

## Help is at hand

We specialize in helping clients plan to protect their:

- a. Families;
- b. Businesses;
- c. Assets; and
- d. Rights.

To do this we aim to get to know our clients and remain in communication with them.

We build a bond of trust over time.

## Recent Case...Claim for Profits

Recently a client received a threatening letter claiming damages for alleged unlawful activity. The letter demanded:

- a. Removal of information from a website;
- b. Details of sales for the last 5 years; and
- c. All profit earned in the last 5 years.

Our client was most concerned about this threatening letter, the disruption to their business and the amount of money they stood to lose.

By simply talking it over with our solicitor, our client was reassured that the demands should not be as catastrophic as first feared.

A systematic analysis of the facts, a common sense approach to the application of the law and skilful negotiations enabled our client to settle all the claims against them.

The outcome was that our client:

- a. Was able to dispose of unwanted stock at full value;
- b. Was able to update their website to make the other party happy;
- c. To actually receive money; and
- d. To receive written confirmation that all claims were settled.

## Bad Debts

### What do you do if they won't pay?

In the business of supplying products to retailers or other businesses?

Do you have provision for retention of title in your terms of trade?

If not, and your customer goes into liquidation owing you money you have no right to recover the product sold and you join the queue of unsecured creditors for payment. Personal Property Securities legislation (due to start in early 2012) sets up a new uniform national system which will assist those businesses who have established terms of trade which comply with the new laws and then follow the procedures to recover their product or be treated as a secured creditor.

Speak to us about getting your paperwork in order ready for the changes.



## Experience Counts

Over the last 42 years in Rozelle and Balmain we have seen every kind of dispute between individuals, families and businesses.

There is nothing that can surprise us. We have seen it all before.

Drawing on our additional skills and experience Peter (specialist business lawyer/mediator) and Paul (business & employment lawyer) can help you get the results you are entitled to.

We will discuss your options and devise strategies that you are happy with.

## Need a family law lawyer?

- Elias Kyriacou, our family lawyer is having a lot of success in negotiating terms of settlement in Family Law Property matters.
- "The turnaround time can be as little as to 6-8 weeks," says Elias, "if the parties have considered and agreed on all the issues. It may take a little longer if there a few matters to be sorted out".
- "It's a much better outcome if the parties can agree early on. However, if the other side is difficult, we don't delay in commencing proceedings. We are able to settle any time after proceedings have been commenced it just keeps the pressure on and protects our client's interests."

### Binding Financial Agreement

- In straightforward matters we use Binding Financial Agreements. Depending on the circumstances these can be done in a couple of weeks without the necessity of submitting documents to court.

## Difficult to discuss and raise the issue – family law

"Sometimes clients really aren't in dispute but they are having difficulties raising and discussing all of the issues between themselves.

We are able to recommend an independent accredited mediation service which can assist the parties in discussing and reaching agreement in relation to property division and matters relating to the children.

When successful, this usually results in the saving of time, expense and particularly stress", says Elias.

Partners: **PETER COLQUHOUN B.COM.DIP.LAW (S.A.B.)**  
Acc Specialist (Business Law) LLM  
**PAUL ALICE B.COM.LLB.**

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## Skilled overseas workers - Visa

Last year we successfully applied for and obtained over 60 visas for clients who needed the skills of overseas workers.

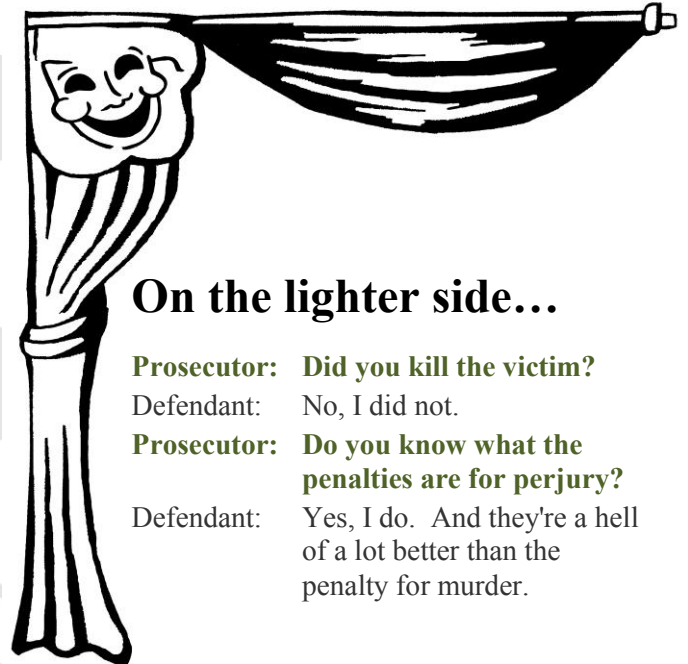
This was over a range of skills including engineers and chefs.

## News round-up.... firm's news



Natalia Veksler  
MARN 0401514

The partners and staff would like to welcome back Natalia who has returned from maternity leave to resume her Migration and General Litigation practice which includes Wills and Estate disputes.



### On the lighter side...

**Prosecutor:** Did you kill the victim?

**Defendant:** No, I did not.

**Prosecutor:** Do you know what the penalties are for perjury?

**Defendant:** Yes, I do. And they're a hell of a lot better than the penalty for murder.

### PLEASE NOTE!

The contents of this newsletter are not intended to be legal advice and should not be relied upon.

They are general in nature and recipients should in all instances obtain independent and comprehensive legal advice in relation to particular areas.

### YOUR PRIVACY

Colquhoun & Colquhoun respect your privacy.

We do not sell, rent or distribute e-mail lists or any other client details.