

SUPREME COURT OF QUEENSLAND

REGISTRY : Brisbane

NUMBER : 928/13

Plaintiff: **Peter Markan**

AND

Defendant: **Bar Association of Queensland**

STATEMENT OF CLAIM

This claim in this proceeding is made in reliance on the following facts:

1. The Bar Association of Queensland is a commercial organization registered with ASIC - ABN 78 009 717 739 , duly incorporated according to law and capable of being sued in its own name .

The Defendant is subject to all laws applicable to any Australian company , including but not limited to “ Corporations Act 2001” , “ Trade Practices Act 1974 “ ,” Fair Trading Act 1989 “ , “ Competition and Consumer Act 2010 “ .

2. As the result of the correspondence between parties their offer of “ Investigation “ (expressed in 3 letters from 01.08.2011) was accepted by the Plaintiff in the letter from 11.08.2011. The delivery of the service was promised in irrevocable terms .

3. The conditions of the contract and the delivery of the service were accepted , both parties were aware of the legal consequences and due to the nature of the intended service the consideration element was clearly expected to be beneficial to both parties . The Defendant possessed the capacity to fulfill the required service and the intention of the parties that they are legally bound by the contract is beyond doubt .

4. The Plaintiff on 2 documented occasions (28.11.2011 and 09.04.2012) in clear terms asked the Defendant to fulfill the terms of the contract and to deliver the service . On both occasions there was no response from the Defendant .

5. The Defendant failed to provide the service of ‘ INVESTIGATION ‘ in honest , fair and reasonable manner according to law. (Competition and Consumer Act 2010 – Part 2-2 - Unconscionable conduct - s20,21)

By failing to perform without a legitimate excuse their legal obligation they breached the lawfully made promise resulting in legal consequences of this claim .

STATEMENT OF CLAIM
Filed on Behalf of the Plaintiff
Form 16, Version 2
Uniform Civil Procedure Rules 1999
Rules 22, 146

Name: Peter Markan
Address:

Phone : Email : justiceaction@gmx.com

6. On 4.03.2013 the Plaintiff received documents indicating that Bar Association provided reports in this matter to Legal Services Commissioner (dated 04.04.2012). From the documents attached to the Affidavit of Mr.O`Connor (pages 31,32,47) it is apparent that Bar Association was aware that the Plaintiff was not informed about those reports therefore the job cannot be considered to be done unless they informed the Plaintiff about completion .

7. Bar Association has a history of ignoring correspondence or negligently sending it to wrong addresses as admitted by them in the submission to Court on 05.03.2013 (points 13, 14) .

8. The content of the Bar Association reports reinforces the Plaintiff claim of great dishonesty , deception , unconscionable conduct , manifest disregard for laws and evidence and the policy of mafia style protection of crooks in their organization . The reports contain false , misleading , untrue statements indicating contemptuous attitude and encouragment to predatory means when dealing with other members of the community .

9. It has to be noted that the Defendant cynically claims to possess ‘ professional ‘ knowledge of the laws in this country , therefore there are no mitigating elements of unconscious conduct due to the lack of awareness – on the contrary ! – it is deliberate and premeditated action of arrogant mafia organisation operating to subvert the government and community institutions .

10. Bar Association of Queensland is involved in deception and fraudulent claims and on the other hand hypocritically accusing at any occasion other people of being ‘criminals‘. It is also involved in fragrant contempt of laws in this country .

11. The Defendant has been involved in unlawfull act indicating gross malice and ill will – breach of contract and the breach of trust not on individual scale but affecting the whole society , eroding public confidence in the operation of justice system .

12. The Plaintiff feels offended and vilified by being subjected to such conduct , his private rights and interests have been (or will be) adversely affected by the wrong done and makes this claim relying on the provisions of law :

“ Competition and Consumer Act 2010 “ - ss 18 , 20 , 21-4b, 29-1b, 60 , 224-1a1,2 ;
“ Fair Trading Act 1989 “ – ss 92 , 93 , 95 .

The plaintiff claims the following relief:

1. Due to the severity of the unlawful conduct the Plaintiff demands that the Defendant makes the public apology for the harm and the distress caused utilizing all major public media available in a clear and highly visible manner .
2. The Plaintiff asks the court to order the Defendant to pay the fair and reasonable monetary compensation of A\$ 10 000 000.13 (ten milion Australian dollars and thirteen cents) as damages for the losses suffered by the Plaintiff .

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- a. **Compensatory damages – the amount claimed – 1 666 666.68833333**
 - b. **Consequential damages – the amount claimed – 1 666 666.68833333**
 - c. **Agravated damages – the amount claimed – 1 666 666.68833333**
 - d. **Exemplary damages – the amount claimed – 1 666 666.68833333**
 - e. **Parasistic damages – the amount claimed – 1 666 666.68833333**
 - f. **Restitution damages – the amount claimed – 1 666 666.68833333**
3. The Plaintiff reserves the right to add to this claim the legal costs and others suffered in the course of pursuing this claim and the interest calculated at the commercial rate .
 4. Due to the established case of the defendant organisation being knowingly involved in the protection and encouragement of criminal conduct the Plaintiff request the Court to issue the order declaring the Bar Association of Queensland as criminal organisation and to order its dissolution .
 5. Due to the fact that personel of Bar Association of Queensland , shareholders and people having working participation with this commercial organisation have been involved in criminal conduct themselves (perverts of justice) and displayed the substantial defects of character by being extremists of crime - the Plaintiff requests the Court to declare those people as ‘ not fit and proper ‘ of holding any position in Queensland requiring trustworthness and honesty and to issue the order prohibiting those people from applying or holding such positions in Queensland.
 6. Due to cold and calculated criminal conduct and the unrepentant attitude by the Defendant (which affects the foundation and the legitimacy of legal arrangements in the State) the Plaintiff request the Court to consider issuing the recommendation that the people associated with Bar Association of Queensland to be sent to re-education facilities where they will be subjected to hard physical labour to instill in them the respect for other people in the community .

The plaintiff elects trial by jury .

Signed:

Description: *Plaintiff*

Amendment Dated: 07.03.2013

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NOTICE AS TO DEFENCE

Your defence must be attached to your notice of intention to defend.

NOTICE UNDER RULE 150(3)

The plaintiff claims:

\$ 10 000 000.13 (ten million Australian dollars and 13 cents)

\$ 0 (provisional) for interest; and

\$ 0 (provisional) for costs of issuing the claim and this statement of claim.

The proceeding ends if you pay those amounts before the time for filing your notice of intention to defend ends. If you are in default by not filing a notice of intention to defend within the time allowed, the plaintiff is entitled to claim additional costs of \$(reserved the right to calculate at a later date) costs of entering judgment in default.

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