Example/Court Script July 26, 2023

Greetings,

The Woman called by (First name) is present today.

1. The following is to be read onto the Court record, Our Affidavit, Written Submission and that the woman (First name) comes in peace, with clean hands and in good faith, without argument or controversy.
2. We confirm We are in a court of common law jurisdiction?
3. We rely upon Our affidavit filed at the Supreme Court on the 5th June, 2023 as Our evidence. and as per the Orders issued by Supreme Court of NSW Registrar Chris Xxxxx before the 8th of June.
4. That said, We note that on Thursday the 20th of July over a month later, We did receive the following:
5. an affidavit by a previous solicitor no longer acting for the State of New South Wales, called by Xxxx Xxxx; and
6. Written Submission by a Xxxx Xxxxx
7. We also rely upon Our Written Submission filed at the Supreme Court on the 19th July, 2023.
8. We would like to, in good honour make clear the following:

As a matter of peace and good will to see the matter settled, We were though not satisfied but yet content to see the matter finalised regarding the State of New South Wales as a defendant, of the undisputed judgement, finding Tony Xxxxx and Daniel Xxxxx guilty of trespass, by His Honour Justice Xxxxx on xx Month 2023.

The award of those damages outlined in that judgement of approximately $xxk, being substantially under the sum We did stipulate, as remedy, in Our civil tort claim of trespass and under the sum of the contract stipulated upon the No Trespass Notices, of which agents of the State did choose to agree to, that does state $10k per person upon entry to the land.

1. We are also reminded that the judgement is undisputed and did make clear that the agents of the State did trespass upon Our property at address and in no official capacity as New South Wales Police officers, whatsoever, with no probable cause, no warrant, no emergency. The men being negligent of their adherence to the law and ignorance of the law.
2. We did give opportunity for the men in Our original Claim to settle privately out of court with Our Lawful Notice. They did not.
3. To date, We have made no appeal, argument, fight or controversy over the matter of His Honours Decision in relation to the undisputed trespass and damages awarded.
4. We attend now to agent of the Applicant, State of New South Wales, Nicholas Xxxxx’s Written Submission in his references to support and justify his claims and Rebecca Xxxxx’s Affidavit and her claims.
5. To Our comprehension the applicant must demonstrate three matters:

* *first*,that there is a good arguable case (on appeal)
* *second*,that the applicant will be disadvantaged if a stay is not ordered (how will the State be disadvantaged?)
* *third*, that the competing disadvantage to the respondent (Us) (if the stay is granted) does not outweigh the disadvantage to the applicant (if the stay is not granted).

1. As yet, evidence of demonstration on these 3 matters by agents of the State is unsubstantiated.
2. We make claim that indeed We are disadvantaged both of Our time, Our energy, Our resources, emotionally and psychologically and potentially Our property, should agents of the State persist in what We see as an iniquitous claim for costs and creating a dispute where there is none; and
3. We do not consent to the unjust enrichment of the State by agents of the State nor do We consent to being caused to suffer loss by these actions of agents of the State.
4. For the benefit of agents of the State and in relation to Nicholas Xxxxx’s Written Submission We point out the following; as reference has been made to commercial cases, “legal principles” and setting off costs.
5. We refer to the following commercial case *Civil Mining & Constructions Pty Ltd v Wiggins Island Coal Export Terminal Pty Ltd* [2023] QSC 92, J Martin SJA which is also of same references.
6. **Quote** “[11] As to the right to set off one costs judgment against another, the following propositions are relevant to this case. First, at least in Australia it now appears to be settled that the jurisdiction being exercised neither arises from statutory nor equitable origins **but is instead an exercise of the Court’s inherent jurisdiction over its own suitors**: see Wentworth v Wentworth (Unreported, Supreme Court of New South Wales, Young J, 12 December 1994) at 3–4 (‘Wentworth’); **Australian Beverage Distributors v Evans & Tate Premium Wines Pty Ltd [2006] NSWSC 560;** (2006) 200 FLR 332 (‘Australian Beverage Distributors’) at 347;
7. However further in that judgement it does state:
8. [23] The circumstances in which a **stay** may be granted where an appeal has been instituted have been considered on a number of occasions. I am content to apply what was said by Keane JA (with whom McMurdo P and White AJA agreed) in Cook’s Construction Pty Ltd v Stork Food Systems Australasia Pty Ltd: 13
9. “[12] The decision of this Court in Berry v. Green suggests that it is not necessary for an applicant for a stay pending appeal to show “special or exceptional circumstances” which warrant the grant of the stay.

