

**From:** [REDACTED]  
**To:** [Tollroads](#)  
**Subject:** [REDACTED]  
**Date:** Monday, 6 August 2018 1:03:04 PM  
**Attachments:** [REDACTED]

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To whom it may concern,

I write this correspondence in relation to the Parliamentary Enquiry of Toll Roads for mention on the 7th of August 2018.

I am a good law abiding person. I have never been to court, I don't break laws, I am a Tax payer, I pay my bills on time, I am not a wealthy person, I live within my means. Yet I find myself appointing a Solicitor to respond by notice of intent to defend, to the attached summons issued by Queensland Motorways/Transurban.

My Toll transponder commenced failing to produce audible tone in January of 2017 despite my account being in credit, I placed several calls to GoVia to notify & on each occasion was advised it was an intermittent issue that would resolve. In February of 2017 I received a phone call from Go Via stating my account was in outstanding to the value of \$1200. I requested they cease debiting my account for auto top ups, I asked that a summary of Toll usage be emailed to me for review as I knew I had intermittent issues with the transponder and that my Toll Fees should have only been approximately \$250. The summary never arrived, I called GoVia again in March of 2017, and was advised the outstanding balance was over \$3200, again I requested summary, it never arrived. I started receiving phone calls from a representative from Creditcorp who stated my outstanding account was in excess of \$7000, I asked them to provide Summary of the account for my review, no summary was provided. By July 2017 I ceased using the Toll Roads. I had placed several calls to GoVia and on each instance was advised the "back office" was not available at that time.

In February 2018, a Male person attended my mothers place of residence, late evening (I had been residing there previously, caring for her during Breast Cancer treatment and recovery). He asked for me, my mother advised him I was not there. He gave her his contact details and my mother called me to pass on details. I called him on the same evening immediately.

He was evasive and would not advise who he worked for. He advised he had not discussed detail with my mother, I advised specifically he had no legal right to do so. I asked for my account summary, I advised I had on multiple occasions attempted to receive the correspondence I needed in order to resolve the matter & it had not arrived. He advised me the outstanding account was over \$12,000. I advised that it seemed my option was to take the matter to court. I advised he was not to attend my Mothers place of residence as she was recovering from Cancer and the stress was unwelcome, the issue was not her concern. I advised no further contact with me was warranted, until written account summary was issued as requested. I provided my email address again for that purpose. In April 2018 a person attended my Mothers place of residence to issue the attached court Summons. He discussed in detail the matter with my Mother without my permission and

specifically after I had requested this not occur. This has caused great stress to her, myself & my sibling to the point of estrangement.

After investigation, it appears GoVia engage Mason Black Lawyers, who contract Creditcorp to harass GoVia's clients into paying inflated (& lets say a 430% plus inflation) fees. I only found this information by receiving the summons.

Every attempt has been made to have Mason Black Solicitors reduce the account to a reasonable value, with no success. I find myself in a position of having to have the matter resolved in a Court, appointing a Solicitor to represent me, at great cost.

How can a Toll account go from \$2,200 to \$13,800, when their own faulty equipment cause non payment initially?

How can members of Parliament support this unethical behavior?

How can the Court Systems continue to cope with the burden of these Toll operating companies sending good people to Court for no good reason?

When will the Toll companies be held accountable for their Ham Fisted behavior?

I wish for my name to be suppressed please as the matter will be before Court in due course.

Kind regards

[REDACTED]  
[REDACTED]  
[REDACTED]

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[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

**RE: QUEENSLAND MOTORWAYS MANAGEMENT PTY LTD v [REDACTED]  
In the Magistrates Court of Queensland at Brisbane  
Proceedings No. [REDACTED]**

We refer to the above matter and confirm that we act for Queensland Motorways Management Pty Ltd.

We **attach**, by way of service, a sealed Order, Claim and Statement of Claim.

