at heightened legal risk, compounding procedural complications, and reflecting a critical absence of transparency in how internal decisions were made regarding client priorities.

Contradictions and Retrospective Characterisation of Legal Advice

Your email communications contain contradictions of your prior legal advice and retrospective attempts to minimise or deny previously issued instructions. These discrepancies critically undermine the trust placed in Hall & Wilcox and raise serious concerns regarding the reliability and integrity of the legal advice provided, particularly in your capacity as Special Counsel. This conduct appears to confuse, as the client, or to manipulate the narrative, obstructing our ability to form a clear and accurate understanding of Hall & Wilcox's documented position. Such actions hinder our ability to make an informed, objective assessment of the legal advice provided and raise significant concerns about your adherence to your professional obligations, particularly the duty of candour as mandated by ASCR Rule 5.

A. The Discrepancy Regarding “In-Branch Verification” – Avoidable Risks and Client Implications

Your Legal Advice (Thursday, 5 June 2025, 4:26 PM):

"My understanding from the telephone conversation (but will be confirmed by Claire) is you will need to attend a CBA Branch with your identification and they will do a verification of identification... Once you have access to the CommSec account you can request the historical information we are after."

Your Explicit Legal Advice (Friday, 6 June 2025, 4:27 PM):

"Further to my telephone call with Claire Morgan yesterday she has now confirmed the following: ... 2. You need to take drivers licence or passport and medicare card with you to a CBA branch. Inform the CBA staff you need to be identified for a CommSec trading account. There are notes on Rhonda’s CommSec profile which the staff member will be able to read. 3. Once you have been identified the CBA staff can provide you with access to the CommSec account, assist you to correct your name and provide you with statements... There is a CBA branch in the foyer of our building... if you wanted to come into the city I would be happy to attend the CBA branch with you to assist in getting you identified and gaining access to the CommSec account. Otherwise you should be able to attend any CBA branch."

Your explicit advice *to "correct your name"* in-branch presented a clear and foreseeable risk to the evidentiary integrity of this matter. Had Rhonda followed this instruction, the preserved record of the alleged falsified identity in HIN X0032114415 could have been irreparably overwritten or corrupted, potentially destroying critical evidence, including KYC records and associated metadata. These records are essential to establishing the identity irregularities, cross-institutional exposure, and unlawful trustee exclusion central to Rhonda’s claim. Such a loss of evidence would have substantially impacted the legal foundation needed to pursue litigation against CBA/CommSec and Garth Wilfred Osborne. This advice constitutes a significant deviation from the duty of competence under ASCR Rule 4.1.3 and raises concerns about candour as per ASCR Rule 5.

Your advice directly contradicted the preservation instructions issued to institutions, including CommSec and CBA, which were designed to safeguard crucial evidence. This raises significant concerns regarding professional judgment and diligence. By advising Rhonda to "correct her name," there was a clear omission in adequately advising her of the potential risks of erasing critical evidence. Had this advice been followed, it would have disrupted the preserved metadata trail linked to the alleged false identity, potentially undermining her legal position. This reflects serious concerns regarding the fulfilment of professional obligations to preserve key evidence and a lack of transparency in assessing and communicating fundamental evidentiary risks, contrary to ASCR Rules 4.1.3 and 5.

B. Client-Initiated Counter-Instruction to Mitigate Perceived Flawed Legal Advice

It is imperative to note that my client-initiated, strategic counter-instruction, communicated on Saturday, 7 June 2025, at 10:20 PM, was crucial in preventing the spoliation of key evidence and preserving the integrity of the case. This instruction explicitly stated:

“Please formally decline the request for Rhonda to attend a CBA branch... This verification must not result in any alteration of the KYC or CHESS profile. No changes are to be made to the KYC profile or CHESS identity, including the false name 'Rhonda Ann Osborne' on HIN X0032114415. Rhonda does not consent to any correction. All records, including metadata, logs, and onboarding history, must be preserved in their current form to:

- *Maintain evidentiary metadata;*
- *Prevent the issue from being re-framed as client error*
- *Preserve enforcement leverage under applicable legislation*
- *Support Supreme Court proceedings and regulatory action.”*

Immediate counter-instructions were issued to override your legal advice, which, if followed, would have irreparably compromised your clients evidentiary and enforcement position. This was critical to prevent the spoliation of key evidence central to our strategy. The responsibility to rectify such strategic errors lies solely with legal counsel, ensuring the client’s interests are protected and evidence preserved. This incident underscores the importance of client vigilance in maintaining the integrity of legal strategy when transparency and candour from legal counsel are perceived to be lacking.

Had your advice been followed, it would have jeopardised the entire case by compromising crucial evidence. Your advice, which contradicted the duty to preserve critical evidence and instead recommended actions that could lead to its destruction, raises serious concerns about your professional duty to Rhonda, undermining your obligation to protect her interests and the integrity of the case, in apparent breach of ASCR Rule 4.1.3 (best interests and competence) and Rule 13.1 (diligence and competence).

C. Subsequent Contradiction and Retrospective Characterisation of Legal Advice

(Tuesday, 10 June 2025, 5:57 PM): Your email response to my urgent confirmation point 1 (regarding declining in-branch verification):

"That the in-branch verification request has been formally declined... There was no formal request made for in-branch verification and no necessity to formally decline. Claire Morgan advised the first step was Rhonda needed to be identified and this could be done via attending any CBA Branch."

Your written statement appears to retrospectively deny or recharacterise your prior instruction. In your email of Friday, 6 June 2025, at 4:27 PM, you instructed Rhonda to undertake in-branch verification to "correct her name." To now claim that “no formal request was made” and “no necessity to formally decline” contradicts your original instruction and appears to misrepresent your documented legal advice. This characterisation is inconsistent with the written record and suggests an attempt to protect the institution, and fundamentally undermines the principles of candour and accountability in legal counsel, in apparent contravention of ASCR Rule 5 (honesty and candour).

Instruction Authority and Coverage of Legal Protections

For the avoidance of doubt, all instructions in this matter have been issued on behalf of Rhonda Ann Knyvett by Holly Dahm and Riki Dahm, pursuant to the Enduring Power of Attorney provided to Hall & Wilcox on 6 February 2025, and reaffirmed through subsequent written correspondence. This authorisation has been acknowledged and relied upon without limitation by you, Olivia Southall, Associate and McLane Edinger, Partner. Accordingly:

- All regulatory submissions, strategic directives, preservation instructions, and whistleblower disclosures issued by us are validly made under Rhonda’s lawful authority;
- They are covered by legal professional privilege;
- They attract the full legal protections afforded under the *Corporations Act 2001 (Cth).*

Where any disclosure has been made in good faith on Rhonda’s instruction, it is protected under Part 9.4AAA of the Corporations Act 2001 (Cth), including immunity from detriment, retaliation, or procedural omission on the basis that it was not made directly by her.

Professional and Regulatory Obligations

As a solicitor admitted in Queensland and the person with carriage of this matter, you are bound by:

- The Legal Profession Act 2007 (Qld) — sections 418 to 420
- The Australian Solicitors' Conduct Rules 2012 (Qld), including:
    - Rule 4.1.1 – duty to act in the client's best interests
    - Rule 5 – obligation of honesty and candour
    - Rule 8 – duty to avoid conflicts of interest
    - Rule 13.1 – obligation to follow lawful instructions promptly and competently.

Professional and Ethical Concerns: Indemnity Exposure and Implications for Core Legal Duties
This section addresses concerns regarding the management of the matter, potential professional negligence, and the extent to which the firm's conduct may not have aligned with Rhonda's best interests. It outlines how these issues may give rise to indemnity exposure and identifies the direct risks to Hall & Wilcox should the matter continue to be handled in this manner.

Competence and Evidentiary Care
Your express legal advice that Rhonda should "correct her name" in-branch with CBA, later denied in writing despite contemporaneous documentation, is asserted to demonstrate a critical deviation from recognising the evidentiary significance of preserving the alleged unauthorised identity "Rhonda Ann Osborne" on CHESS HIN X0032114415. That alleged false identity sits at the centre of a sustained regulatory concern spanning over two decades and implicating CBA, CommSec, CHESS, and share registries. Had your legal advice been followed, it is asserted that it would have permanently erased the central metadata concern, precluded legal redress, and extinguished Rhonda's ability to seek regulatory enforcement. This conduct directly contravenes your duty of competence under ASCR Rule 4.1.3 and your duty to act in the client's best interests.

Diligence and Timely Action
Despite repeated verbal and written instructions, specifically dated 5 and 6 June 2025, you reportedly did not issue urgent legal preservation notices to CBA and CommSec within a reasonable timeframe, despite full knowledge that audit trails, identity logs, and CHESS onboarding records were at risk of deletion. These delays followed Claire Morgan's written admission (conveyed by you) that no original onboarding records existed for "Rhonda Ann Osborne," rendering the risk of evidentiary spoliation both immediate and severe. Such inaction constitutes an apparent breach of your duty to act promptly and competently as required by ASCR Rule 13.1.

Duty of Loyalty and Best Interest
Your ongoing insistence on pursuing trustee removal in isolation, under a narrow "commercial approach", is asserted to have mischaracterised the matter and disregarded the multi-jurisdictional dimensions of Rhonda's case. From the outset, this matter has reportedly engaged AML/CTF concerns, CHESS metadata manipulation, dividend misrouting, and false identity propagation across regulated systems. Your repeated re-framing of written instructions reportedly minimised institutional liability, omitted regulatory escalation, and deprived the matter of its full legal force. Such conduct is asserted to be incompatible with your duty to act in the best interests of your client, as mandated by ASCR Rule 4.1.3, and reflects a deviation from pursuing the legal and strategic course instructed.

Indemnity Exposure and Accountability
These profound negative impacts, directly attributable to the legal advice and inaction documented, underscore the significant indemnity liability exposure now facing Hall & Wilcox. A legal firm is unequivocally duty-bound to provide competent legal advice and act diligently upon clear and lawful client instructions. Deviations from these fundamental duties, particularly where they result in demonstrable detriment to a client's legal position, give rise to professional negligence exposure. In such circumstances, Hall & Wilcox may be compelled to indemnify the client for all losses causally linked to that negligence.

Your persistent "steering" away from regulatory engagement, identity rectification, and enforcement framing, despite repeated instructions to pursue them, combined with legal advice that directly

risked destruction of critical evidence, now binds you, and by extension Hall & Wilcox, to direct accountability for the conduct of this representation. The matter is active, and the exposure now held is significant.

The Intended Application under Section 80 of the *Trusts Act 1973 (Qld)*

The intended application under section 80 of the *Trusts Act 1973 (Qld)* must incorporate the totality of institutional misconduct, including:

- The alleged use of the unauthorised identity 'Rhonda Ann Osborne' on CHESS HIN X0032114415
- CommSec and CBA's confirmed absence of onboarding documentation
- Trustee exclusion from trades, dividends, and account access over a 20-year period
- And the associated metadata and transactional records showing sustained institutional control deficiencies.

The Court must be provided with the full evidentiary context, not limited to internal trustee conduct, but inclusive of all external conduct and identity misuse that enabled Rhonda's exclusion and the mismanagement of trust property.

Immediate Realignment and Corrective Action Required

Hall & Wilcox is reminded of its fundamental and continuing obligations under Rule 13.1 of the Australian Solicitors' Conduct Rules 2012 (Qld) to act competently, promptly, and in accordance with lawful instructions. As detailed above, the refusal or omission to follow preservation directives, act on protected disclosure status, and provide advice consistent with client instructions and statutory obligations has collectively given rise to serious professional indemnity and regulatory risk exposures that are now active and ongoing.

Professional Duty and Direct Indemnity Exposure

Under Rule 13.1 of the Australian Solicitors' Conduct Rules 2012 (Qld), Hall & Wilcox is unequivocally required to act promptly and competently on all lawful client instructions. The firm's documented and persistent refusal to action client instructions represents a fundamental departure from its professional obligations., particularly relating to the issuance of preservation notices, the pursuit of identity rectification, the immediate regulatory escalation, and the protection of critical metadata, has not merely inconvenienced but has materially compromised Rhonda Knyvett's legal position and her ability to pursue full legal redress. These critical omissions occurred despite formal instruction and actual notice of Rhonda's protected whistleblower status under Part 9.4AAA of the Corporations Act 2001 (Cth).

Such conduct constitutes a profound deviation from the firm's duties of competence, diligence, candour, and loyalty, as enshrined in both the Legal Profession Act 2007 (Qld) and the overarching principles of professional conduct. The firm's professional indemnity exposure is no longer speculative; it is a direct and quantifiable consequence arising from documented actions and inactions that have demonstrably impaired the client's capacity to preserve vital evidence, pursue enforcement actions, and advance her statutory legal rights. We reserve all rights to pursue claims for direct losses, aggravated damages, and loss of legal opportunity arising from this alleged negligence.

Acknowledgement of Protected Disclosure Status

- Immediate written confirmation that Rhonda Knyvett is recognised as a protected discloser under Part 9.4AAA of the Corporations Act, consistent with the submission

made via CBA SpeakUP (Ref: AU620871X).
- Full integration of whistleblower protections into all legal handling, advice, strategy, and communications going forward.

2. Risk Escalation and Indemnity Confirmation
- Acknowledgement that Hall & Wilcox General Counsel, Mike Brookes, has reviewed this matter.
- Written confirmation that the firm's professional indemnity insurer has been notified.
- Full contact details of the insurer must be provided.
- Confirmation of whether the firm has sought external legal advice in relation to this matter.

3. Institutional Liability and Regulatory Scope
- Written recognition that the matter engages systemic institutional exposure under multiple regulatory regimes.
- Formal confirmation that Hall & Wilcox acknowledges the legal and evidentiary significance of statements by Claire Morgan (Senior Legal Counsel, CBA), including the confirmed absence of original
- onboarding documentation and use of a false identity under CHESS HIN X0032114415.
- Confirmation that the firm understands the legal implications under the Corporations Act, AML/CTF Act, Privacy Act, and relevant ASIC, AUSTRAC, and APRA frameworks.

4. Conflicts and Professional Independence
Written confirmation of whether Hall & Wilcox has ever provided legal services, advice, or held a commercial relationship with any party involved in the factual matrix, including but not limited to:
- Commonwealth Bank of Australia (CBA), CommSec, Claire Morgan
- Sandhurst Trustees Limited, Bendigo and Adelaide Bank
- Suncorp Group / ANZ
- Computershare, BoardRoom Pty Ltd
- Accurium, Carwardine & Associates, Audit Box, Pine Rivers Consulting
- David John Wrangell & Co
- CH 003 Pty Ltd, Degelyn Pty Ltd, Garth Pty Ltd
- Brendan Cawley, Brencorp (ABN 11 605 915 919)
- Lawrence John Watling, Gaffney Lyons & McMahon (ABN 21 489 485 512)
- McNally AM (ABN 66 147 268 106)

And Explicit confirmation that no such relationships impair Hall & Wilcox's ability to act impartially and without conflict.

5. Immediate Production of the Full Client File
- All correspondence, internal memoranda, meeting records, and file notes.
- Drafts and preserved records relating to potential submissions to ASIC, AUSTRAC, OAIC, APRA, and ASX.
- All communications between the firm and representatives of the institutions named above, including Claire Morgan or any other CBA/CommSec legal counsel.
- All internal communications between Laura Hanrahan, McLane Edinger, Olivia

Southall, or other Hall & Wilcox personnel discussing litigation, regulatory, or risk strategy.
- All barrister briefings or engagement records, including Caite Brewer (if applicable).
- Full trust account records: detailed ledger, itemised billings, billed/unbilled time entries, and current trust balance.
- Any internal due diligence, KYC/AML analysis, risk assessments, or compliance memoranda.
- Any documentation or internal communication related to indemnity insurance exposure.

6. Return of Fees and Trust Funds
In light of ongoing inaction, strategic omissions, and the firm's demonstrable failure to follow clear legal instructions, we now demand:
- Immediate return of all unspent trust funds
- Full reimbursement of professional fees paid to date.

These funds were provided for services aligned with regulatory enforcement and client protection. Your handling of the matter has obstructed those objectives, materially prejudiced the client's legal position, and may contravene obligations under the Legal Profession Act 2007 (Qld) and the Australian Solicitors' Conduct Rules. Please confirm:
- Exact balance held in trust
- Total fees invoiced
- Itemised time entries
- Issuance of a credit note for previously paid fees.

This confirmation must be provided in writing within **one business day.**

7. Final Instruction – Escalation and Regulatory Disclosure
This is a final and formal instruction for file management, insurer notification, and internal escalation to the firm's General Counsel. If Hall & Wilcox is unwilling or unable to meet these obligations, this will proceed to:
- Formal complaint to the Legal Services Commission (Qld)
- Notification to the firm's professional indemnity insurer
- Additional regulatory disclosure to ASIC, AUSTRAC, OAIC, APRA, and any relevant enforcement agencies.

Media and Whistleblower Rights
No media disclosure has yet been made. However, the right to escalate this matter publicly remains fully reserved under whistleblower protections in the Corporations Act, AML/CTF Act, and Privacy Act. Additional disclosures may be lawfully made in respect of conduct involving CBA, CommSec, Bendigo Bank, Sandhurst Trustees, Suncorp/ANZ, and related entities.
Copies of this correspondence may be provided to regulators in accordance with lawful authority held by:
- Rhonda Ann Knyvett, as co-trustee and eligible discloser (SpeakUP CBA Whilstleblower Identification Number is AU620871X)
- Holly Dahm, as Enduring Power of Attorney (13 March 2025) and close relative

- Riki Dahm, as co-attorney under the same EPOA.
- All protections under Part 9.4AAA apply, including confidentiality, immunity, and protection from detriment.

This document must not be disclosed to any third party outside Hall & Wilcox or the client group without the express written consent of the disclosers.

Yours sincerely,

Holly Dahm, Riki Dahm, and Rhonda Knyvett
All communication is to be in writing only. Verbal contact is not permitted.

Keep up to date and view our Latest Thinking.
Hall & Wilcox acknowledges the Traditional Custodians of the land, sea and waters on which we work, live and engage. We pay our respects to Elders past, present and future.
This email and any attachment is confidential and for the use of the intended recipient(s) only. It may also be the subject of legal professional privilege. If you are not the intended recipient, any use, interference with, disclosure or copying of this material is unauthorised and prohibited. Hall & Wilcox handles information according to relevant privacy laws. Our privacy policy can be reviewed at our website https://hallandwilcox.com.au/privacy. If our bank account details change, we will notify you by letter, phone call or face-to-face, but never by email.

Subject:	Ultra Super Fund [HW-ACTIVE.FID5037942]
Date:	Sunday, 22 June 2025 at 2:09:54 PM Australian Eastern Standard Time
From:	McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
To:	rhonda knyvett <honda.r@hotmail.com>
CC:	Riki Dahm <rikidahm84@gmail.com>, Holly Osborne <hollyteganosborne@hotmail.com>, Mike Brookes <mike.brookes@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Category:	H & W
Attachments:	image001.png, image002.png, image003.png, image004.png

Dear Rhonda

The most recent email communication sent to Hall & Wilcox by Holly on your behalf (at 1.40 am (AEST) on Saturday 14 June, copy below) is inconsistent with our continuing representation of you, as that communication indicates that the necessary relationship of trust between you and Hall & Wilcox has broken down, to the extent that the basis for the engagement has been compromised.

This email therefore serves as notice that Hall & Wilcox is terminating its engagement in this matter with effect from 5.00 pm (AEST), Sunday, 22 June 2025.

We will issue a final bill to you on Monday, 23 June 2025 for our unbilled work in progress from 7 February 2025 up to and including the date of termination of our engagement. We will be able to release to you (or another firm of lawyers instructed by you) all documents in our possession which belong to you relating to this matter once our final bill has been paid.

Whilst we are disappointed to be taking this course of action, if appears necessary in the circumstances.

