

State of Victoria
AFFIDAVIT

I, Trevor Henry Croll ,
of PO Box 114, Garfield 3814 (do not mail to 2 Flett Street, Bunyip 3815. ,
Electrical Engineer & Farmer, make oath and say that:-

1. I am the person making this AFFIDAVIT and I am joint executor of the will of Henry Theodore Croll deceased (Harry), my father, with my mother Lynette Croll (Nette).
2. My sisters are Lynette Faye Johnson (Faye), Cheryl Anne Prater (Cheryl) and Leonie Carolyn Dore (Leonie). My brother is Ian Gregory Croll.
3. Nette has created a document appointing me, Trevor Henry Croll, her enduring attorney. This document is still in the safe and has not been used for any purpose. It is kept just in case it is necessary. It has not been filed with the bank or anyone else.
4. On the 25th February my three sisters wrote to the Senior Register of the Guardianship List. I am now beginning my response to that letter. That my sisters and their counsel are misleading the Tribunal I can prove. In their letter they state:-
 - a. "Trevor Croll
 - We note that it is Trevor who is also meant to be providing the 24 hour supervision and care of Lynette. We believe that there are no full or part time employees assisting with the farm work or Lynette Croll's care.
 - The farms require skill and expertise which we do not believe Trevor has as he left home at 18 and was living in Queensland working in the field of computers until 2003.
 - While Trevor's lack of skills raises a number of concerns we note that one concern is the management of a 10 acre dam on one of the properties which has to be managed skilfully in order to prevent the potential flooding of a local urban area. We were most alarmed recently to hear how Trevor is proposing to deal with the current problem with the dam as it showed no understanding of how the dam should be safely managed.
 - 32 head of cattle were stolen around December 2003
 - „
5. This dam they talk about is about 1 acre, not 10 as they said. I have taken some photos of this dam and they are attached and marked THC1, THC2, THC3. I have prepared two panoramic photos that show the "urban area" that the dam will flood if not properly managed. This "urban area" is a lie as below the dams are farms that would most appreciate some flooding. The nearest township is Longwarry at 4.7 kilometres, the next is Bunyip at 7.9

kilometres. There is no urban area that can be flooded. The panoramic photos are attached and marked THC4 and THC5. I submit that the photos are clear proof that this Tribunal is being misled.

6. The girls claim I do not have farm skills. This they should know is a lie as I worked on the family farm till I was about 24 and went to Queensland. During holidays I would visit and work. During Christmas holidays I worked with Ian Nadenbush where I drove bulldozers clearing for grass bush, did contract hay cartage driving trucks loaded with hay on the roads and in paddocks as well as loading trucks with hay. I often gave cattle penicillin injections when they had infections. Nette has been running her farms all her life and knows what to do. Nette works with me and advises me on how to do things where I may have some doubts. I also have other people like the Stock Agent, Alan Jones, to call for help. What the girls claim is absolute nonsense. It is like the time Faye called my wife Yoka in Queensland and told her I was not pulling my weight, that I was a burden and sleeping in and that she should have me go back to Queensland. It was all manipulative lies.
7. When Nette and I became aware that cattle were stolen this theft was reported to the Police who investigated. I drove a Police Officer around the boundary fence line of the farm. Theft is something beyond our control, we can only act to minimize the opportunity and this has been done. There are now padlocks on 8 gates on the farm and barriers have been created against the road where the gas pipes go to limit the opportunity of thieves to steal cattle.
8. On page 2 of their letter they raise "Matters relating to the potential risk for Lynette Croll include:".
9. Nette does suffer high blood pressure and she takes medication for it. It was at its worst after Faye had been to the house and Cheryl had, on the telephone, told Nette that Faye was going back to the house to take furniture and other belongings. I verily believe that Faye was intending to take all the things belonging to Nette from her; she had indicated that the furniture in the house should be hers and she should have it. I witnessed Faye abusing my mother and taking her property but Faye lies and stands her ground. I have witnessed Lynette being terrified of Faye and I have felt duty bound to help my mother cope with her difficult situation with the girls.
10. I am not aware of the need for 24-hour supervision being the basis of my mother's discharge from hospital. I think this is another of the girl's inventions. Nette can cook meals; she walks to the Newsagent and the Doctor and looks forward to these walks as she finds them enjoyable. I often walk with her for company. Since the three daughters have stayed away Nette has been getting stronger, her blood pressure, which is measured every morning, is coming down to very healthy levels and she is becoming her normal happy self.