You have 28 days to pay the outstanding debt of **\$13,862.88** or file a Defence with Brisbane Magistrates Court.

If you wish to pay the debt, please make payment of **\$13,862.88** to our account, details below:

**Mason Black Lawyers Law Practice Trust Account**

[REDACTED]

If payment is not made within 28 days, or alternatively a Defence is not filed, we are instructed to apply for Default Judgment without further notice to you.

We hope that this matter can be resolved without the need for further legal action and look forward to receiving payment.

Should you have any questions, please contact our office on (02) 9321 1000 or at [collections@masonblack.com.au](mailto:collections@masonblack.com.au).

Yours Faithfully,

**Mason Black Lawyers**

[REDACTED]

[REDACTED]

**MAGISTRATES COURT OF QUEENSLAND**

REGISTRY: BRISBANE  
NUMBER: [REDACTED]

Plaintiff: QUEENSLAND MOTORWAYS MANAGEMENT PTY LTD  
(A.C.N. 010 630 921)

AND

Defendant: [REDACTED]

**ORDER**

Before: [REDACTED]

Date: [REDACTED]

Initiating document:

**THE ORDER OF THE COURT IS THAT:**

1. Pursuant to Rule 116 of the Uniform Civil Procedure Rules 1999, personal service on [REDACTED] (Defendant) of the Claim and Statement of Claim [REDACTED] is dispensed with.
2. In lieu of personal service, a copy of the Claim, Statement of Claim together with a sealed copy of this Order be served on the Defendant by email at [REDACTED]
3. The Claim and Statement of Claim shall be taken to have been served 5 days after compliance with paragraph 2 of this order.
4. Costs reserved.

Signed:

F/Registrar



ORDER  
Filed on behalf of the Applicant

Form 59, Version 1

*Uniform Civil Procedure Rules 1999*  
Rule 661

Mason Black Lawyers



**MAGISTRATES COURT OF QUEENSLAND**

REGISTRY: **BRISBANE**

NUMBER: [REDACTED]

Plaintiff: **QUEENSLAND MOTORWAYS MANAGEMENT PTY. LTD. (ACN 010630921)**

**AND**

Defendant: [REDACTED]

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**CLAIM**

The plaintiff claims:

- (a) \$12,101.47 for tolls and administration fees, together with;
- (b) costs pursuant to the relevant scale and as detailed in the attached statement of claim, and;
- (c) interest calculated pursuant to section 58 of the Civil Proceedings Act 2011 from the date of cause of action.

The plaintiff makes this claim in reliance on the facts alleged in the attached Statement of Claim.  
**ISSUED WITH THE AUTHORITY OF THE MAGISTRATES COURTS OF QUEENSLAND**

And filed in the **BRISBANE** Registry on [REDACTED]

To the defendant(s): **TAKE NOTICE** that you are being sued by the plaintiff in the Court. If you intend to dispute this claim or wish to raise any counterclaim against the plaintiff, you must within 28 days of the service upon you of this claim file a Notice of Intention to Defend in this Registry. If you do not comply with this requirement judgment may be given against you for the relief claimed and costs without further notice to you. The Notice should be in Form 6 to the Uniform Civil Procedure Rules. You must serve a sealed copy of it at the plaintiff's address for service shown in this claim as soon as possible.

Address of Registry: 363 George Street Brisbane Qld 4001



**Registrar**

CLAIM  
Filed on Behalf of the Plaintiff(s)  
Form 2, Version 2  
Uniform Civil Procedure Rules 1999  
Rule 22

MASON BLACK LAWYERS  
[REDACTED]

If the claim is for an amount of not more than \$25,000.00, and the claim is not to recover a debt or liquidated demand, then the claim is a 'minor claim'. Simplified procedures apply to minor claims. (see rule 515 of the *Uniform Civil Procedure Rules 1999*).

If you assert that this Court does not have jurisdiction in this matter or assert any irregularity you must file a Conditional Notice of Intention to Defend in Form 7 under Rule 144, and apply for an order under Rule 16 within 14 days of filing that Notice.