We wish you all the best in the future.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | Professional Profile

Hall&Wilcox
smarter law

Chambers TOP RANKED High Net Worth 2024 Hall & Wilcox

RECOMMENDED DOYLES LITIGATION 2023

LEADING DOYLES ESTATES LITIGATION 2024

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Friday, 13 June 2025 11:40 PM
To: Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Mike Brookes <mike.brookes@hallandwilcox.com.au>; Graydon Dowd <Graydon.Dowd@hallandwilcox.com.au>; Sumith Perera <sumith.perera@hallandwilcox.com.au>; Julian Hammond <Julian.Hammond@hallandwilcox.com.au>
Cc: Riki Dahm <rikidahm84@gmail.com>; rhonda knyvett <honda.r@hotmail.com>
Subject: Legally Privileged Instruction – Immediate Action Required under Part 9.4AAA
Importance: High

Dear Laura
This correspondence is issued as a legally privileged instruction and protected disclosure under *Part 9.4AAA of the Corporations Act 2001 (Cth)*. It concerns Hall & Wilcox's ongoing representation of Rhonda Ann Knyvett in relation to the Ultra Super Fund (ABN 41 873 921 089). The firm is now on formal notice of serious concerns regarding its legal conduct, non-execution of binding instructions, and failure to align with enforcement obligations under applicable statutory and regulatory frameworks.
Despite multiple lawful instructions our engagement with Hall & Wilcox since 22 January 2025, critical directives remain unexecuted, namely, escalation to the firm's enforcement litigation team, submissions to regulators, integration of whistleblower protections, and issuance of record preservation notices to institutions holding core metadata. This ongoing inaction has materially compromised your clients legal standing and obstructed the fund's regulatory enforcement trajectory.
The matter involves systemic, multi-institutional misconduct. CHESS HIN X0032114415 was unlawfully registered under the false identity "Rhonda Ann Osborne",
with CBA and CommSec confirming no original KYC documentation exists. This identity was then propagated across share registries including Computershare and Boardroom Pty Ltd, both of which rely solely on CommSec metadata for investor identity.
Associated financial flows were routed through concealed internal ledgers and banking structures and routing structure (Bendigo and Adelaide Bank / Sandhurst Trustees, and Suncorp). These accounts facilitated ledger cycling, cheque laundering, nominee routing, and ABN layering, giving rise to substantial indicators of regulatory arbitrage and market concealment.
Sandhurst Trustees, Bendigo Bank, and Suncorp (now ANZ) have confirmed that accounts were established and operated in breach of dual trustee authority and Trust Deed terms, in contravention of the *SIS Act* and *AML/CTF Act*.
Real property transfers linked to CH 003 Pty Ltd, Degelyn Pty Ltd, Garth Pty Ltd, and discretionary trusts associated with the Ultra Super Fund suggest laundering and cycling of proceeds exceeding $150 million through smsf structures. These transactions intersect with high-value developments in Taigum, Queensland, and involve key professional and corporate participants:

- David John Wrangell (Accountant, Tax Agent No. 60635000)
- Laurie Carwardine (Auditor, ASIC No. 100093267)
- Doug McBirnie (Actuary, Accurium)
- Lawrence John Watling (Lawyer, *Gaffney Lyons & McMahon*, ABN 21 489 485 512)
- Brendan Cawley (Managing Director, *Keystone Urban Development*, linked to BRENCORP, ABN 11 605 915 919)
- McNally AM Pty Ltd (ABN 66 147 268 106, associated with nominee holdings)

Each party has either prepared, relied on, or facilitated documentation and certifications premised on incomplete, unauthorised, or misleading data. These include unverified trustee records,

unregistered GST status on rental properties, and concealment of beneficial ownership across related entities.
Confirmed AUSTRAC typologies include:

- Structuring and smurfing
- Shell layering and nominee routing
- Ledger cycling and metadata suppression
- Fictitious invoicing across related-party ABNs
- Undeclared beneficial ownership
- Trustee exclusion and ABN obfuscation
- Superannuation laundering
- Cross-institution cheque override and MICR anomalies

These indicators intersect with the enforcement priorities publicly outlined by ASIC and AUSTRAC for 2025, specifically concerning SMSF governance failures, identity misuse within CHESS infrastructure, laundering via registry systems, and misuse of regulated trust vehicles to mask ownership and income.
Material Non-Compliance with Instructions
Despite multiple written and reiterated instructions, Hall & Wilcox has:

- Not escalated the matter to its Enforcement Litigation Team;
- Not issued record preservation notices to CommSec, CBA, Suncorp, Bendigo, Sandhurst, or registry platforms;
- Not acknowledged or acted upon Rhonda's protected whistleblower status – CBA Speak Up Deloitte Whilstblower Service CBA Unique Identification Number is AU620871X
- Not issued legal advice on Corporations Act s912D(1)(b) obligations
- Not prepared or submitted draft communications to regulators including ASIC, AUSTRAC, ATO, APRA, or OAIC.
- These omissions are not discretionary, they represent binding instructions issued under valid EPOA and professional retainer. The inaction has prejudiced the client's standing and obstructed lawful enforcement avenues.

Protected Disclosure – Legal Authority and Status
This instruction is issued jointly and lawfully by:

- Rhonda Ann Knyvett, lawful co-trustee and whistleblower under s1317AAA(1)(c)–(d)
- Holly Dahm, attorney under EPOA dated 13 March 2025 (prepared by Hall & Wilcox), close relative and authorised discloser under s1317AAA(1)(e)–(f)
- Riki Dahm, co-attorney, authorised under the same provisions.

This correspondence is made in good faith for the purposes of:

- Preserving Rhonda Knyvett's legal rights and evidentiary standing
- Triggering Hall & Wilcox's obligations under the Corporations Act, SIS Act, AML/CTF Act, Privacy Act, and Legal Profession Act 2007 (Qld)
- Remedying significant concerns regarding the firm's professional handling, procedural delay, and potential strategic obstruction.

This document forms part of a preserved whistleblower and regulatory enforcement record. All protections under Part 9.4AAA apply, including confidentiality, immunity, and protection from detriment.
Should Hall & Wilcox be unwilling or unable to carry the matter to enforcement conclusion, this must

now be confirmed without delay.

"Suspension" - CBA/CommSec Trading Account

As confirmed by you, Claire Morgan further advised on Tuesday, 10 June 2025, 5:57 PM: "The SMSF trading account has now been suspended." A suspension, absent proper remediation and regulatory notification, amounts to an ongoing concealment of a systemic flaw, rather than a corrective action." The account suspension, while leaving the underlying alleged identity matter unrectified and reportedly not escalating the issue to the appropriate regulators, is asserted not to mitigate the concern. Instead, it suggests that CBA and CommSec's exposure has not been contained but appears to have been concealed. This alleged non-implementation of corrective action exacerbates the concern and intensifies CBA and CommSec's liability, exposing both institutions to further legal and regulatory risks, as no substantive steps have been taken to address the core alleged compliance issue.

CBA/CommSec's Binding Liability

It's critical to underscore the direct admissions reported to have been made by Claire Morgan, Senior Legal Counsel at CBA, which unequivocally establish the extensive liability of both CBA and CommSec. These are not speculative assertions but formal institutional confessions, now firmly on record, which reportedly eliminate any possibility for plausible deniability regarding the entrenched systemic concerns of these institutions.

Crucially, as a legal representative of Hall & Wilcox, your relaying of Claire Morgan's admissions to Rhonda Knyvett, your client, constitutes a legally significant act. These statements, conveyed by you in your professional capacity as Special Counsel, become admissible as admissions by a party's agent and contribute directly to the evidentiary record against CBA and CommSec, providing no plausible deniability for either the institutions or for Hall & Wilcox concerning your knowledge of these facts.

CBA/CommSec - Absence of Onboarding Records & Continued Reliance on Alleged False Identity

As conveyed by you in your legal advice on Tuesday, 10 June 2025, 11:25 AM, Claire Morgan, Senior Legal Counsel at CBA, formally stated*: "The CHESS HIN and CommSec account were acquired from a prior broker… CommSec has no original onboarding documentation for the client identity listed as 'Rhonda Ann* Osborne."

This admission alone is asserted to bind CBA and CommSec to a live and knowingly sustained concern regarding fundamental statutory obligations under the Corporations Act 2001 (Cth), the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) (AML/CTF Act), the Privacy Act 1988 (Cth), and the ASX CHESS Sponsorship Rules. Their continued apparent use of this HIN, without original Know Your Customer (KYC), identity verification, or lawful trustee authorisation, is asserted to constitute a fundamental matter of non-compliance that has persisted for over two decades. This sustained alleged non-compliance is asserted to be legally indefensible and to expose both CBA and CommSec to significant regulatory and legal liability, potentially rendering their actions professionally indefensible and subject to substantial legal repercussions.

Legal Transparency & Professional Obligations

Your written legal advice dated 10 June 2025 at 11:25 AM materially contradicted earlier representations, omitted critical client instructions, and failed to disclose Rhonda Knyvett's protected whistleblower status, formally acknowledged by Deloitte on 4 June 2025 (CBA SpeakUP ID: AU620871X). This raises serious concerns regarding the candour, completeness, and accuracy of the advice provided, and appears inconsistent with the obligations under Rule 5 of the Australian Solicitors' Conduct Rules (ASCR) relating to honesty and candour.

In particular, your statement, "We do not have any instructions to act for Rhonda against any bank or financial institution," was issued despite clear written instructions to preserve relevant records, issue legal verification via Hall & Wilcox, and escalate the matter to ASIC, AUSTRAC, and the OAIC. An

inaccurate representation of the client's legal status, especially where whistleblower protections apply, constitutes a serious departure from obligations under Part 9.4AAA of *the Corporations Act 2001 (Cth)* and undermines the duty to act in the best interests of the client under ASCR Rule 4.1.3. The omission to explicitly acknowledge Rhonda's protected whistleblower status has materially prejudiced her position and exposed her to avoidable legal and personal risk, contrary to the ethical and professional standards expected of legal counsel.

Hall & Wilcox strategic handling of this matter, including its narrowed focus, disregarding the broader, evidenced regulatory breaches, raises significant questions about whether the firm is acting in the client's best interests, as required by ASCR Rule 4.1.3. This approach, which compromises the client's best interests, suggests an effort to limit the matter's scope, potentially serving institutional interests at the expense of Rhonda's legal rights and the pursuit of broader, more impactful regulatory actions. This perceived lack of transparency regarding the full strategic implications of the firm's chosen approach is deeply concerning.

The documents provided to Hall & Wilcox, lawfully under instruction, form part of the evidentiary chain and carry direct enforcement implications. Hall & Wilcox has engaged in correspondence, issued legal advice, and interacted with counterparties based on this material. Therefore, Hall & Wilcox is deemed to have knowledge of its contents, legal implications, and the required escalation obligations under applicable legislation. This inherent knowledge necessitates complete transparency in all communications and actions taken on behalf of the client.

The absence of confirmation as to whether this matter is being treated as a regulatory enforcement file is inconsistent with the preserved record and impedes the client's ability to properly assert and protect her litigation rights. Any deviation from acting on this record, such as failing to notify regulators, not issuing preservation notices, or withholding confirmation of conflicts, may be considered an obstruction of enforcement obligations and a breach of professional duty, directly impacting the transparency of the firm's operations and its adherence to regulatory mandates.

Identified Omissions, Non-Implementation, and Misleading by Omission

In our view, the omissions outlined below don't represent isolated lapses; they collectively reflect a pattern suggesting a systemic issue in Hall & Wilcox's fulfillment of its professional, ethical, and procedural obligations in a matter involving serious regulatory issues, institutional misconduct, and identity falsification. These observations are central to our conclusions regarding Hall & Wilcox's professional conduct, as they demonstrate a consistent pattern of minimizing and disregarding critical information and instructions, such as the client-provided detail on Wednesday, 4 June 2025, 1:41 PM: *"Just flagging this ahead of your conversation, you may recall that a $44,449.08 direct debit to CommSec on 5 July 2005..."* a persistent non-implementation of essential elements of scope, and a discernible tendency to present information by omission or to steer the client towards less advantageous pathways. This conduct strongly suggests a prioritisation of institutional protection over Rhonda's paramount interests, undermining the principles of candour and client-centric legal practice.

A. Refusal to Issue Formal Correspondence for Preservation and Disclosure by Deadline

Client Instruction (Holly Dahm, Tuesday, 10 June 2025, 5:15 PM; Deadline for Actioned Confirmation: Midday Wednesday, 11 June 2025):

As reiterated in your urgent confirmation request from Tuesday, 10 June 2025, 5:15 PM, and referencing prior comprehensive instructions (Saturday, 7 June 2025, 10:20 PM), you were instructed to confirm that:

- *"Formal correspondence has been issued to CBA and CommSec:*
    - *Rejecting any profile correction or metadata updates to HIN X0032114415.*
    - *Requiring full preservation of KYC records, audit logs, and CHESS metadata in their current state.*
- *That no engagement has occurred with CBA, CommSec, or any third party that could compromise the integrity of these records.*

- *That a complete and accurate copy of the correspondence has been retained."*

Your email response (Tuesday, 10 June 2025, 11:25 AM, *prior to your 5:15 PM instruction*):
"We will not take any further steps in relation to the CommSec account at this stage. Once we have some information regarding the regulatory issues we will confirm our instructions to proceed with verification of Rhonda's identity and obtaining access to the CommSec account."
This response, provided hours before your specific urgent instruction, clearly signaled an apparent refusal to act on the core directive of issuing formal preservation notices and rejecting metadata alterations, which was then explicitly requested as an urgent confirmation. Hall & Wilcox's decision to withhold action placed the client's evidentiary position at significant risk and jeopardized the matter's legal integrity. By failing to take immediate action on these critical, time-sensitive instructions, Hall & Wilcox's conduct is inconsistent with the duty to act in the client's best interests, as mandated by ASCR Rule 4.1.3. The delay fundamentally undermines Rhonda's legal strategy and exposes her case to serious vulnerabilities, further questioning the transparency of the firm's commitment to the client's stated objectives.
Your email response (Tuesday, 10 June 2025, 5:57 PM, *after your 5:15 PM instruction*):
"After my meeting with Julian Hammond tomorrow we will advise whether we are able to correspond with CBA or CommSec as you request."
This statement, made *after* your specific and urgent 5:15 PM instruction for confirmation by midday on June 11th, reinforces the lack of action taken despite the imminent deadline. By making the execution of the task contingent on an internal meeting, Hall & Wilcox failed to prioritise the time-sensitive nature of the client's instructions, further compromising the client's case. This delay, which effectively ignored the urgency of the explicit request, places Rhonda's legal position at risk and delays the ability to preserve crucial evidence, violating ASCR Rule 13.1 (Duty to act promptly and competently) and demonstrating a lack of forthrightness in managing urgent client directives.
B. Incomplete Escalation to Enforcement Litigation Team by Deadline
Client Instruction (Holly Dahm, Tuesday, 10 June 2025, 5:15 PM; Deadline for Actioned Confirmation: Midday Wednesday, 11 June 2025) As confirmed in your urgent email on Tuesday, 10 June 2025, 5:15 PM, and referencing prior comprehensive instructions (Saturday, 7 June 2025, 10:20 PM), you were directed to ensure that *"legal carriage reflects the strategic use of timing, institutional involvement, and regulatory escalation to maximize legal, procedural, and financial outcomes."*
Your response (Tuesday, 10 June 2025, 11:25 AM, *prior to your 5:15 PM instruction*) *"Regulatory matters are not my area of expertise however I will speak to Julian Hammond about whether the issues you raise below are something he can assist with. I will come back to you once I have spoken with Julian."*
This response, provided hours before your explicit urgent instruction for confirmation, clearly indicated that the escalation process to an enforcement litigation team was not yet initiated. Hall & Wilcox's delay in escalating the matter not only contradicted the client's explicit request for a comprehensive strategy but also undermined the firm's duty to act with due diligence and competence. Given the complexity and urgency of this multi-regime matter, this delay represents a significant deviation from professional duties, including the requirement to engage the appropriate expertise in a timely manner, as outlined in ASCR Rule 4.1.3. The absence of immediate escalation demonstrates a lack of transparency regarding the firm's capacity to handle the full scope of the client's complex needs.
Your email *response (Tuesday, 10 June 2025, 5:57 PM,* after your 5:15 PM instruction*):*
"Olivia and I have a meeting with Julian Hammond tomorrow at 2pm and we will come back to you following that meeting."
This further confirms that the escalation had not occurred, despite the explicit and urgent instruction provided just minutes earlier, requiring confirmation by midday the following day. Hall & Wilcox did not align the matter with the appropriate enforcement litigation expertise, which adversely impacted your client's ability to protect her interests, particularly given the regulatory complexity of the issues involved. The delay, and continued deferral to an internal meeting, indicates a lack of urgency and an

apparent disregard for the time-sensitive nature of the matter, placing the client at heightened legal risk, compounding procedural complications, and reflecting a critical absence of transparency in how internal decisions were made regarding client priorities.

Contradictions and Retrospective Characterisation of Legal Advice

Your email communications contain contradictions of your prior legal advice and retrospective attempts to minimise or deny previously issued instructions. These discrepancies critically undermine the trust placed in Hall & Wilcox and raise serious concerns regarding the reliability and integrity of the legal advice provided, particularly in your capacity as Special Counsel. This conduct appears to confuse, as the client, or to manipulate the narrative, obstructing our ability to form a clear and accurate understanding of Hall & Wilcox's documented position. Such actions hinder our ability to make an informed, objective assessment of the legal advice provided and raise significant concerns about your adherence to your professional obligations, particularly the duty of candour as mandated by ASCR Rule 5.

A. The Discrepancy Regarding “In-Branch Verification” – Avoidable Risks and Client Implications

Your Legal Advice (Thursday, 5 June 2025, 4:26 PM):

"My understanding from the telephone conversation (but will be confirmed by Claire) is you will need to attend a CBA Branch with your identification and they will do a verification of identification... Once you have access to the CommSec account you can request the historical information we are after."

Your Explicit Legal Advice (Friday, 6 June 2025, 4:27 PM):

"Further to my telephone call with Claire Morgan yesterday she has now confirmed the following: ... 2. You need to take drivers licence or passport and medicare card with you to a CBA branch. Inform the CBA staff you need to be identified for a CommSec trading account. There are notes on Rhonda’s CommSec profile which the staff member will be able to read. 3. Once you have been identified the CBA staff can provide you with access to the CommSec account, assist you to correct your name and provide you with statements... There is a CBA branch in the foyer of our building... if you wanted to come into the city I would be happy to attend the CBA branch with you to assist in getting you identified and gaining access to the CommSec account. Otherwise you should be able to attend any CBA branch."

Your explicit advice *to "correct your name"* in-branch presented a clear and foreseeable risk to the evidentiary integrity of this matter. Had Rhonda followed this instruction, the preserved record of the alleged falsified identity in HIN X0032114415 could have been irreparably overwritten or corrupted, potentially destroying critical evidence, including KYC records and associated metadata. These records are essential to establishing the identity irregularities, cross-institutional exposure, and unlawful trustee exclusion central to Rhonda’s claim. Such a loss of evidence would have substantially impacted the legal foundation needed to pursue litigation against CBA/CommSec and Garth Wilfred Osborne. This advice constitutes a significant deviation from the duty of competence under ASCR Rule 4.1.3 and raises concerns about candour as per ASCR Rule 5.

Your advice directly contradicted the preservation instructions issued to institutions, including CommSec and CBA, which were designed to safeguard crucial evidence. This raises significant concerns regarding professional judgment and diligence. By advising Rhonda to "correct her name," there was a clear omission in adequately advising her of the potential risks of erasing critical evidence. Had this advice been followed, it would have disrupted the preserved metadata trail linked to the alleged false identity, potentially undermining her legal position. This reflects serious concerns regarding the fulfilment of professional obligations to preserve key evidence and a lack of transparency in assessing and communicating fundamental evidentiary risks, contrary to ASCR Rules 4.1.3 and 5.

B. Client-Initiated Counter-Instruction to Mitigate Perceived Flawed Legal Advice

It is imperative to note that my client-initiated, strategic counter-instruction, communicated on Saturday, 7 June 2025, at 10:20 PM, was crucial in preventing the spoliation of key evidence and preserving the integrity of the case. This instruction explicitly stated:

“Please formally decline the request for Rhonda to attend a CBA branch... This verification must not

result in any alteration of the KYC or CHESS profile. No changes are to be made to the KYC profile or CHESS identity, including the false name 'Rhonda Ann Osborne' on HIN X0032114415. Rhonda does not consent to any correction. All records, including metadata, logs, and onboarding history, must be preserved in their current form to:

- *Maintain evidentiary metadata;*
- *Prevent the issue from being re-framed as client error*
- *Preserve enforcement leverage under applicable legislation*
- *Support Supreme Court proceedings and regulatory action."*

Immediate counter-instructions were issued to override your legal advice, which, if followed, would have irreparably compromised your clients evidentiary and enforcement position. This was critical to prevent the spoliation of key evidence central to our strategy. The responsibility to rectify such strategic errors lies solely with legal counsel, ensuring the client's interests are protected and evidence preserved. This incident underscores the importance of client vigilance in maintaining the integrity of legal strategy when transparency and candour from legal counsel are perceived to be lacking.

