



Chris Scaife <scaife.chris@gmail.com>

RE: Mrs P. H. M. Scaife last will

17 messages

Simon Stammers-Smith <Simon.Stammers-Smith@cplaw.co.nz>

29 December 2010 at 09:08

To: Chris Scaife <scaife.chris@gmail.com>

Morning Chris,

Unfortunately I am not permitted to deal with you direct as you have consulted with a Lawyer. I have sent him a copy of the document in question.

Simon Stammers-Smith

Consultant

CRUICKSHANK PRYDE - Barristers and Solicitors

E : simon.stammers-smith@cplaw.co.nz | P : +64 3 441 2424 | F : +64 3 441 2426 | DX YA90002 | 23 Gorge Road Retail Centre, 159 Gorge Road, Queenstown

From: Chris Scaife [mailto:scaife.chris@gmail.com]**Sent:** Tuesday, 28 December 2010 2:06 p.m.**To:** simon@sslaw.co.nz**Subject:** Re: Mrs P. H. M. Scaife last will

p.s.

and while you are at it, please can yo supply me with a copy of the document you believe is/isn't my mother's last will.

and ask your client "Marc Scaife" to kindly identify the following:

All assets he signed over from my mother to himself on his own authority since 1999.

Kindly include **actual dates and actual amounts**.

... and don't send them to my lawyer he doesn't seem to be very communicative.

Send then directly to me:

139 MacKenzie Ave, WOOLSTON, Christchurch 8023

Regards,

Christopher John Scaife

On 28 December 2010 12:15, Chris Scaife <scaife.chris@gmail.com> wrote:

Dear Mr Smith, it is my understanding that you are acting on behalf of the late Mrs Pauline Henriette Marie Scaife, of maiden name van Der Maesen de Sombreff to apply for probate on her last will and testament.

It is also my understanding that you are acting under instructions from my brother Marc Servaas Scaife and I have asked my lawyer to find out what is going on because it is my opinion that some of my siblings have taken advantage of my mothers Alzheimer's disease to seize her assets.

I am shocked to hear from my lawyer claims that I would have received more than my fair share of assets.

In my opinion such a claim is nothing less than fraud.

All 4 of my mother's children were granted enduring powers of attorney over her assets. Yet I am the only one who did not take any that I was not instructed to by her and I hold documentary evidence stating that I should take that money because the others (i.e. my "siblings") had received equal amounts. Yet less than 2 years later they signed over a phenomenal amount of her wealth on their own initiative without her authority to themselves and have since refused to disclose what amounts and when.

I feel obliged to point out that if you are also acting on behalf of my brother Marc Scaife, that in my opinion there is likely to be a conflict of interest here.

I shall hold you liable to full extent of the law for any malpractice that ensues.

Yours sincerely,

Christopher John Scaife.

IMPORTANT: This email and any attachments are confidential and may be legally privileged. If you are not the intended recipient, any unauthorised use is expressly prohibited. In such a case, please notify us and remove the email and any attachments from your system. It is your responsibility to check this email and any attachments for viruses and other harmful code before opening or sending on. This email was sent on 29/12/2010 at 9:08:05 a.m..

Chris Scaife <scaife.chris@gmail.com>
To: Simon Stammers-Smith <Simon.Stammers-Smith@cplaw.co.nz>

30 December 2010 at 14:57

Actually I don't believe it matters who I hire or for what purpose.
I have a right to see my mothers will and I have been wondering why I didn't receive a copy in the first place.

Especially since I gather I was nominated as an executor of said will.

[Quoted text hidden]

Chris Scaife <scaife.chris@gmail.com>

6 January 2011 at 18:29

To: MichaelMcD@raflaw.org.nz

Anyway I got a bit pissed off waiting for some kind of response from you... I mean you couldn't even be bothered to let me know when you were going on holiday or when you might come back... and so far your advice seems to consist of just repeating a fraudulent allegation that my brother told his lawyer. So I e-mailed the lawyer dealing with my mother's will directly... reply attached.

