

## Sean Butler

**From:** Sean Butler <sbutler@iinet.net.au>  
**Sent:** Monday, 22 August 2011 1:30 PM  
**To:** Mark Englebert (Mark.Englebert@twcs.com.au)  
**Subject:** Lighthouse Beach Holdings related enties and Sean Butler  
**Attachments:** Letter to Jackson McDonald - re\_ Sean Butler - Butler Constructions Pty Ltd - 18 August 2011.PDF

*My Response to Serious False Allegations*

Hi Mark.

Thanks for the letter attached from your solicitors.

In reply to item 13)

- a) The \$10,500 was taken in a way that was fully transparent and was money owed to me in wages. I thought it would all be balanced out with salaries as has happened in the past and the money taken is in the normal pattern of the way we draw wages and balance up at the end of each financial year. I had no idea my employment would be terminated without notice and without receiving any entitlements or pay owed. The fact that I took the money a day after the receivers were appointed, when I could have taken it in the normal course of business in the weeks before the receivers were appointed would indicate that I was acting in a way that I thought was entitled to (otherwise I would have taken all overdue pay in the weeks leading to the appointment of receivers). If it turns out that what I have done is wrong then I accept that. My main concern is to get the best sale result on assets last valued at \$21m and maximise the returns in a business that should earn over \$1m this year (to put it in perspective ☺).
- b) I have not engaged contacted or solicited (or attempted to) employees of the companies, and I will not do while under administration. I want all employees to stay wherever possible and have told them that. I had told Adrian what was happening before administrators were appointed and I had a couple of telephone calls to him saying to hang in there and do his best. I have had two very brief phone calls with two other staff just to say hello and to encourage them to stay. No aspect of the running of the business has been discussed with any staff and I have not visited the site, or interfered with the running of the business in any way since the administrators were appointed. My wife had a lengthy phone call with Glenn discussing the fitout of the National Hotel for pricing purposes but she was unaware there was a problem with that. I have received no reports on the business since the administrators were appointed with the exception of one lot of revenue reports sent in June ccd to me ad Brian as well as to the administrators. I have not requested any reports on the business from staff.
- c) A media article that stated facts incorrectly (attributed to the administrators according to the journalist) was brought to my attention. I responded to that report stating the facts accurately. I did this only after receiving professional advice it was ok to do so.
- d) I have not refused to comply with any requests as far as I am aware. There were two requests for plans and prices at short notice if a day or so that couldn't be met as I was busy elsewhere but all information requested has been supplied or made available within a few days of the request. Please advise what this item refers to and I will supply what is requested if I can?
- e) I have not acted in a way adverse to the efficient conduct of the receivership. I have helped in any way I can as I want the best outcome possible.

*Which they admitted to later*

*They never responded to this*

In reply to paragraph 14)

There is a misunderstanding apparently here. I have no intention whatsoever in taking business customers or staff away from the Lighthouse Business while I own it and while it is under administration and I will not do that. Why

would I want to destroy my own business and its value? This was a reference to a DRAFT DISCUSSION regarding the deed of restraint and was meant to refer to a future potential if the property was sold and and/or my lease ended. In that situation I wanted to leave options open for me in the town and as described in the email referred to.

I will not interfere with the receivership as discussed however I must be treated fairly and in accordance the rights I have as a director and owner of the Business and Companies involved with a view to getting the best outcome.

I hope this clears a few things up!! 😊

Regards

Sean

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**From:** Eva Lin [mailto:[elin@jacmac.com.au](mailto:elin@jacmac.com.au)]  
**Sent:** Friday, 19 August 2011 3:18 PM  
**To:** [sbutler@iinet.net.au](mailto:sbutler@iinet.net.au)  
**Subject:** FW: Letter to Jackson McDonald - re\_ Sean Butler - Butler Constructions Pty Ltd - 18 August 2011.PDF [MEP-PERDM01.FID236260]

Dear Sean

Please see attached letter and give me a call if you have any queries.

Kind regards

Eva Lin | Partner  
Jackson McDonald

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**From:** Jon Karolczak [mailto:[Jon.Karolczak@minterellison.com](mailto:Jon.Karolczak@minterellison.com)]  
**Sent:** Thursday, 18 August 2011 4:53 PM  
**To:** Jeffery Lin  
**Cc:** Richard Johnson; Leith Ayres  
**Subject:** Letter to Jackson McDonald - re\_ Sean Butler - Butler Constructions Pty Ltd - 18 August 2011.PDF [MEP-PERDM01.FID236260]

Dear Mr Lin

Please find attached correspondence marked to your attention.

Regards

Jon Karolczak

**Jon Karolczak** Lawyer

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