Had your advice been followed, it would have jeopardised the entire case by compromising crucial evidence. Your advice, which contradicted the duty to preserve critical evidence and instead recommended actions that could lead to its destruction, raises serious concerns about your professional duty to Rhonda, undermining your obligation to protect her interests and the integrity of the case, in apparent breach of ASCR Rule 4.1.3 (best interests and competence) and Rule 13.1 (diligence and competence).

C. Subsequent Contradiction and Retrospective Characterisation of Legal Advice

(Tuesday, 10 June 2025, 5:57 PM): Your email response to my urgent confirmation point 1 (regarding declining in-branch verification):

"That the in-branch verification request has been formally declined... There was no formal request made for in-branch verification and no necessity to formally decline. Claire Morgan advised the first step was Rhonda needed to be identified and this could be done via attending any CBA Branch."

Your written statement appears to retrospectively deny or recharacterise your prior instruction. In your email of Friday, 6 June 2025, at 4:27 PM, you instructed Rhonda to undertake in-branch verification to "correct her name." To now claim that "no formal request was made" and "no necessity to formally decline" contradicts your original instruction and appears to misrepresent your documented legal advice. This characterisation is inconsistent with the written record and suggests an attempt to protect the institution, and fundamentally undermines the principles of candour and accountability in legal counsel, in apparent contravention of ASCR Rule 5 (honesty and candour).

Instruction Authority and Coverage of Legal Protections

For the avoidance of doubt, all instructions in this matter have been issued on behalf of Rhonda Ann Knyvett by Holly Dahm and Riki Dahm, pursuant to the Enduring Power of Attorney provided to Hall & Wilcox on 6 February 2025, and reaffirmed through subsequent written correspondence. This authorisation has been acknowledged and relied upon without limitation by you, Olivia Southall, Associate and McLane Edinger, Partner. Accordingly:

- All regulatory submissions, strategic directives, preservation instructions, and whistleblower disclosures issued by us are validly made under Rhonda's lawful authority;
- They are covered by legal professional privilege;
- They attract the full legal protections afforded under the *Corporations Act 2001 (Cth).*

Where any disclosure has been made in good faith on Rhonda's instruction, it is protected under Part 9.4AAA of the Corporations Act 2001 (Cth), including immunity from detriment, retaliation, or procedural omission on the basis that it was not made directly by her.

Professional and Regulatory Obligations

As a solicitor admitted in Queensland and the person with carriage of this matter, you are bound by:

- The Legal Profession Act 2007 (Qld) — sections 418 to 420

- The Australian Solicitors' Conduct Rules 2012 (Qld), including:
    - Rule 4.1.1 – duty to act in the client's best interests
    - Rule 5 – obligation of honesty and candour
    - Rule 8 – duty to avoid conflicts of interest
    - Rule 13.1 – obligation to follow lawful instructions promptly and competently.

Professional and Ethical Concerns: Indemnity Exposure and Implications for Core Legal Duties
This section addresses concerns regarding the management of the matter, potential professional negligence, and the extent to which the firm's conduct may not have aligned with Rhonda's best interests. It outlines how these issues may give rise to indemnity exposure and identifies the direct risks to Hall & Wilcox should the matter continue to be handled in this manner.

Competence and Evidentiary Care
Your express legal advice that Rhonda should "correct her name" in-branch with CBA, later denied in writing despite contemporaneous documentation, is asserted to demonstrate a critical deviation from recognising the evidentiary significance of preserving the alleged unauthorised identity "Rhonda Ann Osborne" on CHESS HIN X0032114415. That alleged false identity sits at the centre of a sustained regulatory concern spanning over two decades and implicating CBA, CommSec, CHESS, and share registries. Had your legal advice been followed, it is asserted that it would have permanently erased the central metadata concern, precluded legal redress, and extinguished Rhonda's ability to seek regulatory enforcement. This conduct directly contravenes your duty of competence under ASCR Rule 4.1.3 and your duty to act in the client's best interests.
Diligence and Timely Action
Despite repeated verbal and written instructions, specifically dated 5 and 6 June 2025, you reportedly did not issue urgent legal preservation notices to CBA and CommSec within a reasonable timeframe, despite full knowledge that audit trails, identity logs, and CHESS onboarding records were at risk of deletion. These delays followed Claire Morgan's written admission (conveyed by you) that no original onboarding records existed for "Rhonda Ann Osborne," rendering the risk of evidentiary spoliation both immediate and severe. Such inaction constitutes an apparent breach of your duty to act promptly and competently as required by ASCR Rule 13.1.
Duty of Loyalty and Best Interest
Your ongoing insistence on pursuing trustee removal in isolation, under a narrow "commercial approach", is asserted to have mischaracterised the matter and disregarded the multi-jurisdictional dimensions of Rhonda's case. From the outset, this matter has reportedly engaged AML/CTF concerns, CHESS metadata manipulation, dividend misrouting, and false identity propagation across regulated systems. Your repeated re-framing of written instructions reportedly minimised institutional liability, omitted regulatory escalation, and deprived the matter of its full legal force. Such conduct is asserted to be incompatible with your duty to act in the best interests of your client, as mandated by ASCR Rule 4.1.3, and reflects a deviation from pursuing the legal and strategic course instructed.
Indemnity Exposure and Accountability
These profound negative impacts, directly attributable to the legal advice and inaction documented, underscore the significant indemnity liability exposure now facing Hall & Wilcox. A legal firm is unequivocally duty-bound to provide competent legal advice and act diligently upon clear and lawful client instructions. Deviations from these fundamental duties, particularly where they result in demonstrable detriment to a client's legal position, give rise to professional negligence exposure. In such circumstances, Hall & Wilcox may be compelled to indemnify the client for all losses causally linked to that negligence.
Your persistent "steering" away from regulatory engagement, identity rectification, and enforcement framing, despite repeated instructions to pursue them, combined with legal advice that directly risked destruction of critical evidence, now binds you, and by extension Hall & Wilcox, to direct

accountability for the conduct of this representation. The matter is active, and the exposure now held is significant.

The Intended Application under Section 80 of the *Trusts Act 1973 (Qld)*

The intended application under section 80 of the *Trusts Act 1973 (Qld)* must incorporate the totality of institutional misconduct, including:

- The alleged use of the unauthorised identity 'Rhonda Ann Osborne' on CHESS HIN X0032114415
- CommSec and CBA's confirmed absence of onboarding documentation
- Trustee exclusion from trades, dividends, and account access over a 20-year period
- And the associated metadata and transactional records showing sustained institutional control deficiencies.

The Court must be provided with the full evidentiary context, not limited to internal trustee conduct, but inclusive of all external conduct and identity misuse that enabled Rhonda's exclusion and the mismanagement of trust property.

Immediate Realignment and Corrective Action Required

Hall & Wilcox is reminded of its fundamental and continuing obligations under Rule 13.1 of the Australian Solicitors' Conduct Rules 2012 (Qld) to act competently, promptly, and in accordance with lawful instructions. As detailed above, the refusal or omission to follow preservation directives, act on protected disclosure status, and provide advice consistent with client instructions and statutory obligations has collectively given rise to serious professional indemnity and regulatory risk exposures that are now active and ongoing.

Professional Duty and Direct Indemnity Exposure

Under Rule 13.1 of the Australian Solicitors' Conduct Rules 2012 (Qld), Hall & Wilcox is unequivocally required to act promptly and competently on all lawful client instructions. The firm's documented and persistent refusal to action client instructions represents a fundamental departure from its professional obligations., particularly relating to the issuance of preservation notices, the pursuit of identity rectification, the immediate regulatory escalation, and the protection of critical metadata, has not merely inconvenienced but has materially compromised Rhonda Knyvett's legal position and her ability to pursue full legal redress. These critical omissions occurred despite formal instruction and actual notice of Rhonda's protected whistleblower status under Part 9.4AAA of the Corporations Act 2001 (Cth).

Such conduct constitutes a profound deviation from the firm's duties of competence, diligence, candour, and loyalty, as enshrined in both the Legal Profession Act 2007 (Qld) and the overarching principles of professional conduct. The firm's professional indemnity exposure is no longer speculative; it is a direct and quantifiable consequence arising from documented actions and inactions that have demonstrably impaired the client's capacity to preserve vital evidence, pursue enforcement actions, and advance her statutory legal rights. We reserve all rights to pursue claims for direct losses, aggravated damages, and loss of legal opportunity arising from this alleged negligence.

Acknowledgement of Protected Disclosure Status

- Immediate written confirmation that Rhonda Knyvett is recognised as a protected discloser under Part 9.4AAA of the Corporations Act, consistent with the submission made via CBA SpeakUP (Ref: AU620871X).

- Full integration of whistleblower protections into all legal handling, advice, strategy, and communications going forward.

2. Risk Escalation and Indemnity Confirmation
   - Acknowledgement that Hall & Wilcox General Counsel, Mike Brookes, has reviewed this matter.
   - Written confirmation that the firm's professional indemnity insurer has been notified.
   - Full contact details of the insurer must be provided.
   - Confirmation of whether the firm has sought external legal advice in relation to this matter.

3. Institutional Liability and Regulatory Scope
   - Written recognition that the matter engages systemic institutional exposure under multiple regulatory regimes.
   - Formal confirmation that Hall & Wilcox acknowledges the legal and evidentiary significance of statements by Claire Morgan (Senior Legal Counsel, CBA), including the confirmed absence of original
   - onboarding documentation and use of a false identity under CHESS HIN X0032114415.
   - Confirmation that the firm understands the legal implications under the Corporations Act, AML/CTF Act, Privacy Act, and relevant ASIC, AUSTRAC, and APRA frameworks.

4. Conflicts and Professional Independence
Written confirmation of whether Hall & Wilcox has ever provided legal services, advice, or held a commercial relationship with any party involved in the factual matrix, including but not limited to:
   - Commonwealth Bank of Australia (CBA), CommSec, Claire Morgan
   - Sandhurst Trustees Limited, Bendigo and Adelaide Bank
   - Suncorp Group / ANZ
   - Computershare, BoardRoom Pty Ltd
   - Accurium, Carwardine & Associates, Audit Box, Pine Rivers Consulting
   - David John Wrangell & Co
   - CH 003 Pty Ltd, Degelyn Pty Ltd, Garth Pty Ltd
   - Brendan Cawley, Brencorp (ABN 11 605 915 919)
   - Lawrence John Watling, Gaffney Lyons & McMahon (ABN 21 489 485 512)
   - McNally AM (ABN 66 147 268 106)

And Explicit confirmation that no such relationships impair Hall & Wilcox's ability to act impartially and without conflict.

5. Immediate Production of the Full Client File
   - All correspondence, internal memoranda, meeting records, and file notes.
   - Drafts and preserved records relating to potential submissions to ASIC, AUSTRAC, OAIC, APRA, and ASX.
   - All communications between the firm and representatives of the institutions named above, including Claire Morgan or any other CBA/CommSec legal counsel.
   - All internal communications between Laura Hanrahan, McLane Edinger, Olivia Southall, or other Hall & Wilcox personnel discussing litigation, regulatory, or risk

strategy.
- All barrister briefings or engagement records, including Caite Brewer (if applicable).
- Full trust account records: detailed ledger, itemised billings, billed/unbilled time entries, and current trust balance.
- Any internal due diligence, KYC/AML analysis, risk assessments, or compliance memoranda.
- Any documentation or internal communication related to indemnity insurance exposure.

6. Return of Fees and Trust Funds
In light of ongoing inaction, strategic omissions, and the firm's demonstrable failure to follow clear legal instructions, we now demand:
- Immediate return of all unspent trust funds
- Full reimbursement of professional fees paid to date.

These funds were provided for services aligned with regulatory enforcement and client protection. Your handling of the matter has obstructed those objectives, materially prejudiced the client's legal position, and may contravene obligations under the Legal Profession Act 2007 (Qld) and the Australian Solicitors' Conduct Rules. Please confirm:
- Exact balance held in trust
- Total fees invoiced
- Itemised time entries
- Issuance of a credit note for previously paid fees.

This confirmation must be provided in writing within **one business day.**

7. Final Instruction – Escalation and Regulatory Disclosure
This is a final and formal instruction for file management, insurer notification, and internal escalation to the firm's General Counsel. If Hall & Wilcox is unwilling or unable to meet these obligations, this will proceed to:
- Formal complaint to the Legal Services Commission (Qld)
- Notification to the firm's professional indemnity insurer
- Additional regulatory disclosure to ASIC, AUSTRAC, OAIC, APRA, and any relevant enforcement agencies.

Media and Whistleblower Rights
No media disclosure has yet been made. However, the right to escalate this matter publicly remains fully reserved under whistleblower protections in the Corporations Act, AML/CTF Act, and Privacy Act. Additional disclosures may be lawfully made in respect of conduct involving CBA, CommSec, Bendigo Bank, Sandhurst Trustees, Suncorp/ANZ, and related entities.
Copies of this correspondence may be provided to regulators in accordance with lawful authority held by:
- Rhonda Ann Knyvett, as co-trustee and eligible discloser (SpeakUP CBA Whilstleblower Identification Number is AU620871X)
- Holly Dahm, as Enduring Power of Attorney (13 March 2025) and close relative
- Riki Dahm, as co-attorney under the same EPOA.

- All protections under Part 9.4AAA apply, including confidentiality, immunity, and protection from detriment.

This document must not be disclosed to any third party outside Hall & Wilcox or the client group without the express written consent of the disclosers.

Yours sincerely,

Holly Dahm, Riki Dahm, and Rhonda Knyvett
All communication is to be in writing only. Verbal contact is not permitted.

Keep up to date and view our Latest Thinking.
Hall & Wilcox acknowledges the Traditional Custodians of the land, sea and waters on which we work, live and engage. We pay our respects to Elders past, present and future.
This email and any attachment is confidential and for the use of the intended recipient(s) only. It may also be the subject of legal professional privilege. If you are not the intended recipient, any use, interference with, disclosure or copying of this material is unauthorised and prohibited. Hall & Wilcox handles information according to relevant privacy laws. Our privacy policy can be reviewed at our website https://hallandwilcox.com.au/privacy. If our bank account details change, we will notify you by letter, phone call or face-to-face, but never by email.

inaccurate representation of the client's legal status, especially where whistleblower protections apply, constitutes a serious departure from obligations under Part 9.4AAA of *the Corporations Act 2001 (Cth)* and undermines the duty to act in the best interests of the client under ASCR Rule 4.1.3. The omission to explicitly acknowledge Rhonda's protected whistleblower status has materially prejudiced her position and exposed her to avoidable legal and personal risk, contrary to the ethical and professional standards expected of legal counsel.

Hall & Wilcox strategic handling of this matter, including its narrowed focus, disregarding the broader, evidenced regulatory breaches, raises significant questions about whether the firm is acting in the client's best interests, as required by ASCR Rule 4.1.3. This approach, which compromises the client's best interests, suggests an effort to limit the matter's scope, potentially serving institutional interests at the expense of Rhonda's legal rights and the pursuit of broader, more impactful regulatory actions. This perceived lack of transparency regarding the full strategic implications of the firm's chosen approach is deeply concerning.

The documents provided to Hall & Wilcox, lawfully under instruction, form part of the evidentiary chain and carry direct enforcement implications. Hall & Wilcox has engaged in correspondence, issued legal advice, and interacted with counterparties based on this material. Therefore, Hall & Wilcox is deemed to have knowledge of its contents, legal implications, and the required escalation obligations under applicable legislation. This inherent knowledge necessitates complete transparency in all communications and actions taken on behalf of the client.

The absence of confirmation as to whether this matter is being treated as a regulatory enforcement file is inconsistent with the preserved record and impedes the client's ability to properly assert and protect her litigation rights. Any deviation from acting on this record, such as failing to notify regulators, not issuing preservation notices, or withholding confirmation of conflicts, may be considered an obstruction of enforcement obligations and a breach of professional duty, directly impacting the transparency of the firm's operations and its adherence to regulatory mandates.

Identified Omissions, Non-Implementation, and Misleading by Omission

In our view, the omissions outlined below don't represent isolated lapses; they collectively reflect a pattern suggesting a systemic issue in Hall & Wilcox's fulfillment of its professional, ethical, and procedural obligations in a matter involving serious regulatory issues, institutional misconduct, and identity falsification. These observations are central to our conclusions regarding Hall & Wilcox's professional conduct, as they demonstrate a consistent pattern of minimizing and disregarding critical information and instructions, such as the client-provided detail on Wednesday, 4 June 2025, 1:41 PM: *"Just flagging this ahead of your conversation, you may recall that a $44,449.08 direct debit to CommSec on 5 July 2005..."* a persistent non-implementation of essential elements of scope, and a discernible tendency to present information by omission or to steer the client towards less advantageous pathways. This conduct strongly suggests a prioritisation of institutional protection over Rhonda's paramount interests, undermining the principles of candour and client-centric legal practice.

A. Refusal to Issue Formal Correspondence for Preservation and Disclosure by Deadline

Client Instruction (Holly Dahm, Tuesday, 10 June 2025, 5:15 PM; Deadline for Actioned Confirmation: Midday Wednesday, 11 June 2025):

As reiterated in your urgent confirmation request from Tuesday, 10 June 2025, 5:15 PM, and referencing prior comprehensive instructions (Saturday, 7 June 2025, 10:20 PM), you were instructed to confirm that:

- *"Formal correspondence has been issued to CBA and CommSec:*
    - *Rejecting any profile correction or metadata updates to HIN X0032114415.*
    - *Requiring full preservation of KYC records, audit logs, and CHESS metadata in their current state.*
- *That no engagement has occurred with CBA, CommSec, or any third party that could compromise the integrity of these records.*

- The Australian Solicitors' Conduct Rules 2012 (Qld), including:
    - Rule 4.1.1 – duty to act in the client's best interests
    - Rule 5 – obligation of honesty and candour
    - Rule 8 – duty to avoid conflicts of interest
    - Rule 13.1 – obligation to follow lawful instructions promptly and competently.

Professional and Ethical Concerns: Indemnity Exposure and Implications for Core Legal Duties
This section addresses concerns regarding the management of the matter, potential professional negligence, and the extent to which the firm's conduct may not have aligned with Rhonda's best interests. It outlines how these issues may give rise to indemnity exposure and identifies the direct risks to Hall & Wilcox should the matter continue to be handled in this manner.

Competence and Evidentiary Care
Your express legal advice that Rhonda should "correct her name" in-branch with CBA, later denied in writing despite contemporaneous documentation, is asserted to demonstrate a critical deviation from recognising the evidentiary significance of preserving the alleged unauthorised identity "Rhonda Ann Osborne" on CHESS HIN X0032114415. That alleged false identity sits at the centre of a sustained regulatory concern spanning over two decades and implicating CBA, CommSec, CHESS, and share registries. Had your legal advice been followed, it is asserted that it would have permanently erased the central metadata concern, precluded legal redress, and extinguished Rhonda's ability to seek regulatory enforcement. This conduct directly contravenes your duty of competence under ASCR Rule 4.1.3 and your duty to act in the client's best interests.
Diligence and Timely Action
Despite repeated verbal and written instructions, specifically dated 5 and 6 June 2025, you reportedly did not issue urgent legal preservation notices to CBA and CommSec within a reasonable timeframe, despite full knowledge that audit trails, identity logs, and CHESS onboarding records were at risk of deletion. These delays followed Claire Morgan's written admission (conveyed by you) that no original onboarding records existed for "Rhonda Ann Osborne," rendering the risk of evidentiary spoliation both immediate and severe. Such inaction constitutes an apparent breach of your duty to act promptly and competently as required by ASCR Rule 13.1.
Duty of Loyalty and Best Interest
Your ongoing insistence on pursuing trustee removal in isolation, under a narrow "commercial approach", is asserted to have mischaracterised the matter and disregarded the multi-jurisdictional dimensions of Rhonda's case. From the outset, this matter has reportedly engaged AML/CTF concerns, CHESS metadata manipulation, dividend misrouting, and false identity propagation across regulated systems. Your repeated re-framing of written instructions reportedly minimised institutional liability, omitted regulatory escalation, and deprived the matter of its full legal force. Such conduct is asserted to be incompatible with your duty to act in the best interests of your client, as mandated by ASCR Rule 4.1.3, and reflects a deviation from pursuing the legal and strategic course instructed.
Indemnity Exposure and Accountability
These profound negative impacts, directly attributable to the legal advice and inaction documented, underscore the significant indemnity liability exposure now facing Hall & Wilcox. A legal firm is unequivocally duty-bound to provide competent legal advice and act diligently upon clear and lawful client instructions. Deviations from these fundamental duties, particularly where they result in demonstrable detriment to a client's legal position, give rise to professional negligence exposure. In such circumstances, Hall & Wilcox may be compelled to indemnify the client for all losses causally linked to that negligence.
Your persistent "steering" away from regulatory engagement, identity rectification, and enforcement framing, despite repeated instructions to pursue them, combined with legal advice that directly risked destruction of critical evidence, now binds you, and by extension Hall & Wilcox, to direct

- All protections under Part 9.4AAA apply, including confidentiality, immunity, and protection from detriment.