11. Nette and I both cook our meals and we restrict our foods to meat and vegetables, yogurt, fruit and fruit juices and little else. The reason is that these foods have been found to be those that people with diabetes, high blood pressure, coronary heart disease; obesity etc should eat to keep healthy. I have not prescribed complementary medicines in place of the medicines prescribed by her doctors. There is no way possible that my sisters can knowingly make this statement and therefore it is another invention. When Cheryl would visit she would bring cream cakes and lollies and insist that Nette should eat them and they were healthy. I tried to put Cheryl right and explained the health consequences of sugar, high carbohydrate and saturated fat foods and was told by Cheryl I was wrong. Nette regularly exercises and purchased for her self an exercise bike as she gave her old one to her sister Rhonda and Wally, her husband, so they could also exercise.
12. Nette chose not to have anything to do with her three daughters as they were terrifying her. Cheryl would tell stories from Faye and Leonie. Cheryl conveyed to me a death threat from Faye and a death threat from Leonie. Faye came to the house when I was home by myself and began taking property, she took a trailer claiming it was hers and I am aware that trailer has been at Bunyip for about 10 years. Alan, Faye's son, encouraged by Faye held a 3.3 meter 5cm diameter steel pipe like one would hold a base ball bat and had it aimed at my head. He threatened and demonstrated he was going to kill me.
13. There are no assets missing from the inventory of assets filed in the Supreme court. There is no \$1.7 million of government bonds that should have been filed on the inventory of assets. Faye lies again. The Estate of Henry Theodore Croll did not have \$1.7 Million or any funds of any significance at all.
14. In Faye's letter of the 2nd February 2004, last paragraph, she states "Trevor changed Dad's will". The will was proven to be the last will and testament of Harry's to the Supreme Court. It is clear that what Faye says here is clearly wrong. Faye on the 17th June 2003 I am told contacted John Gerlac and tried to sell the Longwarry property thinking she was executor. This act would have broken Nette's heart. Faye came to the house on about the 20th June 2003 and ask us "what am I, am I Harry's dumb daughter. Why did he change the will making Trevor the executor ... etc". We received a letter from John Kyne, Harry and Nette's solicitor that demonstrated he was going to be obstructive in his dealings with the probate of this will. Suspecting that Faye may be having undue influence and having shown improper motives Nette and I decided we had to do probate ourselves. One month later it was all done, the properties were in Nette's name, the motor vehicles etc were all in Nette's name. Nette owned everything that both Harry and Nette have owned together. We felt very pleased with ourselves, as we had saved lots of expense and distress due to the obstructive John Kyne and interfering Faye.

15. If the girls have evidence that Nette is signing documents she has not read and is regularly signing cheques for Trevor Croll they should have produced it. They have not because there is none. Nette has never written a cheque for Trevor Croll.
16. Nette quality of life has improved significantly now that her daughters are not harassing her. Nette is of sound mind and knows what she is doing. Nette is still running her businesses with my help, she still writes and signs cheques for the payment of bills and goes to the Post Office in Garfield to pay other bills. It is Faye who has reduced the value of Nette's assets by stealing them from her.
17. Nette has some loss of insight in relation to physical things and the situation is improving rapidly. Nette can now feel hot and cold and pain in her left hand and it is getting stronger every day. Nette enjoys being able to do things and prefers to do the housework.
18. I verily believe the girls are seeking to be the administrators of Nette for purely reasons of greed as they believe that if they can get control they can get all Nette's money and properties.
19. Nette runs 200 beef cattle on two farms. Nette would not be able to have these cattle moved between the Longwarry and Garfield farms as Nette would be unable to write a cheque and make an immediate payment for cartage. Being unable to write a cheque also means Nette can not get the tractor repaired, purchase veterinary medicines, do any concreting, build a house or buy ear tags for the sale of the cattle and so Nette would not be able to sell the cattle. Nette would not be able to get fencing done or pay for the repairs to fences.
20. During Nette's difficult times and because I promised Harry I would look after Nette and because it was the deal that was agreed with Harry before Harry died I have paid for the following from my company Everton IT Pty Ltd.
 - a. 30/06/03 Harry's funeral - David Bull Funeral
 - b. 30/06/03 Bunyip Football Club - Harry's wake after the funeral
 - c. 14/08/03 The Age Company Limited - advertising Probate
 - d. 16/08/03 Sheedy Muir (A new Dishwasher)
 - e. 21/08/03 David Bracken - 2 x Airconditioners
 - f. 26/08/03 land registry to transfer titles to Nette
 - g. 14/10/03 Noel Whyte Refrigeration airconditioners reverse cycle
 - h. 24/10/03 Barry Wakeley Sculptors – the monument on Harry's grave
 - i. 25/11/03 C H Smith Marine GPS so Nette can find her way around
 - j. 27/11/03 Southern Health some health bills
 - k. 27/11/03 Ambulance which took Nette to the hospital when she had her stroke
 - l. 5/12/03 TED Neil Motors car servicing when Nette was in Hospital
 - m. Bill Moore Fencing of Hillbrick road hectare
 - n. 22/12/03 Lea Caldwell Surveyor for Hillbrick road property

