



THE WEEK BEFORE  
JAMES LOCKED ME  
OUT.

Wednesday, 16 September, 2009 4:07 AM

Julian Parbery my concerns

From: "heat ex" <heatexchangerservices@yahoo.com>

To: trevorq@layburn.co.nz

Private and confidential  
without prejudice

THREAT BY  
GILLIGAN  
TO TAKE  
COMPANY FROM  
ME

Hello Trevor - COMPANY LAWYER

Thank you for your effort and time trying to solve the problems between James and I.

I did explain to you before that I am very concerned at the threat that Matthew Gilligan made in our phone conversation a few months ago about he will get James to take control of the company through directors loan account.

I took legal advice as you suggested and I was told the only way that this could be done is they would have to issue a statutory demand for James directors loan account.

I would like to know if it is possible for James to do this without my knowledge or your knowledge as you are the company solicitor and I would have thought if a demand is made that you would have to be notified.

The advise I was given was that I should issue a statutory demand against the company for my own loan account but I am very concerned that the effect of this would take things too far and the company would be at the point of no return and this is not what I want.

My main concern is that some action could be taken behind my back, so I would like your reassurance that this cannot happen

I would like an amicable settlement, neither James or I are happy so there is no point in continuing working together. If James wants to buy my shares or we can find a buyer for the business as a going concern that would be the best solution for both of us.

Is it possible for you to setup a separate trust company bank account for HES for daily operation and we can go back to the previous system of paying bills with two signatures on the chequebook until everything is sorted.

It is very difficult for me to say this as I do not think James himself would do anything untoward but with the threat from Matthew Gilligan James maybe encouraged to bend the law.

Please reply in writing so there is no misunderstanding about the statutory demand process.

Regards and best wishes

Julian

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