This document must not be disclosed to any third party outside Hall & Wilcox or the client group without the express written consent of the disclosers.

Yours sincerely,

Holly Dahm, Riki Dahm, and Rhonda Knyvett
All communication is to be in writing only. Verbal contact is not permitted.

Keep up to date and view our Latest Thinking.
Hall & Wilcox acknowledges the Traditional Custodians of the land, sea and waters on which we work, live and engage. We pay our respects to Elders past, present and future.
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Subject:	Fw: Urgent and Serious Concerns Regarding Your Conduct and Compliance with Superannuation Legislation
Date:	Wednesday, 22 January 2025 at 10:54:46 PM Australian Eastern Standard Time
From:	McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
To:	Holly Osborne <hollyteganosborne@hotmail.com>
CC:	Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>
Category:	H & W
Attachments:	Fwd: Immediate Compliance Required: Provision of Documentation and Legal Obligations.eml

Dear Holly

Thank you for copying us into your emails today.

Given we are now acting, it is important that any future correspondence comes from us, or is at least reviewed by us prior to sending.

We want to make sure we take the correct approach with the various parties in the hope we obtain what we need with as little resistance as possible, or in any event to ensure we have the necessary paper trail if an application to the court is necessary.

We will continue reviewing the various documents and then revert to you with an overview of next steps.

Have a good evening.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

Hall & Wilcox logo

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If our bank account details change, we will notify you by letter, phone call or face-to-face, but never by email.
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Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Wednesday, January 22, 2025 7:39:12 PM
To: David Wrangell <david@prctax.com.au>; prcadmin@prctax.com.au <prcadmin@prctax.com.au>
Cc: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Honda.r@hotmail.com <honda.r@hotmail.com>
Subject: Urgent and Serious Concerns Regarding Your Conduct and Compliance with Superannuation Legislation

Dear David,

I refer to your email dated 22 January 2025 at 9:36 am, in which you addressed, though inadequately, the concerns raised by Rhonda as a trustee of the Ultra Super Fund (the Fund). I am compelled to address the significant and ongoing concerns regarding your conduct, particularly with regard to your professional and legal obligations.

1. Failure to Respond and Provide Requested Information

On 17 January 2025 at 4:36 pm, I emailed you raising significant concerns on behalf of Rhonda. Specifically, I highlighted evidence contained within the Suncorp and Bendigo bank accounts suggesting improper activity. These activities include evidence of substantial deposits, extensive withdrawals, and transactions that strongly suggest potential round-tripping. Moreover, I raised the following:

Identical Account Numbers with Different BSBs
The information you personally provided to Rhonda included explicit details of an account titled “Ultra Super Fund” linked to Bendigo and Adelaide Bank (BSB 633109, Account Number 118052760), which is identical to the Bendigo Bank account (BSB 633000, Account Number 118052760). A significant amount of money has been deposited into this account. If this account forms part of the Fund, I require your immediate confirmation. If it does not, this raises serious concerns regarding improper handling of funds and potential breaches of superannuation and tax legislation.

Handwritten and Missing Documentation
The supporting data that you provided for the past five financial years contain unsigned, handwritten notes, and missing documents. This does not meet regulatory compliance

standards, and your failure to identify these deficiencies is alarming.

Suspicious Check Activity

There is evidence of over 1,072 checks written, with deposits and withdrawals occurring on the same day or in close succession. This level of activity, combined with significant deposits and withdrawals in the millions, is highly suspicious, especially given that both bank account balances remain disproportionately low.

Lack of Response

Despite the seriousness of these issues, you have failed to respond to any of my requests for information or to engage with me as Rhonda's enduring power of attorney.

I reiterate the request for documentation, and serious concerns I raised about the Funds financial activity on 17 January 2025 remain completely unaddressed. Furthermore, your assertion that you provided most of the requested documentation to me is categorically false and grossly misleading. To date, you have failed to respond, or provide me with any of the requested information, despite my repeated requests. Your misrepresentation of this fact is deeply troubling.

2. Professional Conduct and Obligations

Your continued minimisation of these concerns raises significant questions regarding your professional conduct. As an accountant, you are obligated to:

- Act in accordance with the SIS Act and report any irregularities that could indicate breaches of superannuation or tax law
- Provide accurate, transparent, and timely information to trustees, beneficiaries, and representatives acting under legal authority
- Ensure that all financial and compliance documents are in order, complete, and meet regulatory standards

It is particularly concerning that you have failed to detect or report these irregularities in the Fund, given that the evidence is explicit and well-documented. Your reference to unqualified audit reports does not absolve you of your duty to independently identify, investigate, and address potential breaches.

3. Immediate Actions Required

Given the severity of these issues, I demand you provide the following by close of business **Thursday, 25 January 2025**

a. Confirmation of the Linked Bank Account: You must immediately confirm whether the Bendigo and Adelaide Bank account (BSB 633109, Account Number 118052760) forms part of the Ultra Super Fund.
b. Provision of All Documentation: Provide the full financial statements, tax returns, member fund statements, and all other relevant information for the Fund.

c. Explanation of Non-Compliance: Provide a detailed explanation as to why you failed to identify, investigate, or address the issues raised in the bank accounts and support materials, including the significant amount of missing, unsigned, or handwritten documentation.

4. Escalation

If you fail to address these matters comprehensively and do not provide the requested information by the specified deadline, I will have no choice but to escalate this matter to the Australian Taxation Office, the Australian Securities and Investments Commission, and the appropriate professional regulatory bodies for investigation into your conduct and potential breaches of legislation.

5. Compliance with Trust Deed

Finally, I strongly recommend you **email the Fund's trust deed immediately** to ensure compliance with the governing document. Failure to comply with this request will result in further action without additional notice.

Your conduct in this matter has raised grave concerns, particularly in light of Garth Osborne's email below, which explicitly directs that all matters regarding the Ultra Super Fund be addressed through Pine Rivers Consulting.

I urge you to address this matter immediately to avoid further escalation.

Yours faithfully,

Holly Dahm
Enduring Power of Attorney for Rhonda Knyvett

From: Holly Osborne <hollyteganosborne@hotmail.com>
Date: 17 January 2025 at 4:36:31 pm AEST
To: david@prctax.com.au, prcadmin@prctax.com.au
Cc: go56@bigpond.com, Stuart Loudon <Stuart@loudonlegal.com.au>
Subject: Formal Notice - David Wrangell, Accountant, Pine Rivers Consultant - Ultra Super Fund 41 873 921 089

Dear David

I write to you in my capacity as the Enduring Power of Attorney for Rhonda Ann Knyvett (Rhonda), the Trustee of the Ultra Super Fund SMSF, regarding serious allegations of mismanagement involving the trustee, Garth Osborne.

Significant breaches of trust and fraudulent conduct have been alleged against Mr. Osborne. As Rhonda's representative, I am committed to assisting her in pursuing this matter through the appropriate legal channels, including the Australian Federal Court. Rhonda is determined to fulfill her fiduciary obligations, prevent further breaches of trust or tax evasion, and report all relevant information to the Australian Taxation Office.

Upon reviewing the Ultra Super Fund's bank accounts—Bendigo Bank (BSB 633-000, Account 118052760) and Suncorp (BSB 484-799, Account 001422502)—I have identified evidence of improper activity, such as the round-tripping of funds. Specifically, funds appear to have been cycled through multiple accounts, including a Bendigo and Adelaide Bank account linked to Garth (BSB 633-109, Account 118052760). This account shares an identical account number with the Ultra Super Fund Bendigo account, raising significant concerns about the improper handling of funds. Notably, this account was explicitly detailed in the materials you provided as supporting documentation submitted to the Australian Taxation Office. These materials were supplied to Rhonda on 8 January 2025, underscoring that this information has been directly available to you for review and consideration.

Additionally, there are irregularities involving the transfer of Ultra Super Fund assets to other accounts (e.g., CommSec, NAB) and suspicious cheque activity, including over 1,072 deposits and withdrawals of similar amounts on consecutive days at Bendigo and Suncorp banks. These transactions suggest an effort to obscure the movement of funds. Moreover, rental payments exceeding a million dollars have been transferred from the Ultra Super Fund accounts, despite both accounts maintaining relatively low balances.

Despite repeated requests, Garth has failed to provide critical documentation regarding the establishment and management of the Fund since 2001. This refusal, combined with the conduct outlined, has caused Rhonda significant harm, including financial, emotional, and psychological distress. I have been instructed to take immediate legal action.

Further concerns have been identified regarding registered ABNs and transactions involving other SMSFs and discretionary trusts linked to Garth and Ann Anthonisz. All relevant information will be referred to the Australian Taxation Office. This includes, but is not limited to, the following ABNs:
1. ABN 43 960 865 910 – Garth Wilfred Osborne

2. ABN 14 946 035 004 – Garth W Osborne Physiotherapy
3. ABN 66 010 316 551 – Degelyn Pty Ltd And Degelyn
4. ABN 52 856 037 840 – Gregory R & Anna M Osborne
5. ABN 14 946 035 004 – Garth A & Gail R Osborne

I refer to Garth email of 17 January 2025 at 3:58 PM and his email to Rhonda dated 16 January 2025 at 2:12 PM. In both communications, Garth has expressly stated that all matters, including the provision and management of relevant information, are to be addressed and handled by you, as the Accountant at Pine Rivers Consulting. Garth's position is clear and unequivocal: you and Pine Rivers Consulting hold the necessary information and bear sole responsibility for addressing these matters. It is therefore incumbent upon you, in your capacity as the accountant, and Pine Rivers Consulting, as the relevant consulting entity to provide the requested documentation promptly. Accordingly, I formally request that you take immediate steps to ensure the provision of all required documents with out delay**.**

Effective immediately, Rhonda has requested all direct communication with her. As her Enduring Power of Attorney, I will serve as the primary point of contact for all matters.

You are required to provide the following documents no later than close of business **6:00 PM, Friday, 17 January 2025:**
1. Trust Deed and any amendments.
2. Financial statements, member statements, and reports.
3. Detailed transaction records.
4. Legal and compliance documents, including prior versions of the Enduring Power of Attorney and Binding Death Benefit Nominations related to Rhonda.
5. All member communications.

This email serves as formal notice of the above actions. Please direct all future communications to me, as Rhonda's representative, and her solicitor, Stuart Louden, at stuart@loudenlegal.com.au. A copy of the Enduring Power of Attorney is attached for your reference.

Your prompt attention and full cooperation in this matter are expected.

Sincerely,
Holly Dahm
Enduring Power of Attorney for Rhonda Knyvett

From: Garth Osborne <go56@bigpond.com>
Sent: Friday, 17 January 2025 3:58 PM
To: Holly Osborne <hollyteganosborne@hotmail.com>
Subject: Re: Immediate Action Required - Request for documentation - Ultra Super Fund 41 873 921 089

Holly Dahm,

All matters relating to ULTRA SUPER FUND are to be addressed to PINE RIVERS CONSULTING.

GARTH OSBORNE

> On 17 Jan 2025, at 10:09 am, Holly Osborne <hollyteganosborne@hotmail.com> wrote:
>
> Dear Garth Osborne
>
> I write to you in my capacity as the Enduring Power of Attorney for Rhonda Ann Knyvett (Rhonda), the Trustee of the Ultra Super Fund SMSF, to formally address serious allegations regarding your management of the Fund.
>
> Allegations of significant breaches of trust and fraudulent conduct have been raised against you, and I am fully committed to assisting Rhonda in pursuing this matter through the appropriate legal channels, including the Australian Federal Court. Your actions are currently under close scrutiny, and Rhonda is determined to fulfill her fiduciary obligations, prevent any further breaches of trust or tax evasion, and report all relevant information to the Australian Taxation Office.
>
> In reviewing the bank statements for the Ultra Super Fund's Bendigo Bank account (BSB 633-000, Account 118052760) and Suncorp account (BSB 484-799, Account 001422502), I have identified evidence of improper activity, including the round-tripping of funds.
>
> Specifically, funds appear to be cycled through multiple accounts to obscure their origin and destination. Notably, a significant amount of funds have been transferred from the Ultra Super Fund's Bendigo and Suncorp accounts into a Bendigo and

Adelaide Bank account linked to you (BSB 633-109, Account 118052760), sharing an **identical** account number with the Ultra Super Fund Bendigo Bank account.

I have identified further concerns associated with the transfer of Ultra Super Fund assets to further accounts, including CommSec and NAB, as well as suspicious cheque activity, with over 1,072 cheque deposits and withdrawals of similar amounts occurring within consecutive days at the Suncorp and Bendigo banks. These transfers appear to have been intentionally misrepresented as belonging to the Ultra Super Fund in an effort to cover up the improper movement of funds.

Furthermore, in excess of a million dollars in rental payments have been transferred out of the Ultra Super Fund's Bendigo and Suncorp accounts. Both accounts have been involved in the receipt and disbursement of millions of dollars, despite maintaining relatively low balances.

You have failed to provide essential documentation requested by Rhonda, including those relating to the establishment of the Fund in 2001 and up to the present day. Your failure to produce this information, coupled with your conduct, has caused significant harm, including financial, emotional and psychological abuse. Rhonda is now fully aware of your actions, and I have been instructed to take immediate legal action.

Furthermore, I have identified concerns regarding registered ABNs, and concerning transactions involving other SMSF, including the SMSF involving you and Ann Anthonisz, and discretionary trusts. All concerning information will be referred to the Australian Taxation Office. The referral of information will include; however it will not be limited to the following:

1. ABN 43 960 865 910 – Garth Wilfred Osborne
2. ABN 14 946 035 004 – Garth W Osborne Physiotherapy
3. ABN 66 010 316 551 – Degelyn Pty Ltd
4. ABN 52 856 037 840 – Gregory R & Anna M Osborne
5. ABN 14 946 035 004 – Garth A & Gail R Osborne

Effective immediately, you are directed at Rhonda's request to **cease all direct communication with Rhonda**. As her Enduring

Power of Attorney, I will serve as Rhonda's point of contact for all matters.

You are required to provide the following documents:
1. Trust Deed and Amendments
2. Financial Statements, Member Statements and Reports
3. Transaction Records
4. Legal and Compliance Documents, including prior versions of the Enduring Power of Attorney and Binding Death Benefit Nominations related to Rhonda
5. Member Communications

This email serves as formal notice of the above actions. You are expected to comply immediately by providing the requested documents **by 5:00pm Friday 17 January 2025.**

All future communications are to be directed to me, as Enduring Power of Attorney, as well as Rhonda's solicitor, Stuart Louden, stuart@loudonlegal.com.au. A copy of the Enduring Power of Attorney is attached for your reference.

Your prompt attention and cooperation are anticipated.

Holly Dahm
Enduring Power of Attorney for Rhonda Knyvett

<EPA of Rhonda Knyvett dated 08.01.2025.pdf>

Subject:	RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Date:	Tuesday, 21 January 2025 at 1:19:06 PM Australian Eastern Standard Time
From:	McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
To:	Holly Osborne <hollyteganosborne@hotmail.com>
CC:	honda.r@hotmail.com <honda.r@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Category:	H & W
Attachments:	image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Thank you, Holly.

I won't have undertaken a thorough review of the documents by the time of our meeting. I will however be able to engage is initial discussions regarding the matter and next steps.

I appreciate you forwarding the relevant information and documents to me.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

From: Holly Osborne <hollyteganosborne@hotmail.com>

Sent: Tuesday, 21 January 2025 10:54 AM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Wonderful,

Also, I wanted to provide you with some additional context regarding the matter. I will send through an email shortly outlining the relevant details, which I believe will be helpful in guiding our conversation.

When you have a moment, I would greatly appreciate it if you could review the information. Your insights and expertise will be invaluable as we proceed.

Please let me know if you have any initial thoughts or require further clarification on any points.

Thank you for your time and assistance.

Kind regards,
Holly

Sent from my iPhone

> On 21 Jan 2025, at 11:10 am, McLane Edinger <McLane.Edinger@hallandwilcox.com.au> wrote:
>
> Dear Holly
>
> Thank you, this time is suitable.
>
> Christe and I will jump on the meeting then.
>
> I have reviewed your email sent last night and we can discuss the matters raised during the meeting.
>
> Kind regards
>
> **McLane Edinger |** Partner
>
> T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
> McLane.Edinger@hallandwilcox.com.au | professional profile
>
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Our privacy policy can be reviewed at our website: http://www.hallandwilcox.com.au/privacy/

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Tuesday, 21 January 2025 6:49 AM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Morning Edinger

I have flicked you a teams request for 2:00pm. If this time does not suit you, please suggest another.
Thank you

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 8:23 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Edinger,

Thank you for your email.

Rhonda's (mother) official residence is 18 Magnetic Street, Boondall, QLD 4034. However, she currently resides with my husband and I at [redacted], Bracken Ridge, QLD 4017, and her mail has been redirected to this address since January 2025.

In addition, we currently have a tenancy matter involving the trustee, Garth Osborne (father) and Ann Anthonisz managed by Stuart Loudon, Solicitor, Loudon Legal. Garth and his partner Ann currently reside in Rhonda's Boondall property under a periodic lease but have been refusing to vacate. Should Mr Osborne continue to remain in the property beyond the provided end date, 28 February 2025, the matter will be heard at QCAT.

This evidence will be relevant to the current matter, as it demonstrates a clear and consistent pattern of behaviour by Mr. Osborne, including fraudulent misrepresentation, fraudulent inducement, and coercive conduct, providing a pattern of behaviour. Mr Loudon is issue correspondence addressing these matters with Garth and Ann. I will supply you with Stuart's correspondence, and evidence once issued.

I seek clarification on whether you have in-house forensic accountants, or if your firm us with a recommended provider. The priority is to engage the most qualified expert to ensure high-quality evidence, avoid duplication, and analyse potential breaches of superannuation law and tax evasion while exonerating Rhonda. The analysis should establish the fund's true financial position, including ownership, assets, cash, and recovery strategies, and assess the significance of the breaches.

In terms of moving forward, I am available for a Teams chat tomorrow. Please let me know if 12:30pm or 1:00pm suits or suggest a time that works best for you.

Looking forward to hearing from you.

Kind regards,
Holly
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 6:59 PM
To: Holly Osborne <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super

Fund [HW-ACTIVE.FID4519412]

Dear Holly

Thank you for your email.

I confirm we are conflict free and able to assist. To enable us to open a file, please provide Rhonda's address. Our formal engagement agreement will be sent through tomorrow morning.

I am happy to arrange an initial telephone call when convenient and I have reasonable availability tomorrow and Wednesday in this regard.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 3:30 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Importance: High

Dear Edinger

Thank you for your email and your inquiry to Hall & Wilcox.

I acknowledge and agree to your request to proceed with the urgent review of the relevant documents and preliminary observations regarding Ms Knyvett's legal position, including any necessary protective steps.

Yes, before we engage further, please confirm that your firm is conflict-free in relation to this matter, emailing over the necessary details regarding the payment to the trust.

To ensure we are all on the same page, I would like to propose an initial conversation to discuss the matter further before proceeding with any substantive work. Please let me know your availability.

I look forward to your confirmation and details regarding the payment process.

Best regards,
Holly Dahm
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 4:22 PM
To: hollyteganosborne@hotmail.com <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

I refer to your email below and thank you for your enquiry to Hall & Wilcox.

By way of introduction, I am a Partner in our Private Clients team specialising in litigious matters, such as superannuation and trust disputes.

We have a team in Brisbane however our senior lawyer in the Brisbane office, Laura Hanrahan, is on leave for the week so given the urgency I thought I would respond in the meantime.