- o. Bill Moore House Repairs to Amber Johnson's rented house
 - p. 12/01/04 Barry Wakeley Sculptors final payment for Harry's monument
 - q. I installed a new hot water system, as the hot water system was not working.
 - r. I installed security lights and camera for our protection.
 - s. I installed two air conditioners for warmth and cooling.
 - t. I have kept the farms running and been doing much of the work that was neglected while Harry was sick.
21. I have made myself available for Nette when she needs me. I drive her where she wants to go, I like her company and get on well with her and always have. Nette is doing well and getting stronger and fitter and recovering well from her stroke. Nette is no longer that frail little lady that was discharged from Hospital. Nette is capable of walking the isles of the Victoria Markets where we went shopping on the 1st May 2004 without becoming exhausted. Nette enjoys doing things and looks forward to our excursions and to going to the farms where we often work together fixing fences and doing odd jobs.
22. Faye cries crocodile tears for Nette. She has demonstrated contempt and jealousy for Nette. "I was the favourite daughter, I should have some keepsakes" she says and then steals property of significant emotional importance to Nette from Nette.
23. Faye has an interesting way of responding when her lies do not work. Faye will state her lie with significant conviction, when this fails to convince she moves to a justification. Example "they were past their used by date and should have been thrown out anyway", "They were old and rubbish", "You couldn't have used them they would not have worked", or "I don't know what happened to them". When these tactics do not convince Faye will try to improve her story and even complain that she should have been given more time to work out a better story. Then Faye launches into a drama session with tears, appeals "My heart is pure", accusations of us being unfair to her and after this exercise she will walk away convinced this worked. Watching her I have seen a very satisfied expression come over her face that demonstrates that at least she believes it worked.
24. Nette has given me \$50,000.00 to keep in my own account so that we can take this matter to a higher court if the outcome is unfavourable to Nette.
25. Faye has implied that I have acted improperly in the administration of my father's estate. This I deny and suggest that Faye is the one who does not understand or know the facts and has invented things to complain about. She was very disappointed she was not executor. Before she knew she was not executor she had begun the process of selling properties that were left to Nette in Harry's will. This was improper and I verily believe Faye would have committed a criminal offence and taken as much of Nette's wealth as she could. In fact in stealing from Nette like she has she has demonstrated her intent.

26. Leonie in her letter of the 31st January 2004 has stated that "Trevor has told me that if I talk to my brother or sisters that I cannot see Mum again". This is a bald face lie. I did tell Leonie of the death threats I had received from her and Faye through Cheryl and I asked Leonie not to get involved in the harassment of Nette by Cheryl and Faye. I tried to limit the distressing information that was being put forward as facts by Cheryl that was distressing Nette. If I had been successful I verily believe Nette would not have had her stroke on the 11th November 2003. It was Nette who wanted to get away and not have the girls harassing her, which is why she went to stay with her sister Rhonda in Bendigo. It was not my decision that the girls should not talk to Nette, it was Nette's decision not to talk to the girls.
27. Leonie has been stalking Nette and I. She has been to the Longwarry farm and made accusations against me to our tenants there. She has spread malicious gossip about Bunyip including that I go around looking into people's windows at night. The girls have contacted the Bunyip Police and lobbied them to arrest me. They have made complaints that the Bunyip Police have had to investigate.
28. If only the girls had been fair and reasonable and honest towards my mother there would not have been this dispute. They seem distressed that Nette got everything and they got nothing (except for Faye who stole property I estimated at \$2,000,000.00 plus). They have conducted a campaign of harassment and I have stepped in between them and Nette to protect Nette.
29. All the facts and circumstances herein deposed to are from my own knowledge such are deposed to from information only and my means of such information appear on the face of this my affidavit.

Sworn at _____

in the State of Victoria, this _____ day of

_____ 20 _____

.....
Signature of deponent making this affidavit

Before me

.....
Signature of authorised witness

The authorised witness must print or stamp his or her name, address, and title under section 123c of the Evidence Act 1958 [Vic.]

- Persons qualified to take affidavits in Victoria include:
- The holder of an office in the public service of Victoria that is prescribed as an office of which the holder may receive affidavits
- A member of the police force of or above the rank of sergeant or for the time being in charge of a police station
- A Solicitor who is a current practitioner
- A Justice of the Peace or a Bail Justice
- The Registrar or a Deputy Registrar of the Magistrates' Court

Please note that the following persons are NOT qualified to take affidavits - dentists, doctors, pharmacists, teachers, bank managers, accountants