Now evidently that lawyer does care enough about his clients to check his e-mail once in while over the holiday period, and apparently you hadn't even asked for a copy of the will yet. So my question **for you** is whether you are actually interested in doing this job, or if you have better things to be getting on with. After all AFIK 4 million dollars worth of fraud means it's a high court case and perhaps I do need a proper professional?

Like I said let me know when you get round to looking in your in box but I wouldn't leave it an awful lot longer if you want to get paid.

Regards,

Chris

[Quoted text hidden]

Michael McDonald <MichaelMcD@raflaw.org.nz>

7 January 2011 at 12:32

To: Chris Scaife <scaife.chris@gmail.com>

Chris,

Sorry I did not tell you when I was to be on leave; however it is not something that this office has time to do and it is common practice for law firms in Christchurch to close over the Christmas period. I am back at the office now until the 20th when I am on leave for February. It was my intention to work through the Christmas period and I have been in the office but the earthquake on Boxing Day damaged our computer server and power was out. I have had to wait until technicians were available to get the damage fixed. Further as a result of the quake our offices were broken into and I have spent considerable time securing the premises and dealing with the Police.

I received a reply from the estates lawyer in response to my correspondence to him. These are attached.


As you can see there are some problems with this but it appears to us that it would be valid under s14 of the Wills Act. As such it can be submitted to the High Court for probate. If that is done then I can request all information in respect of the estate as you are entitled to that information as an executor under the will. You will be asked to sign the application for probate together with the affidavit which must be filed with the application.

Do you want me to reply with my opinion to the lawyer as to the validity of the will.

Regards,

Michael

[Quoted text hidden]

 20110107114818213.pdf

Chris Scaife <scaife.chris@gmail.com>
To: Michael McDonald <MichaelMcD@raflaw.org.nz>

7 January 2011 at 13:18

Dear Michael, thank you for your reply.

I am deeply disturbed by the dishonest claims from Marc. I repeat that all four of my mother's children had full power of attorney over her assets but that the moment she developed Alzheimer's disease 3 of them seized that opportunity to sign over as much of her capital as possible on their own initiative. These were NOT gifts and resulted in a grossly unequal distribution that would NEVER have met with my mother's approval.

Attached is what my sister (her hand writing) worked out back in 2003 from all my mother's financial papers that she had seized. It discloses the value of assets each took: Fidelity shares and New Zealand accounts taken by Robin, accounts in Canada, ABN bonds, AMRO bank taken by Marc, and shares with an investment broker by the name of Gegi in Belgium taken by Marguerite herself.

In 1999 these assets were worth over 2.4 Million New Zealand dollars.
With a modest interest rate would be easily worth 4 million today.

Adding to this my mother received a more than generous pension and other expenses from the European commission. IMHO Marguerite and Marc conspired to milk this between them and defraud the government of taxes and subsidies for our mother's care.

After 10 years of trying to get some honest disclosures it is my opinion that the time for mediation and arbitration is over. I want to take them to court and also seek compensation for consequential emotional and financial distress I have suffered as a result of the inequitable treatment I received from them.

As you will soon be on holiday just let me know what aspect of this, if any, you would be able to deal with and I shall get another lawyer to look into the rest, and yes I would like you to tell them that my desire to split her assets EQUALLY be acknowledged as legitimate last will.

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1551K

Chris Scaife <scaife.chris@gmail.com>
To: Michael McDonald <MichaelMcD@raflaw.org.nz>

17 January 2011 at 00:21

I shall be getting a second legal opinion tomorrow morning how to deal with the missing millions that my siblings helped themselves to (and still refuse to disclose in detail).

In my humble opinion these were not "gifts" as they were taken by the recipients and thus they remain genuine debts to my mother's estate. I am confident that she would **not** have wanted it distributed on the basis of "*who ever grabs it first gets to keep it*".

[Quoted text hidden]

Michael McDonald <MichaelMcD@raflaw.org.nz>
To: Chris Scaife <scaife.chris@gmail.com>

17 January 2011 at 09:15

Chris,

I have tried to contact the Barrister so that he can start but he was away.