We can certainly assist on an urgent basis to review all relevant documents and provide preliminary observations regarding Ms Knyvett's legal position, and the options available, including whether urgent protective steps are needed to avoid further dissipation.

From an initial glance there are certainly matters of concern given Mr Osborne has in effect been acting as sole trustee despite being a co-trustee along with Ms Knyvett (assuming this is the case), whilst also owing fiduciary duties to Ms Knyvett as a beneficiary of the fund (assuming this is the case).

Our team has significant experience in these matters, and we would be glad to assist. In terms of fees, I estimate initial fees of $5,000 plus GST for the following work:

1. review all documents provided;

2. liaise with yourself and Ms Knyvett to obtain any further instructions required; and
3. attend an initial meeting with yourself and/or Ms Knyvett to provide our preliminary views, an overview of options available, and next steps.

Given the need to complete the work on an urgent basis, we will require the sum of $5,500 to be paid into trust prior to substantive work being undertaken.

Once we agree on the appropriate next steps in the matter, an updated estimate of fees will be provided.

Please confirm if you would like to proceed so we can complete a conflict check. Assuming we are conflict free, our engagement agreement will then be provided.

In the meantime, please don't hesitate to contact me on the numbers below should you wish to discuss further.

Kind regards

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To: Reception Brisbane <Reception.Brisbane@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com
Subject: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund
Importance: High

Good morning

I write to you in my capacity as Enduring Power of Attorney (EPA) for Ms Rhonda Ann Knyvett, co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr Garth Wilfred Osborne. On behalf of Ms Knyvett, I seek urgent legal advice regarding potential civil action against Mr Osborne for alleged misconduct, gross mismanagement, and breaches of trustee duties, as well as against other parties for negligence.

Key Issues and Relief Sought
There is compelling evidence of significant mismanagement and misconduct, including:

Misappropriation of Funds
A substantial portion of the fund's assets has been allocated to Border & Pty Ltd, a financial services and wealth management company specialising in shares. Despite these transactions, the recovery of these funds may be impractical due to Mr Osborne's actions.

Fraudulent Asset Valuation
Properties held by the fund have been systematically undervalued in reports to the ATO, masking the true financial position of the fund. The fund remains asset-rich but faces liquidity challenges stemming from inaccurate valuations.

Unlawful Transactions
Bank statements reveal transactions resembling round-tripping and other irregularities, with millions of dollars flowing in and out of the fund since its establishment in 2001. Despite these transactions, the fund's assets do not reflect corresponding growth, pointing to potential fraud or tax evasion.

Ms Knyvett seeks to:

1. Dissolve the fund and roll over her entitlements into a government-managed superannuation fund.
2. Investigate and accurately value the fund's financial position, including correcting undervalued properties to increase recoverable assets.
3. Pursue compensation for damages resulting from Mr Osborne's misconduct.
4. Petition for Mr Osborne's disqualification as trustee and the imposition of civil penalties.

Additional Parties and Negligence Claims
Ms Knyvett is also considering legal action against:

1. Mr David Wrangell, Accountant, for failing to ensure proper oversight of the fund's accounts.
2. Mr Laurie Carwardine, Auditor for negligence in identifying and addressing financial irregularities within the fund.

Summary of Misconduct and Broader Implications
The undervaluation of fund assets, breaches of the sole purpose and arm's length rules, related-party transactions, and evidence of tax evasion are central to this dispute. Mr Osborne has withheld critical information, obstructing Ms Knyvett's ability to fulfil her trustee duties and benefit from her entitlements.

The systemic mismanagement, involving millions of dollars in questionable transactions and undervalued properties, has caused significant financial harm to Ms Knyvett. Furthermore, evidence suggests Mr Osborne's misconduct may extend to other SMSFs and numerous ABNs, raising broader implications for other affected parties and regulatory bodies.

Given the substantial financial harm, evidence of fraudulent or negligent conduct, and potential wider implications, this matter warrants immediate legal action. A full investigation into the Ultra Super Fund's financial position and Mr Osborne's actions is critical to achieving accountability and recovering losses for Ms Knyvett.

Additionally, I have enclosed:

- Enduring Power of Attorney for your reference. Mr Knyvett has been copied on this correspondence.
- Extracts with notable transactions from the Suncorp and Bendigo Ultra Super Fund's bank accounts for 1.08.2007 to 30.08.2007, 1.06.2009 to 30.06.2009
- Contract of Sale (Seller Contract) referenced below.
- Extracts of the concerning material provided by Mr David Wrangell, Accountant, Pine Rivers Consulting.

Your expertise on the prospects of success and legal remedies in these matters would be greatly valued. Attached are comparable

Kind regards

Holly Dahm
Enduring Power of Attorney,

Ms Rhonda Ann Knyvett, trustee
Ultra Super Fund Trustee
0413 688 334
honda.r@hotmail.com

BACKGROUND

1. Ms. Knyvett and Mr. Osborne were in a long-term de facto relationship from 1979 to 2000.
1. Ms. Knyvett, born 18 October 1957, is in her late sixties, is not digitally literate, and primarily worked in the home.
2. Mr. Osborne, born 10 January 1956, has operated as a sole trader for over 40 years, specifically running Zillmere Spine & Sports Physio Clinic & Zillmere Sports Physio Clinic, located in Zillmere, 4034.
3. Ms. Knyvett only knew her superannuation was connected to apartments in Zillmere but was excluded from all decision-making.
4. The SMSF was established in 2001, with Mr. Osborne exercising sole control despite Ms. Knyvett's legal status as a co-trustee.

5. On 23 December 2024, Ms. Knyvett identified herself as a co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr. Osborne.
6. Mr. Osborne requested a meeting with Ms. Knyvett when she sought access to her superannuation.
7. On 23 December 2024, at the meeting, Mr. Osborne presented Ms. Knyvett with a form and a seller contract. The seller contract evidenced Mr. Osborne's attempt to sell a fund asset at a deflated value, significantly below market value, and indicated illegal or non-compliant property ownership structures (attached).
8. Mr. Osborne attempted to coerce Ms. Knyvett into signing, verbally berating her and her support person while standing over them.
9. The seller contract revealed Mr. Osborne's intention to sell the asset to his partner, Ms. Ann Anthonisz, at a price below market value.
10. A clause in the contract appeared designed to disadvantage Ms. Knyvett.
11. Ms. Knyvett refused to sign both the form and the seller contract.
12. She retained the seller contract despite Mr. Osborne's attempts to retrieve it.
13. She took a photograph of the Boardroom Pty Limited form before Mr. Osborne snatched it away.
14. Mr. Osborne withheld information about the management of the Ultra Super Fund.
15. Ms. Knyvett was unaware that her superannuation was managed in a Self-Managed Superannuation Fund (SMSF) or that she was a trustee.

SUMMARY OF CONCERNS REGARDING MR OSBORNE, TRUSTEE OF ULTRA SUPER FUND:

1. Failure to Respond and Obstruction of Trustee Duties:
    - Mr Osborne has ignored all verbal, text, and email communications from Mr Knyvett, hindering him from fulfilling his responsibilities as a trustee.
    - He has prevented Ms Knyvett from accessing fund information, performing her trustee duties, and protecting the fund's assets
2. Financial Misconduct:
    - Bank statements show concerning transactions similar to round-tripping of business income into the SMSF.
    - Significant fund transfers to a Bendigo and Adelaide Bank account linked to Mr Osborne, **sharing an identical account number** with the Bendigo Ultra Super Fund account.
    - **Millions** of funds transferred to CommSec, NAB, by cheque, and cash withdrawals, with suspicious transactions involving over 1,072 cheques.
    - Misrepresentation of fund transfers as belonging to the Ultra Super Fund to conceal improper movements.
3. Coercive Control and Manipulation:
    - Allegations of coercive control, including threats,

blackmail, intimidation, and manipulation of Ms Knyvett to sign documents without understanding their implications.
    - False representation of Ms Knyvett's entitlements (claiming $10,000–$15,000), despite ATO confirming her share as **$711,000**.
4. Withholding Information and Misrepresentation:
    - Fund records, deeds, and key documentation have been withheld by Mr Osborne.
    - Allegations of false information provided to accountants, with deposits and withdrawals in Ms Knyvett's name to benefit Mr Osborne.
5. Improper Fund Management:
    - Mr Osborne rolled over his portion of the fund into a personal retirement fund, disadvantaging Ms Knyvett.
6. Taxation concerns
    - Despite both parties being over 65, the fund continues to pay tax. An actuarial certificate shows $1.7 million attributed to Mr Osborne and $0 to Ms Knyvett.
    - Discrepancies in tax liabilities: Ms Knyvett is responsible for 28.4% of a $5,000 tax bill, while Mr Osborne owes only 0.8%.
7. EPA and Binding Death Benefit Nomination (BDBN) Concerns:
    - Allegations of falsified and non-compliant EPA documents, potentially altered to benefit Mr Osborne.
    - Concerns over fraudulent BDBN forms that disadvantage Ms Knyvett and her beneficiaries, favouring Mr Osborne as sole beneficiary.
8. Deed Concerns:
    - Suspicions that Mr Osborne implemented a deed granting himself disproportionate control (greater than 50%), breaching the SIS Act.
9. Limited Access to Funds:
    - Since becoming eligible, Ms Knyvett has only received $25,000, paid via personal cheque by Mr Osborne, which Ms Knyvett deposited into her account.
10. Complete Obstruction of Trustee Responsibilities:
    - Mr Osborne has fully prevented Ms Knyvett from performing her obligations as a trustee by withholding information, funds, and management access.
11. Extensive ABN registration
    - Significant issues have been identified regarding Mr Osborne's involvement with multiple ABNs, SMSFs, discretionary trusts, and business entities. These raise concerns about potential regulatory breaches, conflicts of interest, and fiduciary misconduct.

The ABNs linked to Mr Osborne include:

- ABN 43 960 865 910 – Garth Wilfred Osborne
- ABN 14 946 035 004 – Garth W Osborne Physiotherapy
- ABN 66 010 316 551 – Degelyn Pty Ltd

- ABN 52 856 037 840 – Gregory R & Anna M Osborne
- ABN 14 946 035 004 – Garth A & Gail R Osborne

Key Concerns:

- Possible misuse or non-compliance with ATO regulations.
- Entity Name Changes, the frequent changes suggesting financial irregularities or intent to obscure activities.
- Conflicts of Interest, potential issues arising from Mr. Osborne's simultaneous roles in other SMSFs and trusts.
- Regulatory breaches; possible non-compliance with the SIS Act and trustee obligations.

CONCERNS REGARDING MR DAVID WRANGELL, ACCOUNTANT, PINE RIVERS CONSULTING:

1. Mr David Wrangell has provided financial services to Ultra Super Fund since its establishment.
2. M. Wrangell submitted the tax lodgements for the previous five years.
3. The submitted material is incomplete, containing missing, unsigned, and unfinished documents, with handwritten notes, raising doubts about the validity of the records. This is especially concerning given Mr. Osborne's sole control over the fund and its activities.
4. Some documents include handwritten notes listing my mother as "Rhonda Ann Osborne," a name under which no legal documentation exists, as my mother and Mr. Osborne were never married. It is worth noting that Mr. Osborne's current fiancée or wife shares the name "Ann" with the same spelling, which raises further concerns.
5. A $15,600 entry on May 2, 2023, under the shop rent account in the General Ledger is inconsistent with standard rental payment structures, suggesting the potential use of a bank account as a holding account. This entry will be cross-referenced with the bank statements for any discrepancies, with relevant bank statements attached for comparison.
6. Transactions involving the Ultra Super Fund Bendigo account with identical account numbers are under scrutiny.
7. Mr. Wrangell has withheld essential requested information.

CONCERNS REGARDING MR LAURIE CARWARDINE, AUDITOR, CARWARDINE & ASSOCIATES:

1. Essential information has been requested and is being withheld by Mr Carwardine.

EVIDENCE: ULTRA SUPER FUND

Suncorp Bank Statements

Account Details: BSB 484-799, Account 001422502 (joint account opened May 2007, still active).

Transaction Details:

- On 26 December 2024, two-person authentication was implemented by Ms Knyvett for fund withdrawals.
- Statements show 18 years of transactions by Mr Osborne, transferring millions of dollars into, out of, and between Bendigo and Suncorp Ultra Super Fund accounts, while maintaining low balances.

1. **Bendigo Bank Statements**
   Account Details: Ultra Super Fund BSB 633-000, Account 118052760 (joint account opened 1 December 2004, closed 30 March 2024 by Mr Osborne).
   Transaction Details:
   - Statements show 20 years of transactions by Mr Osborne, mirroring Suncorp account activity, including significant fund transfers between Bendigo and
   - Suncorp accounts and to other accounts linked to Mr Osborne. Funds were transferred to accounts such as CommSec and NAB, with suspicious cheque activity (1,072 cheques written with deposits and withdrawals of similar amounts on the same day or consecutively).
2. **Evidence of Misrepresentation and Fund Movement**
   Funds appear to have been cycled through multiple accounts to obscure origin and destination.
   - Substantial amounts, including over $1 million in rental payments, were disbursed from both Bendigo and Suncorp accounts, despite low account balances.
   - Transfers were intentionally misrepresented as related to the Ultra Super Fund to conceal improper fund movements.
3. **Tax Returns and Financial Statements (2019–2023)**
   Provided by Accountant Mr. David Wrangell, Pine Rivers Consultant:
   - Included financial statements, actuarial certificates, general ledgers, tax returns, and trial balances.
   - Documents were incomplete, unsigned, and contained inaccuracies, including handwritten notes identifying Ms Knyvett as "Rhonda Ann Osborne," a name with no legal basis.
   - Entries in the general ledger, such as a lump sum rental payment of $15,600 (2 May 2023), suggest the use of a bank account as a holding account. These entries will be cross-referenced with bank statements.
   - Financial statements undervalue fund assets reported to the ATO.
4. **Seller Contract (158 Church Road, Zillmere)**
   SIS Act Breaches:
   Breach of arm's length provisions, sole purpose test, and asset valuation requirements.
   Transaction Details:
   - The contract sought to sell a 50% stake in the property for $330,000 (below market value) to Mr Osborne's partner, Ms Ann Anthonisz.
   - A clause in the contract was included to disadvantage Mr Knyvett.
     The contract suggests non-compliant property ownership structures.
5. **Boardroom Pty Limited Form**

Information:

- Linked to the sale of 158 Church Road, form to request for direct crediting of payments, referencing Ultra Super Fund ABN 41 873 921 089.
- Contains information about the Ultra Super Fund Suncorp account (BSB 484-799, Account 001422502).

Boardroom email correspondence:

- Boardroom Pty Limited have withheld requested involvement in central information.
- Ms Maxine Williams, Investor Service Officer confirmed an existing EPA is file, but it does not match the surname of the current EPA holder.
- is believed that the surname referenced is Osborne, based on a 2005 EPA containing only the name of the drafting lawyer, Lawrence John Watling, formerly based in Caboolture, without contact details. Concerns exist regarding the contents of this EPA.
- Rhonda has notified Mr Osborne Trustee, Mr Wrangell, Accountant (SMSF Administrator), Mr Carwardine, Auditor, and Boardroom Pty Limited of the existence of a new EPA.
- Ms Williams confirmed a new EPA will require Mr Osborne's signature approval and must be submitted directly to them, likely in accordance with the conditions of the Deed of Establishment, which appears to Favor Mr. Osborne and disadvantage Ms Knyvett.

6. **Actuarial Certificates and Data Provided by Ms Melanie Dunn (Accurium)**
   - Ms Melanie Dunn, FIAA SSA, Principal at Accurium, issued an email providing the actuarial certificates for the Ultra Super Fund for the financial years 2018–2023.
   - The email confirmed that the actuarial services were provided to the Fund, and Mr Wrangell, the accountant, obtained the annual actuarial certificate for the Fund. Mr Wrangell has ordered these certificates from Accurium directly for several years.
   - Ms Dunn noted that an online form is completed by the accountant to provide Accurium with the data necessary for actuarial calculations, which Accurium relies on to issue the required certificates.

Actuarial Services and Fund Records

Concerns:

- Accurium confirmed they do not receive the financial statements, valuation reports, or income and expense records of the Fund.
- This raises concerns about the accuracy and completeness of the data used for the actuarial calculations, as these documents are critical for proper actuarial assessments.

FUND ASSETS

PROPERTIES OWNED BY THE FUND

Properties assets of the Fund have been undervalued since 2001.

Residential:

1. 364 Zillmere Road, Unit 1
2. 364 Zillmere Road, Unit 2
3. 364 Zillmere Road, Unit 3
4. 364 Zillmere Road, Unit 4
5. 364 Zillmere Road, Unit 5
6. 364 Zillmere Road, Unit 6

Commercial:

7. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

RENTALS

Commenced as fund asset upon established in 2001

Residential:

8. 364 Zillmere Road, Unit 1
9. 364 Zillmere Road, Unit 2
10. 364 Zillmere Road, Unit 3
11. 364 Zillmere Road, Unit 4
12. 364 Zillmere Road, Unit 5
13. 364 Zillmere Road, Unit 6

Commercial:

14. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

DIVIDENDS

- QANTAS dividends
- David Jones dividends
- Coles/ Myer dividends
- CENTRO PROP DIS DIVIDENT
- CENTRO RET DIS DIVIDENT
- SANTOS
- TELSTRA DIVIDEND
- AMP LIMITED DIVIDEND
- BHP BILLITON DIVIDEND
- CNP SPECIAL DIST DIVIDEND
- SANTOS DIVIDEND
- BXB FNL DIVIDEND
- BXB ITM DIVIDEND
- BRAMBLES dividend
- DIVIDEND ANZ replacement
- direct credit AAI limited t/as 3,724
- SANTOS

Notable precedent decisions

- ATO v. Cook (2017)
- ATO v. Garvey [2019]
- ATO v. Langan [2018]
- ATO v. Robinson [2017] FCA 23
- Australian Taxation Office v. D'Souza [2021]
- Australian Taxation Office v. Hurley [2020] FCAFC 179
- Australian Taxation Office v. M & S Ventures Pty Ltd (2018)
- Cam & Bear Pty Ltd v McGoldrick [2018] NSWCA 110
- Fowles v. ATO [2022] FCAC 16

- Ryan Wealth Holdings Pty Ltd v Baumgartner [2018] NSWSC 1502
- Smith v. Anderson [2020]
- Smith v. Jenkins [2019] FCA 573
- Taylor v. Simmons [2015]

Subject:	RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Date:	Tuesday, 21 January 2025 at 1:19:06 PM Australian Eastern Standard Time
From:	McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
To:	Holly Osborne <hollyteganosborne@hotmail.com>
CC:	honda.r@hotmail.com <honda.r@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Category:	H & W
Attachments:	image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Thank you, Holly.

I won't have undertaken a thorough review of the documents by the time of our meeting. I will however be able to engage is initial discussions regarding the matter and next steps.

I appreciate you forwarding the relevant information and documents to me.

Kind regards

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Good morning

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Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Morning Edinger

I have flicked you a teams request for 2:00pm. If this time does not suit you, please suggest another.
Thank you

From: Holly Osborne <hollyteganosborne@hotmail.com>
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To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
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Thank you for your email.

Fund [HW-ACTIVE.FID4519412]

Dear Holly

Thank you for your email.

I confirm we are conflict free and able to assist. To enable us to open a file, please provide Rhonda's address. Our formal engagement agreement will be sent through tomorrow morning.

I am happy to arrange an initial telephone call when convenient and I have reasonable availability tomorrow and Wednesday in this regard.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

<image001.png>

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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 3:30 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Importance: High

Dear Edinger

Thank you for your email and your inquiry to Hall & Wilcox.

Subject:	RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Date:	Tuesday, 21 January 2025 at 11:10:14 AM Australian Eastern Standard Time
From:	McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
To:	Holly Osborne <hollyteganosborne@hotmail.com>
CC:	Honda.r@hotmail.com <Honda.r@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Category:	H & W
Attachments:	image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Dear Holly

Thank you, this time is suitable.

Christe and I will jump on the meeting then.

I have reviewed your email sent last night and we can discuss the matters raised during the meeting.

Kind regards

McLane Edinger | Partner

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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Tuesday, 21 January 2025 6:49 AM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Morning Edinger

I have flicked you a teams request for 2:00pm. If this time does not suit you, please suggest another.
Thank you

From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 8:23 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Edinger,

Thank you for your email.