**Nevertheless, it will not be appropriate to grant a stay unless a sufficient basis is shown to outweigh the considerations that judgments of the Trial Division (**The **trial division** hears the most serious criminal cases, including murder, ... The division also hears all civil matters involving amounts over $750,000.) **should not be treated as merely provisional, and that a successful party in litigation is entitled to the fruits of its judgment. Generally speaking, courts should not be disposed to delay the enforcement of court orders.**

The fundamental justification for staying judicial orders pending appeal is to ensure that the orders which might ultimately be made by the courts are fully effective: **the power to grant a stay should not be exercised merely because immediate compliance with orders of the court is inconvenient for the party which has been unsuccessful in the litigation.**” (emphasis added) End Quote.

1. Regarding **Corbett V Nguyen**- Our Claim, being a Civil Tort Claim of Trespass at Common Law applies to living women in the non-corporate Commonwealth (PGPA 2013) not commercial entities and is not of a difficult history on Our part but rather We claim as in Our affidavits was complicated by Agents of the State and Court which is to Our disadvantage, past and present to date.
2. Clearly, it is We the Plaintiffs who have been successful and are disadvantaged by actions of agents of the State.
3. It was the choice of Agents of the State to interlope into proceedings as amicus curiae, and, whereby We did not consent.
4. We did never consent to the removal of the men in Our originating claim, by having the State of New South Wales replaced in lieu of the men.
5. Agents of the State did interfere in Our Right to hold those men that did trespass against Us, to account. (See Our affidavit and Submission)
6. For the State to thus turn around and claim it has been disadvantaged by its own choices is incomprehensible.
7. That said, We now need to highlight the multitudinous costs claimed by Rebecca Xxxxx in her affidavit on page 7 and 8. Here are but the first few of some 76 created charges totalling thousands of dollars, in Rebecca Xxxxx’s Affidavit:
8. Rebecca Xxxxx claims costs before the State was ever added to proceedings on the 21 Dec 2021 **Quote** “Telephone call to “client” noting that the summons names individual officers as opposed to the State and appearance cannot be filed until amended.” Cost $27.50 End Quote
9. Again, Rebecca Xxxxx claims on the 21 Dec 2021 **Quote** “Letter to plaintiff noting the Crown Proceedings Act and requesting that the correct defendant be named. Cost $55.00. End Quote
10. Rebecca Xxxxx the 10 Jan 2022 **Quote** “Consider status of court appearances and strategy for protecting NSWPFs position in absence of appearance due to incorrect defendants” Cost $70. End Quote
11. Rebecca Xxxxxx the 11 Jan 2022, **Quote “**Letter to plaintiffs confirming when instructions to act were received, requesting confirmation of next court listing date and requesting no adverse action taken against NSWPF.” Cost $55. End Quote
12. Who was the man or woman who gave “instructions to act” to Rebecca Xxxxx or agents at Mxxxx Lawyers, against Us?
13. This is beginning to look very bias. Who was the man or woman who had the authority to determine Our claim was incorrect?
14. With respect, how long do We wish to make this hearing today? This list is endless of some 76 created charges by agents of the State and all on the basis that agents of the State took liberty to violate Our privacy to contact Us, tell Us what to do and deny Us of Our Unalienable Rights to file against the men who We did claim did commit trespass against Us, when they had no authority to do so.
15. We are reminded that agents of the State in their professional capacities as legal representatives of their obligation to uphold the Rule of Law and of their professional principles. Equitably They cannot claim what they cannot rightfully claim
16. We are correct that what one can do all can do and that all are equal under the Law? That We too are at liberty to create the same wealth and benefits for Ourselves with many of the same financial charges against the State?
17. We have a serious Breach of Our Peace, liberties and privacy with regards to the timeline of these dates and the nature of their content.
18. Where did Rebecca Xxxxx get Our email details from as We never did disclose Our private details nor give consent to be contacted by a Rebecca Xxxxxx, nor any man or woman acting as agents for the State as Solicitors or Barristers or other. The men in Our claim did send No Notice of their intent. Where did the State agents obtain Our private email address and then take liberty to contact Us telling Us what to do.
19. Where do agents of the State get their lawful authority to tell Us how We should file Our claim and who We should have on it?
20. Our claim was addressed to three men and filed and Sealed at the Supreme Court
21. Our original Claim was against the Men as clearly the men were not in their official police duties-No warrant, No probable cause and no emergency. And this, clearly established with the judgement on the 07 Feb 2023.
22. Is the State and its agents privileged in its wrongdoing over Us the Plaintiffs who did no wrong?
23. Then a decision by Justice Xxxxx to join the State without Our Consent and in lieu of the men named, was an outright violation and denial of Our Rights to name and choose those that We claim did trespass against Us.
24. No man or woman has the right to ever deny/rob Us this Right and then proceed to award costs in favour of the State to Our disadvantage, in this country. This is a trespass against Us.
25. **Litigants who are unsuccessful at trial often wish to defer complying with the judgment until their appeal is determined. Is this an Appeal? As far as Our knowledge no Appeal has been made regarding the judgement.**
26. We are reminded that the default position is that the party **who succeeded at trial** is entitled to the fruits of its victory. That small amount that We were awarded and prepared to settle with, as a matter of peace and good will and finalisation has not yet been upheld and forthcoming from agents of the State.
27. We again remind the court, as in Our affidavit and Written Submission that the decisions by Justice Xxxx and Justice Xxxxxx were made against Us prior to full trial and this is in direct violation to the Bill of Rights 1688.
28. Continuing briefly on from Civil Mining and Constructions Case in point
29. Quote [26] **One reason which might support a refusal to grant a stay, notwithstanding an order for set-off, would be if the stay would cause prejudice to the party with the advantage of a court order. (Us)**
30. We claim that We indeed do have attempt of prejudice against Us by Agents of the State and as clearly stated in Our affidavit and Written Submission before the Court today.
31. We reiterate that as a matter of peace and good will to see the matter settled We were though not satisfied but yet content to see the matter finalised with the judgement and awards of costs for under the sum We did stipulate as remedy. We have made no argument or fight over the matter.