He will provide a legal opinion before he starts any proceedings.

Are you sure you want to get a second opinion now or wait to see what the Barrister has to say.

[Quoted text hidden]

Chris Scaife <scaife.chris@gmail.com>
To: Michael McDonald <MichaelMcD@raflaw.org.nz>

17 January 2011 at 11:24

Thanks Michael,

I needed some peace of mind so I spoke to another lawyer this morning for about an hour showing him the various documents.

He was of the opinion that the important thing is to get mum's will through probate because once I have power as trustee or executor then I have a right to ask for information about assets. He thought there wasn't much point starting any kind of proceedings yet unless they are failing to apply for probate. He also confirmed that Simon cannot both represent mum's estate as well as Marc as an individual.

Yes I would also like to hear what your Barrister advises because the problem I have is that my siblings do not seem willing to disclose anything voluntarily and what I have seen seems very dishonest. I don't really know what to do about it. This is not just about money it is about a damaging and protracted family disagreement that has carried on for a long time and even the ones who served themselves are still disagreeing with each other.

Regards,

Chris

[Quoted text hidden]

Michael McDonald <MichaelMcD@raflaw.org.nz>
To: Chris Scaife <scaife.chris@gmail.com>

17 January 2011 at 11:33

Thanks Chris,

I rang him today.

[Quoted text hidden]

Michael McDonald <MichaelMcD@raflaw.org.nz>
To: Chris Scaife <scaife.chris@gmail.com>

17 January 2011 at 16:32

Chris,

I have emailed Dale Lester a copy of your file today.

He will contact you direct.

[Quoted text hidden]

Chris Scaife <scaife.chris@gmail.com>
To: Michael McDonald <MichaelMcD@raflaw.org.nz>

9 February 2011 at 22:15

Hi Michael,

It's getting on for about 6 months since my mum died and I'm seriously beginning to wonder what is happening about her will.

The joker dealing with it refuses to communicate with me on grounds that I have contacted you, so I suppose I'll have to ask you once again to contact him and find out what is going on.

Thanks in advance

C. Scaife

[Quoted text hidden]

Chris Scaife <scaife.chris@gmail.com>
To: Michael McDonald <MichaelMcD@raflaw.org.nz>

28 February 2011 at 11:04

p.s. I hope you had a good holiday... and hopefully you avoided any danger given the Earthquake situation here. I suspect you may have more important issues to attend to at the moment, but if you can just send me an e-mail at some stage to let me know if I should look elsewhere it would be much appreciated.

I hope you are all safe and well.

Regards

Chris

[Quoted text hidden]

Chris Scaife <scaife.chris@gmail.com>
To: Simon Stammers-Smith <Simon.Stammers-Smith@cplaw.co.nz>

28 February 2011 at 11:34

Dear Simon,

In view of the emergency situation here in Christchurch I get the impression that my legal advisors may not in a situation to deal with this matter at the moment.

It is now however over 6 months since my mother died and I have a right to know what progress is being made.

As I have stated before I do not believe you have a legal right to refuse to communicate with me on this matter. I also believe you have been professionally negligent in failing to inform me of what you were doing in the first place.

I am sick to death of people being obstructive and taking advantage, so if I do not receive a full update by the end of this week from you I shall be holding you accountable.

Regards,

Chris Scaife

On 29 December 2010 09:08, Simon Stammers-Smith <Simon.Stammers-Smith@cplaw.co.nz> wrote:

[Quoted text hidden]

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: scaife.chris@gmail.com

1 March 2011 at 12:22

This is an automatically generated Delivery Status Notification

THIS IS A WARNING MESSAGE ONLY.

YOU DO NOT NEED TO RESEND YOUR MESSAGE.