Rhonda's (mother) official residence is 18 Magnetic Street, Boondall, QLD 4034. However, she currently resides with my husband and I at [redacted], Bracken Ridge, QLD 4017, and her mail has been redirected to this address since January 2025.

In addition, we currently have a tenancy matter involving the trustee, Garth Osborne (father) and Ann Anthonisz managed by Stuart Loudon, Solicitor, Loudon Legal. Garth and his partner Ann currently reside in Rhonda's Boondall property under a periodic lease but have been refusing to vacate. Should Mr Osborne continue to remain in the property beyond the provided end date, 28 February 2025, the matter will be heard at QCAT.

This evidence will be relevant to the current matter, as it demonstrates a clear and consistent pattern of behaviour by Mr. Osborne, including fraudulent misrepresentation, fraudulent inducement, and coercive conduct, providing a pattern of behaviour. Mr Loudon is issue correspondence addressing these matters with Garth and Ann. I will supply you with Stuart's correspondence, and evidence once issued.

I seek clarification on whether you have in-house forensic accountants, or if your firm us

with a recommended provider. The priority is to engage the most qualified expert to ensure high-quality evidence, avoid duplication, and analyse potential breaches of superannuation law and tax evasion while exonerating Rhonda. The analysis should establish the fund's true financial position, including ownership, assets, cash, and recovery strategies, and assess the significance of the breaches.

In terms of moving forward, I am available for a Teams chat tomorrow. Please let me know if 12:30pm or 1:00pm suits or suggest a time that works best for you.

Looking forward to hearing from you.

Kind regards,
Holly
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 6:59 PM
To: Holly Osborne <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

Thank you for your email.

I confirm we are conflict free and able to assist. To enable us to open a file, please provide Rhonda's address. Our formal engagement agreement will be sent through tomorrow morning.

I am happy to arrange an initial telephone call when convenient and I have reasonable availability tomorrow and Wednesday in this regard.

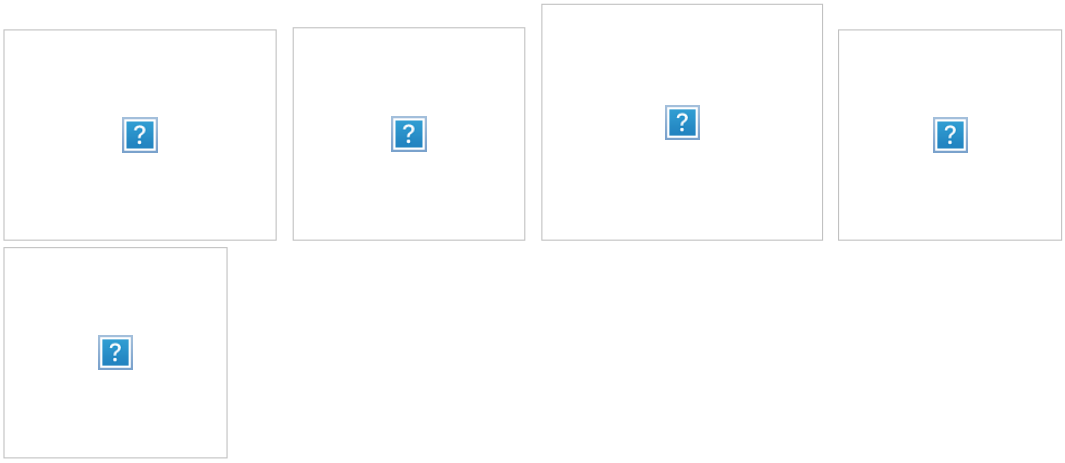
Kind regards

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Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Importance: High

Dear Edinger

Thank you for your email and your inquiry to Hall & Wilcox.

I acknowledge and agree to your request to proceed with the urgent review of the relevant documents and preliminary observations regarding Ms Knyvett's legal position, including any necessary protective steps.

Yes, before we engage further, please confirm that your firm is conflict-free in relation to this matter, emailing over the necessary details regarding the payment to the trust.

To ensure we are all on the same page, I would like to propose an initial conversation to discuss the matter further before proceeding with any substantive work. Please let me know your availability.

I look forward to your confirmation and details regarding the payment process.

Best regards,
Holly Dahm
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 4:22 PM
To: hollyteganosborne@hotmail.com <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

I refer to your email below and thank you for your enquiry to Hall & Wilcox.

By way of introduction, I am a Partner in our Private Clients team specialising in litigious matters, such as superannuation and trust disputes.

We have a team in Brisbane however our senior lawyer in the Brisbane office, Laura Hanrahan, is on leave for the week so given the urgency I thought I would respond in the meantime.

We can certainly assist on an urgent basis to review all relevant documents and provide preliminary observations regarding Ms Knyvett's legal position, and the options available, including whether urgent protective steps are needed to avoid further dissipation.

From an initial glance there are certainly matters of concern given Mr Osborne has in effect been acting as sole trustee despite being a co-trustee along with Ms Knyvett (assuming this is the case), whilst also owing fiduciary duties to Ms Knyvett as a beneficiary of the fund (assuming this is the case).

Our team has significant experience in these matters, and we would be glad to assist. In terms of fees, I estimate initial fees of $5,000 plus GST for the following work:

1. review all documents provided;
2. liaise with yourself and Ms Knyvett to obtain any further instructions required; and
3. attend an initial meeting with yourself and/or Ms Knyvett to provide our preliminary views, an overview of options available, and next steps.

Given the need to complete the work on an urgent basis, we will require the sum of $5,500 to be paid into trust prior to substantive work being undertaken.

Once we agree on the appropriate next steps in the matter, an updated estimate of fees will be provided.

Please confirm if you would like to proceed so we can complete a conflict check. Assuming we are conflict free, our engagement agreement will then be provided.

In the meantime, please don't hesitate to contact me on the numbers below should you wish to discuss further.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 9:44 AM
To: Reception Brisbane <Reception.Brisbane@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com
Subject: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund
Importance: High

Good morning

I write to you in my capacity as Enduring Power of Attorney (EPA) for Ms Rhonda Ann Knyvett, co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr Garth Wilfred Osborne. On behalf of Ms Knyvett, I seek urgent legal advice regarding potential civil action against Mr Osborne for alleged misconduct, gross mismanagement, and breaches of trustee duties, as well as against other parties for negligence.

Key Issues and Relief Sought
There is compelling evidence of significant mismanagement and misconduct, including:

Misappropriation of Funds
A substantial portion of the fund's assets has been allocated to Border & Pty Ltd, a financial services and wealth management company specialising in shares. Despite these transactions, the recovery of these funds may be impractical due to Mr Osborne's actions.

Fraudulent Asset Valuation
Properties held by the fund have been systematically undervalued in reports to the ATO,

masking the true financial position of the fund. The fund remains asset-rich but faces liquidity challenges stemming from inaccurate valuations.

Unlawful Transactions
Bank statements reveal transactions resembling round-tripping and other irregularities, with millions of dollars flowing in and out of the fund since its establishment in 2001. Despite these transactions, the fund's assets do not reflect corresponding growth, pointing to potential fraud or tax evasion.

Ms Knyvett seeks to:

1. Dissolve the fund and roll over her entitlements into a government-managed superannuation fund.
2. Investigate and accurately value the fund's financial position, including correcting undervalued properties to increase recoverable assets.
3. Pursue compensation for damages resulting from Mr Osborne's misconduct.
4. Petition for Mr Osborne's disqualification as trustee and the imposition of civil penalties.

Additional Parties and Negligence Claims
Ms Knyvett is also considering legal action against:

1. Mr David Wrangell, Accountant, for failing to ensure proper oversight of the fund's accounts.
2. Mr Laurie Carwardine, Auditor for negligence in identifying and addressing financial irregularities within the fund.

Summary of Misconduct and Broader Implications
The undervaluation of fund assets, breaches of the sole purpose and arm's length rules, related-party transactions, and evidence of tax evasion are central to this dispute. Mr Osborne has withheld critical information, obstructing Ms Knyvett's ability to fulfil her trustee duties and benefit from her entitlements.

The systemic mismanagement, involving millions of dollars in questionable transactions and undervalued properties, has caused significant financial harm to Ms Knyvett. Furthermore, evidence suggests Mr Osborne's misconduct may extend to other SMSFs and numerous ABNs, raising broader implications for other affected parties and regulatory bodies.

Given the substantial financial harm, evidence of fraudulent or negligent conduct, and potential wider implications, this matter warrants immediate legal action. A full investigation into the Ultra Super Fund's financial position and Mr Osborne's actions is critical to achieving accountability and recovering losses for Ms Knyvett.

Additionally, I have enclosed:

- Enduring Power of Attorney for your reference. Mr Knyvett has been copied on this correspondence.
- Extracts with notable transactions from the Suncorp and Bendigo Ultra Super Fund's bank accounts for 1.08.2007 to 30.08.2007, 1.06.2009 to 30.06.2009
- Contract of Sale (Seller Contract) referenced below.
- Extracts of the concerning material provided by Mr David Wrangell, Accountant, Pine Rivers Consulting.

Your expertise on the prospects of success and legal remedies in these matters would be greatly valued. Attached are comparable

Kind regards

Holly Dahm
Enduring Power of Attorney,

Ms Rhonda Ann Knyvett, trustee
Ultra Super Fund Trustee
0413 688 334
honda.r@hotmail.com

BACKGROUND

1. Ms. Knyvett and Mr. Osborne were in a long-term de facto relationship from 1979 to 2000.
1. Ms. Knyvett, born 18 October 1957, is in her late sixties, is not digitally literate, and primarily worked in the home.
2. Mr. Osborne, born 10 January 1956, has operated as a sole trader for over 40 years, specifically running Zillmere Spine & Sports Physio Clinic & Zillmere Sports Physio Clinic, located in Zillmere, 4034.
3. Ms. Knyvett only knew her superannuation was connected to apartments in Zillmere but was excluded from all decision-making.
4. The SMSF was established in 2001, with Mr. Osborne exercising sole control despite Ms. Knyvett's legal status as a co-trustee.
5. On 23 December 2024, Ms. Knyvett identified herself as a co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr. Osborne.
6. Mr. Osborne requested a meeting with Ms. Knyvett when she sought access to her superannuation.
7. On 23 December 2024, at the meeting, Mr. Osborne presented Ms. Knyvett with a form and a seller contract. The seller contract evidenced Mr. Osborne's attempt to sell a fund asset at a deflated value, significantly below market value, and indicated illegal or non-compliant property ownership structures (attached).
8. Mr. Osborne attempted to coerce Ms. Knyvett into signing, verbally berating her and her support person while standing over them.
9. The seller contract revealed Mr. Osborne's intention to sell the asset to his partner, Ms. Ann Anthonisz, at a price below market value.
10. A clause in the contract appeared designed to disadvantage Ms. Knyvett.
11. Ms. Knyvett refused to sign both the form and the seller contract.
12. She retained the seller contract despite Mr. Osborne's attempts to retrieve it.
13. She took a photograph of the Boardroom Pty Limited form before Mr. Osborne snatched it away.
14. Mr. Osborne withheld information about the management of the Ultra Super Fund.
15. Ms. Knyvett was unaware that her superannuation was managed in a Self-Managed Superannuation Fund (SMSF) or that she was a trustee.

SUMMARY OF CONCERNS REGARDING MR OSBORNE, TRUSTEE OF ULTRA SUPER FUND:

1. Failure to Respond and Obstruction of Trustee Duties:
    - Mr Osborne has ignored all verbal, text, and email communications from Mr Knyvett, hindering him from fulfilling his responsibilities as a

trustee.
    - He has prevented Ms Knyvett from accessing fund information, performing her trustee duties, and protecting the fund's assets
2. Financial Misconduct:
    - Bank statements show concerning transactions similar to round-tripping of business income into the SMSF.
    - Significant fund transfers to a Bendigo and Adelaide Bank account linked to Mr Osborne, **sharing an identical account number** with the Bendigo Ultra Super Fund account.
    - **Millions** of funds transferred to CommSec, NAB, by cheque, and cash withdrawals, with suspicious transactions involving over 1,072 cheques.
    - Misrepresentation of fund transfers as belonging to the Ultra Super Fund to conceal improper movements.
3. Coercive Control and Manipulation:
    - Allegations of coercive control, including threats, blackmail, intimidation, and manipulation of Ms Knyvett to sign documents without understanding their implications.
    - False representation of Ms Knyvett's entitlements (claiming $10,000–$15,000), despite ATO confirming her share as **$711,000**.
4. Withholding Information and Misrepresentation:
    - Fund records, deeds, and key documentation have been withheld by Mr Osborne.
    - Allegations of false information provided to accountants, with deposits and withdrawals in Ms Knyvett's name to benefit Mr Osborne.
5. Improper Fund Management:
    - Mr Osborne rolled over his portion of the fund into a personal retirement fund, disadvantaging Ms Knyvett.
6. Taxation concerns
    - Despite both parties being over 65, the fund continues to pay tax. An actuarial certificate shows $1.7 million attributed to Mr Osborne and $0 to Ms Knyvett.
    - Discrepancies in tax liabilities: Ms Knyvett is responsible for 28.4% of a $5,000 tax bill, while Mr Osborne owes only 0.8%.
7. EPA and Binding Death Benefit Nomination (BDBN) Concerns:
    - Allegations of falsified and non-compliant EPA documents, potentially altered to benefit Mr Osborne.
    - Concerns over fraudulent BDBN forms that disadvantage Ms Knyvett and her beneficiaries, favouring Mr Osborne as sole beneficiary.
8. Deed Concerns:
    - Suspicions that Mr Osborne implemented a deed granting himself disproportionate control (greater than 50%), breaching the SIS Act.
9. Limited Access to Funds:
    - Since becoming eligible, Ms Knyvett has only received $25,000, paid via personal cheque by Mr Osborne, which Ms Knyvett deposited into her account.
10. Complete Obstruction of Trustee Responsibilities:
    - Mr Osborne has fully prevented Ms Knyvett from performing her obligations as a trustee by withholding information, funds, and management access.

11. Extensive ABN registration
    - Significant issues have been identified regarding Mr Osborne's involvement with multiple ABNs, SMSFs, discretionary trusts, and business entities. These raise concerns about potential regulatory breaches, conflicts of interest, and fiduciary misconduct.

The ABNs linked to Mr Osborne include:

- ABN 43 960 865 910 – Garth Wilfred Osborne
- ABN 14 946 035 004 – Garth W Osborne Physiotherapy
- ABN 66 010 316 551 – Degelyn Pty Ltd
- ABN 52 856 037 840 – Gregory R & Anna M Osborne
- ABN 14 946 035 004 – Garth A & Gail R Osborne

Key Concerns:

- Possible misuse or non-compliance with ATO regulations.
- Entity Name Changes, the frequent changes suggesting financial irregularities or intent to obscure activities.
- Conflicts of Interest, potential issues arising from Mr. Osborne's simultaneous roles in other SMSFs and trusts.
- Regulatory breaches; possible non-compliance with the SIS Act and trustee obligations.

CONCERNS REGARDING MR DAVID WRANGELL, ACCOUNTANT, PINE RIVERS CONSULTING:

1. Mr David Wrangell has provided financial services to Ultra Super Fund since its establishment.
2. M. Wrangell submitted the tax lodgements for the previous five years.
3. The submitted material is incomplete, containing missing, unsigned, and unfinished documents, with handwritten notes, raising doubts about the validity of the records. This is especially concerning given Mr. Osborne's sole control over the fund and its activities.
4. Some documents include handwritten notes listing my mother as "Rhonda Ann Osborne," a name under which no legal documentation exists, as my mother and Mr. Osborne were never married. It is worth noting that Mr. Osborne's current fiancée or wife shares the name "Ann" with the same spelling, which raises further concerns.
5. A $15,600 entry on May 2, 2023, under the shop rent account in the General Ledger is inconsistent with standard rental payment structures, suggesting the potential use of a bank account as a holding account. This entry will be cross-referenced with the bank statements for any discrepancies, with relevant bank statements attached for comparison.
6. Transactions involving the Ultra Super Fund Bendigo account with identical account numbers are under scrutiny.
7. Mr. Wrangell has withheld essential requested information.

CONCERNS REGARDING MR LAURIE CARWARDINE, AUDITOR, CARWARDINE & ASSOCIATES:

1. Essential information has been requested and is being withheld by Mr Carwardine.

EVIDENCE: ULTRA SUPER FUND

Suncorp Bank Statements

Account Details: BSB 484-799, Account 001422502 (joint account opened May 2007, still active).

Transaction Details:

- On 26 December 2024, two-person authentication was implemented by Ms Knyvett for fund withdrawals.
- Statements show 18 years of transactions by Mr Osborne, transferring millions of dollars into, out of, and between Bendigo and Suncorp Ultra Super Fund accounts, while maintaining low balances.

1. **Bendigo Bank Statements**
   Account Details: Ultra Super Fund BSB 633-000, Account 118052760 (joint account opened 1 December 2004, closed 30 March 2024 by Mr Osborne).
   Transaction Details:
   - Statements show 20 years of transactions by Mr Osborne, mirroring Suncorp account activity, including significant fund transfers between Bendigo and
   - Suncorp accounts and to other accounts linked to Mr Osborne.
     Funds were transferred to accounts such as CommSec and NAB, with suspicious cheque activity (1,072 cheques written with deposits and withdrawals of similar amounts on the same day or consecutively).
2. **Evidence of Misrepresentation and Fund Movement**
   Funds appear to have been cycled through multiple accounts to obscure origin and destination.
   - Substantial amounts, including over $1 million in rental payments, were disbursed from both Bendigo and Suncorp accounts, despite low account balances.
   - Transfers were intentionally misrepresented as related to the Ultra Super Fund to conceal improper fund movements.
3. **Tax Returns and Financial Statements (2019–2023)**
   Provided by Accountant Mr. David Wrangell, Pine Rivers Consultant:
   - Included financial statements, actuarial certificates, general ledgers, tax returns, and trial balances.
   - Documents were incomplete, unsigned, and contained inaccuracies, including handwritten notes identifying Ms Knyvett as “Rhonda Ann Osborne,” a name with no legal basis.
   - Entries in the general ledger, such as a lump sum rental payment of $15,600 (2 May 2023), suggest the use of a bank account as a holding account. These entries will be cross-referenced with bank statements.
   - Financial statements undervalue fund assets reported to the ATO.
4. **Seller Contract (158 Church Road, Zillmere)**
   SIS Act Breaches:
   Breach of arm’s length provisions, sole purpose test, and asset valuation requirements.
   Transaction Details:
   - The contract sought to sell a 50% stake in the property for $330,000 (below market value) to Mr Osborne’s partner, Ms Ann Anthonisz.
   - A clause in the contract was included to disadvantage Mr Knyvett.
     The contract suggests non-compliant property ownership structures.
5. **Boardroom Pty Limited Form**

Information:

- Linked to the sale of 158 Church Road, form to request for direct crediting of payments, referencing Ultra Super Fund ABN 41 873 921 089.
- Contains information about the Ultra Super Fund Suncorp account

(BSB 484-799, Account 001422502).

Boardroom email correspondence:

- Boardroom Pty Limited have withheld requested involvement in central information.
- Ms Maxine Williams, Investor Service Officer confirmed an existing EPA is file, but it does not match the surname of the current EPA holder.
- is believed that the surname referenced is Osborne, based on a 2005 EPA containing only the name of the drafting lawyer, Lawrence John Watling, formerly based in Caboolture, without contact details. Concerns exist regarding the contents of this EPA.
- Rhonda has notified Mr Osborne Trustee, Mr Wrangell, Accountant (SMSF Administrator), Mr Carwardine, Auditor, and Boardroom Pty Limited of the existence of a new EPA.
- Ms Williams confirmed a new EPA will require Mr Osborne's signature approval and must be submitted directly to them, likely in accordance with the conditions of the Deed of Establishment, which appears to Favor Mr. Osborne and disadvantage Ms Knyvett.

6. **Actuarial Certificates and Data Provided by Ms Melanie Dunn (Accurium)**
    - Ms Melanie Dunn, FIAA SSA, Principal at Accurium, issued an email providing the actuarial certificates for the Ultra Super Fund for the financial years 2018–2023.
    - The email confirmed that the actuarial services were provided to the Fund, and Mr Wrangell, the accountant, obtained the annual actuarial certificate for the Fund. Mr Wrangell has ordered these certificates from Accurium directly for several years.
    - Ms Dunn noted that an online form is completed by the accountant to provide Accurium with the data necessary for actuarial calculations, which Accurium relies on to issue the required certificates.

