

**RAYMOND HOSER / KOTABI PTY LTD**

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30 JANUARY 2002

**TO/ Victorian Government Solicitor**  
**Attention: Ms Alison O'Brien / James Syme**  
Level 2, 55 St. Andrews Place  
East Melbourne, Victoria, 3002  
Australia.  
PO Box 4356QQ  
Melbourne, Victoria, 3001  
Phone: (03) 9651-0408  
Fax: (03) 9651-0449

Dear Sir/Madam,

We are in receipt of your letter of one page dated 18 January 2002 and three page "Notice of Cross Appeal" which is undated.

We further note that they were delivered in person to my wife at our home and business address of 488 Park Road, Park Orchards, Victoria, 3134 on 21 January 2002.

We note that the "Notice of Cross Appeal" has been served out of time as such notice was to be served on or before 18 January 2002.

Noting the fact that my wife has been at home at all materially relevant times, including (by way of example) all day on Friday 18 January 2002, that nothing had been served on our postal address (above at top of this letter) as identified in the relevant court documents and that you are out of the legal time frame, you must seek leave of the court for an extension of time to make your application/s.

In the absence of any credible evidence and/or proper reason from your side as to why you now seek to lodge a late cross appeal, we would as a matter of course oppose your notice. Please serve any proper application affidavit/s to us at our home and business address (above) as soon as possible.

A copy of this letter has also been sent to the Registrar of the Court of Appeal.

**YOURS FAITHFULLY**

**RAYMOND HOSER**