Delivery to the following recipient has been delayed:

MichaelMcD@raflaw.org.nz

Message will be retried for 2 more day(s)

Technical details of temporary failure:

The recipient server did not accept our requests to connect. Learn more at <http://mail.google.com/support/bin/answer.py?answer=7720>

[mail.raflaw.org.nz. (5): Connection timed out]

----- Original message -----

MIME-Version: 1.0

Received: by 10.14.123.14 with SMTP id u14mr3345312eeh.39.1298844280208; Sun, 27 Feb 2011 14:04:40 -0800 (PST)

Received: by 10.14.125.6 with HTTP; Sun, 27 Feb 2011 14:04:40 -0800 (PST)

In-Reply-To: <AANLkTikctBkNMXo8Ng3XCTeWtqKp5mdsGt4V=ZuWke7d@mail.gmail.com>

References: <8DDEA6AEFA7D6D4BA93EC309159C3CDB311809@cplsbs.cplaw.local>

<AANLkTinWBi0_dED2vFeRtXo52=7p0EvpspFx_EGWAnAq@mail.gmail.com>

<3FEF214B7EFDA8479877AF7FE3008E8210894C@server.RAFLaw.local>

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<AANLkTikctBkNMXo8Ng3XCTeWtqKp5mdsGt4V=ZuWke7d@mail.gmail.com>

Date: Mon, 28 Feb 2011 11:04:40 +1300

Message-ID: <AANLkTik3Ta6pRC6YpinM+9Hjuo7n06i0hq=9oKYo0nPQ@mail.gmail.com>

Subject: Re: Mrs P. H. M. Scaife last will

From: Chris Scaife <scaife.chris@gmail.com>

To: Michael McDonald <MichaelMcD@raflaw.org.nz>

Content-Type: multipart/alternative; boundary=e0cb4e6ff365f0bdf9049d4abfc3

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I suspect you may have more important issues to attend to at the moment, but if you can just send me an e-mail at some stage to let me know if I should look elsewhere it would be much appreciated.

I hope you are all safe and well.

Regards

Chris

On 9 February 2011 22:15, Chris Scaife <scaife.chris@gmail.com> wrote:

> Hi Michael,

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> It's getting on for about 6 months since my mum died and I'm seriously

> beginning to wonder what is happening about her will.

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> have contacted you, so I suppose I'll have to ask you once again to contact

> him and find out what is going on.

>

> Thanks in advance

>

> C. Scaife

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> On 17 January 2011 16:32, Michael McDonald <MichaelMcD@raflaw.org.nz> wrote:

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>> Chris,

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>> I have emailed Dale Lester a copy of your file today.

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>> He will contact you direct.

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>> Regards,

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>> Michael

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>> *From:* Chris Scaife [mailto:scaife.chris@gmail.com]

>> *Sent:* Monday, 17 January 2011 11:24 a.m.

>>

>> *To:* Michael McDonald

>> *Subject:* Re: Mrs P. H. M. Scaife last will

>>

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>> Thanks Michael,

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>>

>> I needed some peace of mind so I spoke to another lawyer this morning for

>> about an hour showing him the various documents.

>>

>> He was of the opinion that the important thing is to get mum's will

>> through probate because once I have power as trustee or executor then I have

[Quoted text hidden]

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

2 March 2011 at 13:02

To: scaife.chris@gmail.com

This is an automatically generated Delivery Status Notification

THIS IS A WARNING MESSAGE ONLY.

YOU DO NOT NEED TO RESEND YOUR MESSAGE.

Delivery to the following recipient has been delayed:

MichaelMcD@raflaw.org.nz

Message will be retried for 1 more day(s)

[Quoted text hidden]

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

3 March 2011 at 14:15

To: scaife.chris@gmail.com

Delivery to the following recipient failed permanently:

MichaelMcD@raflaw.org.nz

Technical details of permanent failure:

[Quoted text hidden]

Chris Scaife <scaife.chris@gmail.com>
To: Martin@corcoranfrench.co.nz

7 March 2011 at 16:26

[Quoted text hidden]

2 attachments



20110107114818213.pdf
324K



20110228145751868.pdf
185K