Actuarial Services and Fund Records

Concerns:

- Accurium confirmed they do not receive the financial statements, valuation reports, or income and expense records of the Fund.
- This raises concerns about the accuracy and completeness of the data used for the actuarial calculations, as these documents are critical for proper actuarial assessments.

FUND ASSETS

PROPERTIES OWNED BY THE FUND

Properties assets of the Fund have been undervalued since 2001.

Residential:

1. 364 Zillmere Road, Unit 1
2. 364 Zillmere Road, Unit 2
3. 364 Zillmere Road, Unit 3
4. 364 Zillmere Road, Unit 4
5. 364 Zillmere Road, Unit 5
6. 364 Zillmere Road, Unit 6

Commercial:

7. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

RENTALS

Commenced as fund asset upon established in 2001
Residential:

8. 364 Zillmere Road, Unit 1
9. 364 Zillmere Road, Unit 2
10. 364 Zillmere Road, Unit 3
11. 364 Zillmere Road, Unit 4
12. 364 Zillmere Road, Unit 5
13. 364 Zillmere Road, Unit 6

Commercial:

14. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

DIVIDENDS

- QANTAS dividends
- David Jones dividends
- Coles/ Myer dividends
- CENTRO PROP DIS DIVIDENT
- CENTRO RET DIS DIVIDENT
- SANTOS
- TELSTRA DIVIDEND
- AMP LIMITED DIVIDEND
- BHP BILLITON DIVIDEND
- CNP SPECIAL DIST DIVIDEND
- SANTOS DIVIDEND
- BXB FNL DIVIDEND
- BXB ITM DIVIDEND
- BRAMBLES dividend
- DIVIDEND ANZ replacement
- direct credit AAI limited t/as 3,724
- SANTOS

Notable precedent decisions

- ATO v. Cook (2017)
- ATO v. Garvey [2019]
- ATO v. Langan [2018]
- ATO v. Robinson [2017] FCA 23
- Australian Taxation Office v. D'Souza [2021]
- Australian Taxation Office v. Hurley [2020] FCAFC 179
- Australian Taxation Office v. M & S Ventures Pty Ltd (2018)
- Cam & Bear Pty Ltd v McGoldrick [2018] NSWCA 110
- Fowles v. ATO [2022] FCAC 16
- Ryan Wealth Holdings Pty Ltd v Baumgartner [2018] NSWSC 1502
- Smith v. Anderson [2020]
- Smith v. Jenkins [2019] FCA 573
- Taylor v. Simmons [2015]

Subject:	RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Date:	Tuesday, 21 January 2025 at 11:10:14 AM Australian Eastern Standard Time
From:	McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
To:	Holly Osborne <hollyteganosborne@hotmail.com>
CC:	Honda.r@hotmail.com <Honda.r@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Category:	H & W
Attachments:	image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Dear Holly

Thank you, this time is suitable.

Christe and I will jump on the meeting then.

I have reviewed your email sent last night and we can discuss the matters raised during the meeting.

Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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with a recommended provider. The priority is to engage the most qualified expert to ensure high-quality evidence, avoid duplication, and analyse potential breaches of superannuation law and tax evasion while exonerating Rhonda. The analysis should establish the fund's true financial position, including ownership, assets, cash, and recovery strategies, and assess the significance of the breaches.

In terms of moving forward, I am available for a Teams chat tomorrow. Please let me know if 12:30pm or 1:00pm suits or suggest a time that works best for you.

Looking forward to hearing from you.

Kind regards,
Holly
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 6:59 PM
To: Holly Osborne <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

Thank you for your email.

I confirm we are conflict free and able to assist. To enable us to open a file, please provide Rhonda's address. Our formal engagement agreement will be sent through tomorrow morning.

I am happy to arrange an initial telephone call when convenient and I have reasonable availability tomorrow and Wednesday in this regard.

Kind regards

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Sent: Monday, 20 January 2025 3:30 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Importance: High

Dear Edinger

Thank you for your email and your inquiry to Hall & Wilcox.

I acknowledge and agree to your request to proceed with the urgent review of the relevant documents and preliminary observations regarding Ms Knyvett's legal position, including any necessary protective steps.

Yes, before we engage further, please confirm that your firm is conflict-free in relation to this matter, emailing over the necessary details regarding the payment to the trust.

To ensure we are all on the same page, I would like to propose an initial conversation to discuss the matter further before proceeding with any substantive work. Please let me know your availability.

I look forward to your confirmation and details regarding the payment process.

Best regards,
Holly Dahm
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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 9:44 AM
To: Reception Brisbane <Reception.Brisbane@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com
Subject: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund
Importance: High

Good morning

I write to you in my capacity as Enduring Power of Attorney (EPA) for Ms Rhonda Ann Knyvett, co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr Garth Wilfred Osborne. On behalf of Ms Knyvett, I seek urgent legal advice regarding potential civil action against Mr Osborne for alleged misconduct, gross mismanagement, and breaches of trustee duties, as well as against other parties for negligence.

Key Issues and Relief Sought
There is compelling evidence of significant mismanagement and misconduct, including:

Misappropriation of Funds
A substantial portion of the fund's assets has been allocated to Border & Pty Ltd, a financial services and wealth management company specialising in shares. Despite these transactions, the recovery of these funds may be impractical due to Mr Osborne's actions.

Fraudulent Asset Valuation
Properties held by the fund have been systematically undervalued in reports to the ATO,

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Date:	Monday, 20 January 2025 at 7:00:00 PM Australian Eastern Standard Time
From:	McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
To:	Holly Osborne <hollyteganosborne@hotmail.com>
CC:	Honda.r@hotmail.com <Honda.r@hotmail.com>, Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>, Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
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Best regards,
Holly Dahm
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 4:22 PM
To: hollyteganosborne@hotmail.com <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: RE: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]

Dear Holly

I refer to your email below and thank you for your enquiry to Hall & Wilcox.

By way of introduction, I am a Partner in our Private Clients team specialising in litigious matters, such as superannuation and trust disputes.

We have a team in Brisbane however our senior lawyer in the Brisbane office, Laura Hanrahan, is on leave for the week so given the urgency I thought I would respond in the meantime.

We can certainly assist on an urgent basis to review all relevant documents and provide preliminary observations regarding Ms Knyvett's legal position, and the options available, including whether urgent protective steps are needed to avoid further dissipation.

From an initial glance there are certainly matters of concern given Mr Osborne has in effect been acting as sole trustee despite being a co-trustee along with Ms Knyvett (assuming this is the case), whilst also owing fiduciary duties to Ms Knyvett as a beneficiary of the fund (assuming this is the case).

Our team has significant experience in these matters, and we would be glad to assist. In terms of fees, I estimate initial fees of $5,000 plus GST for the following work:

1. review all documents provided;
2. liaise with yourself and Ms Knyvett to obtain any further instructions required; and
3. attend an initial meeting with yourself and/or Ms Knyvett to provide our preliminary views, an overview of options available, and next steps.

Given the need to complete the work on an urgent basis, we will require the sum of $5,500 to be paid into trust prior to substantive work being undertaken.

Once we agree on the appropriate next steps in the matter, an updated estimate of fees will be provided.

Please confirm if you would like to proceed so we can complete a conflict check. Assuming we are conflict free, our engagement agreement will then be provided.

In the meantime, please don't hesitate to contact me on the numbers below should you wish to discuss further.

Kind regards

McLane Edinger | Partner

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There is compelling evidence of significant mismanagement and misconduct, including:

Misappropriation of Funds
A substantial portion of the fund's assets has been allocated to Border & Pty Ltd, a financial services and wealth management company specialising in shares. Despite these transactions, the recovery of these funds may be impractical due to Mr Osborne's actions.

Fraudulent Asset Valuation
Properties held by the fund have been systematically undervalued in reports to the ATO, masking the true financial position of the fund. The fund remains asset-rich but faces liquidity challenges stemming from inaccurate valuations.

Unlawful Transactions
Bank statements reveal transactions resembling round-tripping and other irregularities, with millions of dollars flowing in and out of the fund since its establishment in 2001. Despite these transactions, the fund's assets do not reflect corresponding growth, pointing to potential fraud or tax evasion.

Ms Knyvett seeks to:

1. Dissolve the fund and roll over her entitlements into a government-managed superannuation fund.
2. Investigate and accurately value the fund's financial position, including correcting undervalued properties to increase recoverable assets.
3. Pursue compensation for damages resulting from Mr Osborne's misconduct.
4. Petition for Mr Osborne's disqualification as trustee and the imposition of civil penalties.

Additional Parties and Negligence Claims
Ms Knyvett is also considering legal action against:

1. Mr David Wrangell, Accountant, for failing to ensure proper oversight of the fund's accounts.
2. Mr Laurie Carwardine, Auditor for negligence in identifying and addressing financial irregularities within the fund.

Summary of Misconduct and Broader Implications
The undervaluation of fund assets, breaches of the sole purpose and arm's length rules, related-party transactions, and evidence of tax evasion are central to this dispute. Mr Osborne has withheld critical information, obstructing Ms Knyvett's ability to fulfil her trustee duties and benefit from her entitlements.

The systemic mismanagement, involving millions of dollars in questionable transactions and undervalued properties, has caused significant financial harm to Ms Knyvett. Furthermore, evidence suggests Mr Osborne's misconduct may extend to other SMSFs and numerous ABNs, raising broader implications for other affected parties and regulatory bodies.

Given the substantial financial harm, evidence of fraudulent or negligent conduct, and potential wider implications, this matter warrants immediate legal action. A full investigation into the Ultra Super Fund's financial position and Mr Osborne's actions is critical to achieving accountability and recovering losses for Ms Knyvett.

Additionally, I have enclosed:

- Enduring Power of Attorney for your reference. Mr Knyvett has been copied on this correspondence.
- Extracts with notable transactions from the Suncorp and Bendigo Ultra Super Fund's bank accounts for 1.08.2007 to 30.08.2007, 1.06.2009 to 30.06.2009
- Contract of Sale (Seller Contract) referenced below.
- Extracts of the concerning material provided by Mr David Wrangell, Accountant, Pine Rivers Consulting.

Your expertise on the prospects of success and legal remedies in these matters would be greatly valued. Attached are comparable

Kind regards

Holly Dahm
Enduring Power of Attorney,

Ms Rhonda Ann Knyvett, trustee
Ultra Super Fund Trustee
0413 688 334
honda.r@hotmail.com

BACKGROUND

1. Ms. Knyvett and Mr. Osborne were in a long-term de facto relationship from 1979 to 2000.
1. Ms. Knyvett, born 18 October 1957, is in her late sixties, is not digitally literate, and primarily worked in the home.

2. Mr. Osborne, born 10 January 1956, has operated as a sole trader for over 40 years, specifically running Zillmere Spine & Sports Physio Clinic & Zillmere Sports Physio Clinic, located in Zillmere, 4034.
3. Ms. Knyvett only knew her superannuation was connected to apartments in Zillmere but was excluded from all decision-making.
4. The SMSF was established in 2001, with Mr. Osborne exercising sole control despite Ms. Knyvett's legal status as a co-trustee.
5. On 23 December 2024, Ms. Knyvett identified herself as a co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr. Osborne.
6. Mr. Osborne requested a meeting with Ms. Knyvett when she sought access to her superannuation.
7. On 23 December 2024, at the meeting, Mr. Osborne presented Ms. Knyvett with a form and a seller contract. The seller contract evidenced Mr. Osborne's attempt to sell a fund asset at a deflated value, significantly below market value, and indicated illegal or non-compliant property ownership structures (attached).
8. Mr. Osborne attempted to coerce Ms. Knyvett into signing, verbally berating her and her support person while standing over them.
9. The seller contract revealed Mr. Osborne's intention to sell the asset to his partner, Ms. Ann Anthonisz, at a price below market value.
10. A clause in the contract appeared designed to disadvantage Ms. Knyvett.
11. Ms. Knyvett refused to sign both the form and the seller contract.
12. She retained the seller contract despite Mr. Osborne's attempts to retrieve it.
13. She took a photograph of the Boardroom Pty Limited form before Mr. Osborne snatched it away.
14. Mr. Osborne withheld information about the management of the Ultra Super Fund.
15. Ms. Knyvett was unaware that her superannuation was managed in a Self-Managed Superannuation Fund (SMSF) or that she was a trustee.

SUMMARY OF CONCERNS REGARDING MR OSBORNE, TRUSTEE OF ULTRA SUPER FUND:

1. Failure to Respond and Obstruction of Trustee Duties:
    - Mr Osborne has ignored all verbal, text, and email communications from Mr Knyvett, hindering him from fulfilling his responsibilities as a trustee.
    - He has prevented Ms Knyvett from accessing fund information, performing her trustee duties, and protecting the fund's assets
2. Financial Misconduct:
    - Bank statements show concerning transactions similar to round-tripping of business income into the SMSF.
    - Significant fund transfers to a Bendigo and Adelaide Bank account linked to Mr Osborne, **sharing an identical account number** with the Bendigo Ultra Super Fund account.
    - **Millions** of funds transferred to CommSec, NAB, by cheque, and cash withdrawals, with suspicious transactions involving over 1,072 cheques.
    - Misrepresentation of fund transfers as belonging to the Ultra Super Fund to conceal improper movements.
3. Coercive Control and Manipulation:
    - Allegations of coercive control, including threats, blackmail, intimidation, and manipulation of Ms Knyvett to sign documents

without understanding their implications.
    - False representation of Ms Knyvett's entitlements (claiming $10,000–$15,000), despite ATO confirming her share as **$711,000**.
4. Withholding Information and Misrepresentation:
    - Fund records, deeds, and key documentation have been withheld by Mr Osborne.
    - Allegations of false information provided to accountants, with deposits and withdrawals in Ms Knyvett's name to benefit Mr Osborne.
5. Improper Fund Management:
    - Mr Osborne rolled over his portion of the fund into a personal retirement fund, disadvantaging Ms Knyvett.
6. Taxation concerns
    - Despite both parties being over 65, the fund continues to pay tax. An actuarial certificate shows $1.7 million attributed to Mr Osborne and $0 to Ms Knyvett.
    - Discrepancies in tax liabilities: Ms Knyvett is responsible for 28.4% of a $5,000 tax bill, while Mr Osborne owes only 0.8%.
7. EPA and Binding Death Benefit Nomination (BDBN) Concerns:
    - Allegations of falsified and non-compliant EPA documents, potentially altered to benefit Mr Osborne.
    - Concerns over fraudulent BDBN forms that disadvantage Ms Knyvett and her beneficiaries, favouring Mr Osborne as sole beneficiary.
8. Deed Concerns:
    - Suspicions that Mr Osborne implemented a deed granting himself disproportionate control (greater than 50%), breaching the SIS Act.
9. Limited Access to Funds:
    - Since becoming eligible, Ms Knyvett has only received $25,000, paid via personal cheque by Mr Osborne, which Ms Knyvett deposited into her account.
10. Complete Obstruction of Trustee Responsibilities:
    - Mr Osborne has fully prevented Ms Knyvett from performing her obligations as a trustee by withholding information, funds, and management access.
11. Extensive ABN registration
    - Significant issues have been identified regarding Mr Osborne's involvement with multiple ABNs, SMSFs, discretionary trusts, and business entities. These raise concerns about potential regulatory breaches, conflicts of interest, and fiduciary misconduct.

The ABNs linked to Mr Osborne include:

- ABN 43 960 865 910 – Garth Wilfred Osborne
- ABN 14 946 035 004 – Garth W Osborne Physiotherapy
- ABN 66 010 316 551 – Degelyn Pty Ltd
- ABN 52 856 037 840 – Gregory R & Anna M Osborne
- ABN 14 946 035 004 – Garth A & Gail R Osborne

Key Concerns:

- Possible misuse or non-compliance with ATO regulations.
- Entity Name Changes, the frequent changes suggesting financial irregularities or intent to obscure activities.
- Conflicts of Interest, potential issues arising from Mr. Osborne's simultaneous roles in other SMSFs and trusts.

- Regulatory breaches; possible non-compliance with the SIS Act and trustee obligations.

CONCERNS REGARDING MR DAVID WRANGELL, ACCOUNTANT, PINE RIVERS CONSULTING:

1. Mr David Wrangell has provided financial services to Ultra Super Fund since its establishment.
2. M. Wrangell submitted the tax lodgements for the previous five years.
3. The submitted material is incomplete, containing missing, unsigned, and unfinished documents, with handwritten notes, raising doubts about the validity of the records. This is especially concerning given Mr. Osborne's sole control over the fund and its activities.
4. Some documents include handwritten notes listing my mother as "Rhonda Ann Osborne," a name under which no legal documentation exists, as my mother and Mr. Osborne were never married. It is worth noting that Mr. Osborne's current fiancée or wife shares the name "Ann" with the same spelling, which raises further concerns.
5. A $15,600 entry on May 2, 2023, under the shop rent account in the General Ledger is inconsistent with standard rental payment structures, suggesting the potential use of a bank account as a holding account. This entry will be cross-referenced with the bank statements for any discrepancies, with relevant bank statements attached for comparison.
6. Transactions involving the Ultra Super Fund Bendigo account with identical account numbers are under scrutiny.
7. Mr. Wrangell has withheld essential requested information.

CONCERNS REGARDING MR LAURIE CARWARDINE, AUDITOR, CARWARDINE & ASSOCIATES:

1. Essential information has been requested and is being withheld by Mr Carwardine.

EVIDENCE: ULTRA SUPER FUND

Suncorp Bank Statements

Account Details: BSB 484-799, Account 001422502 (joint account opened May 2007, still active).

Transaction Details:

- On 26 December 2024, two-person authentication was implemented by Ms Knyvett for fund withdrawals.
- Statements show 18 years of transactions by Mr Osborne, transferring millions of dollars into, out of, and between Bendigo and Suncorp Ultra Super Fund accounts, while maintaining low balances.

1. **Bendigo Bank Statements**

   Account Details: Ultra Super Fund BSB 633-000, Account 118052760 (joint account opened 1 December 2004, closed 30 March 2024 by Mr Osborne).

   Transaction Details:

   - Statements show 20 years of transactions by Mr Osborne, mirroring Suncorp account activity, including significant fund transfers between Bendigo and
   - Suncorp accounts and to other accounts linked to Mr Osborne.

     Funds were transferred to accounts such as CommSec and NAB, with suspicious cheque activity (1,072 cheques written with deposits and withdrawals of similar amounts on the same day or consecutively).

2. **Evidence of Misrepresentation and Fund Movement**

   Funds appear to have been cycled through multiple accounts to obscure origin

and destination.

- Substantial amounts, including over $1 million in rental payments, were disbursed from both Bendigo and Suncorp accounts, despite low account balances.
- Transfers were intentionally misrepresented as related to the Ultra Super Fund to conceal improper fund movements.

3. **Tax Returns and Financial Statements (2019–2023)**

Provided by Accountant Mr. David Wrangell, Pine Rivers Consultant:

- Included financial statements, actuarial certificates, general ledgers, tax returns, and trial balances.
- Documents were incomplete, unsigned, and contained inaccuracies, including handwritten notes identifying Ms Knyvett as "Rhonda Ann Osborne," a name with no legal basis.
- Entries in the general ledger, such as a lump sum rental payment of $15,600 (2 May 2023), suggest the use of a bank account as a holding account. These entries will be cross-referenced with bank statements.
- Financial statements undervalue fund assets reported to the ATO.

4. **Seller Contract (158 Church Road, Zillmere)**

SIS Act Breaches:

Breach of arm's length provisions, sole purpose test, and asset valuation requirements.

Transaction Details:

- The contract sought to sell a 50% stake in the property for $330,000 (below market value) to Mr Osborne's partner, Ms Ann Anthonisz.
- A clause in the contract was included to disadvantage Mr Knyvett. The contract suggests non-compliant property ownership structures.

5. **Boardroom Pty Limited Form**

Information:

- Linked to the sale of 158 Church Road, form to request for direct crediting of payments, referencing Ultra Super Fund ABN 41 873 921 089.
- Contains information about the Ultra Super Fund Suncorp account (BSB 484-799, Account 001422502).

