

Sean Butler

**From:** Mark Englebert <Mark.Englebert@twcs.com.au>  
**Sent:** Tuesday, 7 August 2012 4:35 PM  
**To:** sbutler@iinet.net.au  
**Cc:** 'Richard Johnson' (Richard.Johnson@MinterEllison.Com)  
**Subject:** FW: Information requested for Senate Inquiry

Sean

Thank you for your email.

The Receivers have responded to you in writing on a number of occasions in relation to the matters addressed in the email that was attached to your email below ('Attachment'). The Receivers have also discussed those matters with you in person on a number of occasions. In the circumstances, the Receivers do not propose to restate that position in further correspondence. The Receivers are mindful of, and very conscious not to generate, unnecessary costs in the receiverships.

We are also mindful that the matters that are referred to in the Attachment relate to the proceedings that are the subject of the Deed of Release that you wrote to the Receivers about in recent days. It is incumbent on you and Mrs Butler to consider and, if appropriate, take advice in relation to the extent to which your obligations of confidentiality pursuant to that agreement apply to the matters referred to within the Attachment.

If you have any queries, please don't hesitate to contact me.

Regards

MARK ENGLEBERT

PARTNER | TAYLOR WOODINGS



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Please consider the environment before printing this email

**From:** Sean Butler [<mailto:sbutler@iinet.net.au>]  
**Sent:** Friday, 27 July 2012 5:17 PM  
**To:** Mark Englebert  
**Subject:** Information requested for Senate Inquiry

Dear Mark,

I have been asked to attend and appear at the Senate Economics References Committee Inquiry into the post-GFC banking sector and will attend in person on Wednesday 8<sup>th</sup> August.

My submissions are numbered 111 & 124 and can be viewed at:

[http://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate\\_Committees?url=economics\\_ctte/post\\_gfc\\_banking/submissions.htm](http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees?url=economics_ctte/post_gfc_banking/submissions.htm)

In fairness I invite you to respond to my submissions and I will table your response at the hearing.

The afternoon before I am due to appear at the 2012 Senate inquiry as a witness

refusing to answer questions raised!

in other words stop asking questions that they refuse to answer!!

Why raise this issue?  
This is clearly a thinly veiled threat to me not to disclose the deed at the Senate Hearing otherwise why bring it up!!

Full Email & Attachment on next pages

## Sean Butler

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**From:** Sean Butler <sbutler@iinet.net.au>  
**Sent:** Friday, 27 July 2012 5:17 PM  
**To:** Mark Englebert (Mark.Englebert@twcs.com.au)  
**Subject:** Information requested for Senate Inquiry  
**Attachments:** Allegations made by Mark Englebert 1.11.2011.pdf

Dear Mark,

I have been asked to attend and appear at the Senate Economics References Committee Inquiry into the post-GFC banking sector and will attend in person on Wednesday 8<sup>th</sup> August.

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In fairness I invite you to respond to my submissions and I will table your response at the hearing.

*← They refuse to answer questions*  
I have asked you several times previously to respond to the issues in the attached Email but this request has been denied, could you now please provide responses as requested so these can also be tabled at the hearing, this will give the Senators your view on the matters raised.

As you are aware there are many other requests I have made in the interests of transparency during the course of your appointment. Most of my requests have been refused. It would be good if you could now provide answers as requested or explanations as to why the information has been withheld.

Regards,

**Sean Butler**

5 Henley Place Attadale WA 6156  
m 0419 964 487  
[sbutler@iinet.net.au](mailto:sbutler@iinet.net.au)

## Sean Butler

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**From:** Sean Butler <sbutler@iinet.net.au>  
**Sent:** Friday, 11 November 2011 12:24 PM  
**To:** David Gilbert (David.Gilbert@bankwest.com.au)  
**Subject:** Meeting and false allegations

Bankwest fully aware of dishonesty by Englebert but refused to act!

Dear David,

(Please disregard the one just sent with no regards .... ☺)

Thank you for your response, I will provide an agenda by next Monday.

There have been a number of serious false allegations made about me by Mark Englebert. These will be on the agenda. These allegations need to be cleared up.

Could you please get the receivers to provide information, before the proposed meeting in response to these allegations.

Form F3 in Fair Work Australia dated 1 November 2011 and prepared by Minter Ellison Lawyers for Mark Englebert and Ian Francis:

Item 3.7 (b) ***That the applicant (being Sean Butler) contacted or solicited (or attempted to engage, contact or solicit) employees of the company in potential breach of his duties...***

This allegation was also repeated in a letter from Minter Ellison Lawyers to me on the behalf of Mark Englebert and Ian Francis dated 4 November 2011 item 15 and 18

I have requested an explanation to this allegation but have not got one to date.

Please provide which employees this relates to, the dates involved, and written confirmation from the employees that this was done.

Form F3 in Fair Work Australia dated 1 November 2011 and prepared by Minter Ellison Lawyers for Mark Englebert and Ian Francis

Item 3.7 (d) ***That the applicant (being Sean Butler) failed to discharge certain "information providing"***

This allegation was also repeated in a letter from Minter Ellison Lawyers to me on the behalf of Mark Englebert and Ian Francis dated 4 November 2011 item 22

I have requested an explanation but have not got one to date. They need to tell me if there is a problem

Please provide details of what this relates to.

Form F3 in Fair Work Australia dated 1 November 2011 and prepared by Minter Ellison Lawyers for Mark Englebert and Ian Francis

Item 3.7 (e) ***That the Applicant generally acted in a manner adverse to the conduct of the Receivership.***

Please provide specific details, dates, who or what involved, description of conduct as to date only a general allegation has been made.

Regards

Sean Butler

0419 964 487