1. The fact remains undisputed that a trespass did occur and that remedy is to be made for this wrong doing. *Montefiori v Montefiori (1762) 1 Black W 363, 96 ER 203*, Lord Mansfield did state “No man shall set up his own iniquity as a defence any more than as a cause of action”.
2. We further ask the court whether the appellant (state) attempts to cause **ir-remediable-incurable prejudice**; that is, harm or injury that results or may result from some action or [judgement](https://www.google.com/search?q=judgement&si=ACFMAn8hzZSJQsgXIYlkGc-z1vmpKPPirnpKRHvnL6lUsccIq4g0R58rNSmoD3ozNZVR5DyCG2YlfmhOFDiC73KLQAvNT0VCFQ%3D%3D&expnd=1)
3. With respect, We move the court and require Justice Xxxxxs decision to be fully effective, and the performance of the State to the Plaintiff as per the orders on 0 Feb 2023 be enforced and to also give further determination to move the Court as to Our Written Submission as in points 1-15.
4. We ask that the matter of the States claim for costs before Us today be rendered nugatory and agents of the States claim for Costs be struck out for all time.
5. That any ruling in favour of the State in this matter would bring one to consider Lord Diplock in *Council of Civil Service Unions v Minister for the Civil Service (1985) AC 374* states “so outrageous in its defiance of logic **or of accepted moral standards** that no sensible person who had applied his mind to the question to be decided could have arrived at it.”
6. Certainly any such ruling in favour of the State for costs would be conceptually inconsistent, and without accountability for the way in which the State exercises its powers, incomprehensible, and diminish any view held by the public that this system of government in this country is legitimate at all, when this is how its officers of the State are protected, treat the People of the Commonwealth, and furthermore when damages are burdened on men and women of the Commonwealth when officers of the State claim to be responsible for that trespass. It is Oxymoronic.
7. **That is all that is necessary for the present time.**