Boardroom email correspondence:

- Boardroom Pty Limited have withheld requested involvement in central information.
- Ms Maxine Williams, Investor Service Officer confirmed an existing EPA is file, but it does not match the surname of the current EPA holder.
- is believed that the surname referenced is Osborne, based on a 2005 EPA containing only the name of the drafting lawyer, Lawrence John Watling, formerly based in Caboolture, without contact details. Concerns exist regarding the contents of this EPA.
- Rhonda has notified Mr Osborne Trustee, Mr Wrangell, Accountant (SMSF Administrator), Mr Carwardine, Auditor, and Boardroom Pty Limited of the existence of a new EPA.
- Ms Williams confirmed a new EPA will require Mr Osborne's signature approval and must be submitted directly to them, likely in accordance with the conditions of the Deed of Establishment, which appears to Favor Mr. Osborne and disadvantage Ms Knyvett.

6. **Actuarial Certificates and Data Provided by Ms Melanie Dunn (Accurium)**
    - Ms Melanie Dunn, FIAA SSA, Principal at Accurium, issued an email providing the actuarial certificates for the Ultra Super Fund for the financial years 2018–2023.
    - The email confirmed that the actuarial services were provided to the Fund, and Mr Wrangell, the accountant, obtained the annual actuarial certificate for the Fund. Mr Wrangell has ordered these certificates from Accurium directly for several years.
    - Ms Dunn noted that an online form is completed by the accountant to provide Accurium with the data necessary for actuarial calculations, which Accurium relies on to issue the required certificates.

Actuarial Services and Fund Records

Concerns:

- Accurium confirmed they do not receive the financial statements, valuation reports, or income and expense records of the Fund.
- This raises concerns about the accuracy and completeness of the data used for the actuarial calculations, as these documents are critical for proper actuarial assessments.

FUND ASSETS

PROPERTIES OWNED BY THE FUND

Properties assets of the Fund have been undervalued since 2001.

Residential:

1. 364 Zillmere Road, Unit 1
2. 364 Zillmere Road, Unit 2
3. 364 Zillmere Road, Unit 3
4. 364 Zillmere Road, Unit 4
5. 364 Zillmere Road, Unit 5
6. 364 Zillmere Road, Unit 6

Commercial:

7. Shop 1 and Shop 2 158 Church Road, Zillmere / 2 Hinchliffe Street, Zillmere

RENTALS

Commenced as fund asset upon established in 2001

Residential:

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DIVIDENDS

- QANTAS dividends
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- Smith v. Anderson [2020]
- Smith v. Jenkins [2019] FCA 573
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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 3:30 PM
To: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
Subject: Re: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund [HW-ACTIVE.FID4519412]
Importance: High

Dear Edinger

Thank you for your email and your inquiry to Hall & Wilcox.

I acknowledge and agree to your request to proceed with the urgent review of the relevant documents and preliminary observations regarding Ms Knyvett's legal position, including any necessary protective steps.

Yes, before we engage further, please confirm that your firm is conflict-free in relation to this matter, emailing over the necessary details regarding the payment to the trust.

To ensure we are all on the same page, I would like to propose an initial conversation to discuss the matter further before proceeding with any substantive work. Please let me know your availability.

I look forward to your confirmation and details regarding the payment process.

Best regards,
Holly Dahm
0401219842

From: McLane Edinger <McLane.Edinger@hallandwilcox.com.au>
Sent: Monday, 20 January 2025 4:22 PM
To: hollyteganosborne@hotmail.com <hollyteganosborne@hotmail.com>
Cc: Honda.r@hotmail.com <Honda.r@hotmail.com>; Laura Hanrahan <Laura.Hanrahan@hallandwilcox.com.au>; Christie Gardiner <Christie.Gardiner@hallandwilcox.com.au>
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Keep up to date and view our Latest Thinking
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From: Holly Osborne <hollyteganosborne@hotmail.com>
Sent: Monday, 20 January 2025 9:44 AM
To: Reception Brisbane <Reception.Brisbane@hallandwilcox.com.au>
Cc: Honda.r@hotmail.com
Subject: Request for Legal Advice – Potential Civil Action Regarding Ultra Super Fund
Importance: High

Good morning

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Key Issues and Relief Sought
There is compelling evidence of significant mismanagement and misconduct, including:

Misappropriation of Funds
A substantial portion of the fund's assets has been allocated to Border & Pty Ltd, a financial services and wealth management company specialising in shares. Despite these transactions, the recovery of these funds may be impractical due to Mr Osborne's actions.

Fraudulent Asset Valuation
Properties held by the fund have been systematically undervalued in reports to the ATO, masking the true financial position of the fund. The fund remains asset-rich but faces liquidity challenges stemming from inaccurate valuations.

Unlawful Transactions
Bank statements reveal transactions resembling round-tripping and other irregularities, with millions of dollars flowing in and out of the fund since its establishment in 2001. Despite these transactions, the fund's assets do not reflect corresponding growth, pointing to potential fraud or tax evasion.

Ms Knyvett seeks to:

1. Dissolve the fund and roll over her entitlements into a government-managed superannuation fund.
2. Investigate and accurately value the fund's financial position, including correcting undervalued properties to increase recoverable assets.
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Category:	H & W
Attachments:	image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

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1. review all documents provided;
2. liaise with yourself and Ms Knyvett to obtain any further instructions required; and
3. attend an initial meeting with yourself and/or Ms Knyvett to provide our preliminary views, an overview of options available, and next steps.

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Kind regards

McLane Edinger | Partner

T +61 8 9215 3065 | F +61 8 9482 7999 | M +61 407 999 497
McLane.Edinger@hallandwilcox.com.au | professional profile

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Additional Parties and Negligence Claims
Ms Knyvett is also considering legal action against:

1. Mr David Wrangell, Accountant, for failing to ensure proper oversight of the fund's accounts.
2. Mr Laurie Carwardine, Auditor for negligence in identifying and addressing financial irregularities within the fund.

Summary of Misconduct and Broader Implications
The undervaluation of fund assets, breaches of the sole purpose and arm's length rules, related-party transactions, and evidence of tax evasion are central to this dispute. Mr Osborne has withheld critical information, obstructing Ms Knyvett's ability to fulfil her trustee duties and benefit from her entitlements.

The systemic mismanagement, involving millions of dollars in questionable transactions and undervalued properties, has caused significant financial harm to Ms Knyvett. Furthermore, evidence suggests Mr Osborne's misconduct may extend to other SMSFs and numerous ABNs, raising broader implications for other affected parties and regulatory bodies.

Given the substantial financial harm, evidence of fraudulent or negligent conduct, and potential wider implications, this matter warrants immediate legal action. A full investigation into the Ultra Super Fund's financial position and Mr Osborne's actions is critical to achieving accountability and recovering losses for Ms Knyvett.

Additionally, I have enclosed:

- Enduring Power of Attorney for your reference. Mr Knyvett has been copied on this correspondence.

- Extracts with notable transactions from the Suncorp and Bendigo Ultra Super Fund's bank accounts for 1.08.2007 to 30.08.2007, 1.06.2009 to 30.06.2009

- Contract of Sale (Seller Contract) referenced below.

- Extracts of the concerning material provided by Mr David Wrangell, Accountant, Pine Rivers Consulting.

Your expertise on the prospects of success and legal remedies in these matters would be greatly valued. Attached are comparable

Kind regards

Holly Dahm
Enduring Power of Attorney,

Ms Rhonda Ann Knyvett, trustee
Ultra Super Fund Trustee
0413 688 334
honda.r@hotmail.com

BACKGROUND

1. Ms. Knyvett and Mr. Osborne were in a long-term de facto relationship from 1979 to 2000.
1. Ms. Knyvett, born 18 October 1957, is in her late sixties, is not digitally literate, and primarily worked in the home.
2. Mr. Osborne, born 10 January 1956, has operated as a sole trader for over 40 years, specifically running Zillmere Spine & Sports Physio Clinic & Zillmere Sports Physio Clinic, located in Zillmere, 4034.
3. Ms. Knyvett only knew her superannuation was connected to apartments in Zillmere but was excluded from all decision-making.
4. The SMSF was established in 2001, with Mr. Osborne exercising sole control despite Ms. Knyvett's legal status as a co-trustee.
5. On 23 December 2024, Ms. Knyvett identified herself as a co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr. Osborne.
6. Mr. Osborne requested a meeting with Ms. Knyvett when she sought access to her superannuation.
7. On 23 December 2024, at the meeting, Mr. Osborne presented Ms. Knyvett with a form and a seller contract. The seller contract evidenced Mr. Osborne's attempt to sell a fund asset at a deflated value, significantly below market value, and indicated illegal or non-compliant property ownership structures (attached).
8. Mr. Osborne attempted to coerce Ms. Knyvett into signing, verbally berating her and her support person while standing over them.
9. The seller contract revealed Mr. Osborne's intention to sell the asset to his partner, Ms. Ann Anthonisz, at a price below market value.

10. A clause in the contract appeared designed to disadvantage Ms. Knyvett.
11. Ms. Knyvett refused to sign both the form and the seller contract.
12. She retained the seller contract despite Mr. Osborne's attempts to retrieve it.
13. She took a photograph of the Boardroom Pty Limited form before Mr. Osborne snatched it away.
14. Mr. Osborne withheld information about the management of the Ultra Super Fund.
15. Ms. Knyvett was unaware that her superannuation was managed in a Self-Managed Superannuation Fund (SMSF) or that she was a trustee.

SUMMARY OF CONCERNS REGARDING MR OSBORNE, TRUSTEE OF ULTRA SUPER FUND:

1. Failure to Respond and Obstruction of Trustee Duties:
   - Mr Osborne has ignored all verbal, text, and email communications from Mr Knyvett, hindering him from fulfilling his responsibilities as a trustee.
   - He has prevented Ms Knyvett from accessing fund information, performing her trustee duties, and protecting the fund's assets
2. Financial Misconduct:
   - Bank statements show concerning transactions similar to round-tripping of business income into the SMSF.
   - Significant fund transfers to a Bendigo and Adelaide Bank account linked to Mr Osborne, **sharing an identical account number** with the Bendigo Ultra Super Fund account.
   - **Millions** of funds transferred to CommSec, NAB, by cheque, and cash withdrawals, with suspicious transactions involving over 1,072 cheques.
   - Misrepresentation of fund transfers as belonging to the Ultra Super Fund to conceal improper movements.
3. Coercive Control and Manipulation:
   - Allegations of coercive control, including threats, blackmail, intimidation, and manipulation of Ms Knyvett to sign documents without understanding their implications.
   - False representation of Ms Knyvett's entitlements (claiming $10,000–$15,000), despite ATO confirming her share as **$711,000**.
4. Withholding Information and Misrepresentation:
   - Fund records, deeds, and key documentation have been withheld by Mr Osborne.
   - Allegations of false information provided to accountants, with deposits and withdrawals in Ms Knyvett's name to benefit Mr Osborne.
5. Improper Fund Management:
   - Mr Osborne rolled over his portion of the fund into a personal retirement fund, disadvantaging Ms Knyvett.
6. Taxation concerns
   - Despite both parties being over 65, the fund continues to pay tax. An actuarial certificate shows $1.7 million attributed to Mr Osborne and $0 to Ms Knyvett.
   - Discrepancies in tax liabilities: Ms Knyvett is responsible for 28.4% of a $5,000 tax bill, while Mr Osborne owes only 0.8%.

7. EPA and Binding Death Benefit Nomination (BDBN) Concerns:
    - Allegations of falsified and non-compliant EPA documents, potentially altered to benefit Mr Osborne.
    - Concerns over fraudulent BDBN forms that disadvantage Ms Knyvett and her beneficiaries, favouring Mr Osborne as sole beneficiary.
8. Deed Concerns:
    - Suspicions that Mr Osborne implemented a deed granting himself disproportionate control (greater than 50%), breaching the SIS Act.
9. Limited Access to Funds:
    - Since becoming eligible, Ms Knyvett has only received $25,000, paid via personal cheque by Mr Osborne, which Ms Knyvett deposited into her account.
10. Complete Obstruction of Trustee Responsibilities:
    - Mr Osborne has fully prevented Ms Knyvett from performing her obligations as a trustee by withholding information, funds, and management access.
11. Extensive ABN registration
    - Significant issues have been identified regarding Mr Osborne's involvement with multiple ABNs, SMSFs, discretionary trusts, and business entities. These raise concerns about potential regulatory breaches, conflicts of interest, and fiduciary misconduct.

The ABNs linked to Mr Osborne include:

- ABN 43 960 865 910 – Garth Wilfred Osborne
- ABN 14 946 035 004 – Garth W Osborne Physiotherapy
- ABN 66 010 316 551 – Degelyn Pty Ltd
- ABN 52 856 037 840 – Gregory R & Anna M Osborne
- ABN 14 946 035 004 – Garth A & Gail R Osborne

Key Concerns:

- Possible misuse or non-compliance with ATO regulations.
- Entity Name Changes, the frequent changes suggesting financial irregularities or intent to obscure activities.
- Conflicts of Interest, potential issues arising from Mr. Osborne's simultaneous roles in other SMSFs and trusts.
- Regulatory breaches; possible non-compliance with the SIS Act and trustee obligations.

CONCERNS REGARDING MR DAVID WRANGELL, ACCOUNTANT, PINE RIVERS CONSULTING:

1. Mr David Wrangell has provided financial services to Ultra Super Fund since its establishment.
2. M. Wrangell submitted the tax lodgements for the previous five years.
3. The submitted material is incomplete, containing missing, unsigned, and unfinished documents, with handwritten notes, raising doubts about the validity of the records. This is especially concerning given Mr. Osborne's sole control over the fund and its activities.
4. Some documents include handwritten notes listing my mother as "Rhonda Ann Osborne," a name under which no legal documentation exists, as my mother and Mr. Osborne were never married. It is worth noting that Mr. Osborne's current fiancée or wife shares the name "Ann" with the same spelling, which raises further concerns.

5. A $15,600 entry on May 2, 2023, under the shop rent account in the General Ledger is inconsistent with standard rental payment structures, suggesting the potential use of a bank account as a holding account. This entry will be cross-referenced with the bank statements for any discrepancies, with relevant bank statements attached for comparison.
6. Transactions involving the Ultra Super Fund Bendigo account with identical account numbers are under scrutiny.
7. Mr. Wrangell has withheld essential requested information.

CONCERNS REGARDING MR LAURIE CARWARDINE, AUDITOR, CARWARDINE & ASSOCIATES:

1. Essential information has been requested and is being withheld by Mr Carwardine.

EVIDENCE: ULTRA SUPER FUND

Suncorp Bank Statements

Account Details: BSB 484-799, Account 001422502 (joint account opened May 2007, still active).

Transaction Details:

- On 26 December 2024, two-person authentication was implemented by Ms Knyvett for fund withdrawals.
- Statements show 18 years of transactions by Mr Osborne, transferring millions of dollars into, out of, and between Bendigo and Suncorp Ultra Super Fund accounts, while maintaining low balances.

1. **Bendigo Bank Statements**

   Account Details: Ultra Super Fund BSB 633-000, Account 118052760 (joint account opened 1 December 2004, closed 30 March 2024 by Mr Osborne).

   Transaction Details:

   - Statements show 20 years of transactions by Mr Osborne, mirroring Suncorp account activity, including significant fund transfers between Bendigo and
   - Suncorp accounts and to other accounts linked to Mr Osborne. Funds were transferred to accounts such as CommSec and NAB, with suspicious cheque activity (1,072 cheques written with deposits and withdrawals of similar amounts on the same day or consecutively).

2. **Evidence of Misrepresentation and Fund Movement**

   Funds appear to have been cycled through multiple accounts to obscure origin and destination.

   - Substantial amounts, including over $1 million in rental payments, were disbursed from both Bendigo and Suncorp accounts, despite low account balances.
   - Transfers were intentionally misrepresented as related to the Ultra Super Fund to conceal improper fund movements.

3. **Tax Returns and Financial Statements (2019–2023)**

   Provided by Accountant Mr. David Wrangell, Pine Rivers Consultant:

   - Included financial statements, actuarial certificates, general ledgers, tax returns, and trial balances.
   - Documents were incomplete, unsigned, and contained inaccuracies, including handwritten notes identifying Ms Knyvett as “Rhonda Ann Osborne,” a name with no legal basis.
   - Entries in the general ledger, such as a lump sum rental payment

of $15,600 (2 May 2023), suggest the use of a bank account as a holding account. These entries will be cross-referenced with bank statements.
- Financial statements undervalue fund assets reported to the ATO.

4. **Seller Contract (158 Church Road, Zillmere)**

SIS Act Breaches:
Breach of arm's length provisions, sole purpose test, and asset valuation requirements.
Transaction Details:
- The contract sought to sell a 50% stake in the property for $330,000 (below market value) to Mr Osborne's partner, Ms Ann Anthonisz.
- A clause in the contract was included to disadvantage Mr Knyvett. The contract suggests non-compliant property ownership structures.

5. **Boardroom Pty Limited Form**

Information:
- Linked to the sale of 158 Church Road, form to request for direct crediting of payments, referencing Ultra Super Fund ABN 41 873 921 089.
- Contains information about the Ultra Super Fund Suncorp account (BSB 484-799, Account 001422502).

Boardroom email correspondence:
- Boardroom Pty Limited have withheld requested involvement in central information.
- Ms Maxine Williams, Investor Service Officer confirmed an existing EPA is file, but it does not match the surname of the current EPA holder.
- is believed that the surname referenced is Osborne, based on a 2005 EPA containing only the name of the drafting lawyer, Lawrence John Watling, formerly based in Caboolture, without contact details. Concerns exist regarding the contents of this EPA.
- Rhonda has notified Mr Osborne Trustee, Mr Wrangell, Accountant (SMSF Administrator), Mr Carwardine, Auditor, and Boardroom Pty Limited of the existence of a new EPA.
- Ms Williams confirmed a new EPA will require Mr Osborne's signature approval and must be submitted directly to them, likely in accordance with the conditions of the Deed of Establishment, which appears to Favor Mr. Osborne and disadvantage Ms Knyvett.

6. **Actuarial Certificates and Data Provided by Ms Melanie Dunn (Accurium)**
   - Ms Melanie Dunn, FIAA SSA, Principal at Accurium, issued an email providing the actuarial certificates for the Ultra Super Fund for the financial years 2018–2023.
   - The email confirmed that the actuarial services were provided to the Fund, and Mr Wrangell, the accountant, obtained the annual actuarial certificate for the Fund. Mr Wrangell has ordered these certificates from Accurium directly for several years.
   - Ms Dunn noted that an online form is completed by the accountant to provide Accurium with the data necessary for

actuarial calculations, which Accurium relies on to issue the required certificates.

Actuarial Services and Fund Records

Concerns:

- Accurium confirmed they do not receive the financial statements, valuation reports, or income and expense records of the Fund.
- This raises concerns about the accuracy and completeness of the data used for the actuarial calculations, as these documents are critical for proper actuarial assessments.

FUND ASSETS

PROPERTIES OWNED BY THE FUND

Properties assets of the Fund have been undervalued since 2001.

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McLane Edinger | Partner

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Ms Rhonda Ann Knyvett, trustee
Ultra Super Fund Trustee
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BACKGROUND

1. Ms. Knyvett and Mr. Osborne were in a long-term de facto relationship from 1979 to 2000.
1. Ms. Knyvett, born 18 October 1957, is in her late sixties, is not digitally literate, and primarily worked in the home.
2. Mr. Osborne, born 10 January 1956, has operated as a sole trader for over 40 years, specifically running Zillmere Spine & Sports Physio Clinic & Zillmere Sports Physio Clinic, located in Zillmere, 4034.
3. Ms. Knyvett only knew her superannuation was connected to apartments in Zillmere but was excluded from all decision-making.
4. The SMSF was established in 2001, with Mr. Osborne exercising sole control despite Ms. Knyvett's legal status as a co-trustee.
5. On 23 December 2024, Ms. Knyvett identified herself as a co-trustee of the Ultra Super Fund (ABN 41 873 921 089) alongside Mr. Osborne.
6. Mr. Osborne requested a meeting with Ms. Knyvett when she sought access to her superannuation.
7. On 23 December 2024, at the meeting, Mr. Osborne presented Ms. Knyvett with a form and a seller contract. The seller contract evidenced Mr. Osborne's attempt to sell a fund asset at a deflated value, significantly below market value, and indicated illegal or non-compliant property ownership structures (attached).
8. Mr. Osborne attempted to coerce Ms. Knyvett into signing, verbally berating her and her support person while standing over them.
9. The seller contract revealed Mr. Osborne's intention to sell the asset to his partner, Ms. Ann Anthonisz, at a price below market value.