If you object that these proceedings have not been commenced in the correct district of the Court, that objection must be included in your Notice of Intention to Defend.

PARTICULARS OF THE PLAINTIFF:

Name: **QUEENSLAND MOTORWAYS MANAGEMENT PTY. LTD. (ACN 010630921)**

Plaintiff residential or business address: C/- MASON BLACK LAWYERS, [REDACTED]  
[REDACTED]

Plaintiff Solicitor / Agent Name: [REDACTED]

Solicitor / Agent Firm Name: MASON BLACK LAWYERS

Solicitor / Agent Business Address: [REDACTED]

Address for Service: [REDACTED]

Dx: [REDACTED]  
Telephone: [REDACTED]  
Fax: [REDACTED]  
E-mail Address: [REDACTED]

Signed: Signature not required for electronically lodged documents.

Description: Solicitor for the Plaintiff

Dated: [REDACTED]

This Claim is to be served on: [REDACTED]  
of: [REDACTED]

**MAGISTRATES COURT OF QUEENSLAND**

REGISTRY: **BRISBANE**

NUMBER: [REDACTED]

Plaintiff: **QUEENSLAND MOTORWAYS MANAGEMENT PTY. LTD. (ACN 010630921)**

**AND**

Defendant: [REDACTED]

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**Filed in the BRISBANE Registry on [REDACTED]**

**STATEMENT OF CLAIM**

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

1. At all material times the Plaintiff was:
  - a. incorporated pursuant to the Corporations Act 2001,
  - b. a toll road operator defined under section 92 of the Transport Infrastructure Act 1994 (QLD) ("the Act"),
  - c. a local government tollway operator defined under section 105B of the Act, and
  - d. the toll road operator and manager of the go via network.
2. The go via network is a 75 kilometre integrated network of tolled roads, bridges and tunnels across the greater Brisbane area.
3. When a vehicle passes through a toll point on the go via network a toll is required to be paid (the toll fee).
4. At all material times the Defendant was the registered operator of motor vehicles bearing registration numbers: [REDACTED] (the Defendant's vehicles).
5. During the period [REDACTED], a total of [REDACTED] trips were recorded of the Defendant's vehicles passing through toll points on the go via network without payment of the toll fee (the unpaid toll fees).

**PARTICULARS**

- a. The Defendant's liability to pay the toll fees is prescribed under sections 94, 99 and 105ZC of the Act.
- b. Details of the Defendant's usage of the toll roads are set out in an account statement prepared by the Plaintiff. The account statement is in writing and is available for inspection upon request.
- c. The amount of the toll fees payable was:
  - i. declared by gazette notices in accordance with section 93 of the Act, or
  - ii. published in accordance with section 105ZB and amended by gazette notices under section 105GB of the Act from time to time and were also set out in the aforementioned account statement.
6. As a result of the Defendant's failure to pay the toll fees, notices were issued to the Defendant requesting payment of the unpaid toll fees and additional costs (the administration charges) were incurred by the Plaintiff.
7. Pursuant to section 98 and section 105ZG of the Act, the Defendant is liable to the Plaintiff for the administration charges.

**PARTICULARS**

The amount of the administration charges was:

Claim filed on behalf of the plaintiff  
Form 16 R.22, 146

MASON BLACK LAWYERS  
[REDACTED]



- a. declared by gazette notices under section 93 of the Act, or
- b. published in accordance with section 105ZB and amended by gazette notices under section 105GB of the Act from time to time and were set out in the account statement referred to in paragraph 5 hereof.

8. The Defendant is liable to pay the Plaintiff for the unpaid toll fees and the administration charges totalling \$12,101.47 up to the date of this Statement of Claim and also has a liability for any unpaid toll fees and administration fees incurred from the date of this Statement of Claim for the Defendant's vehicles.

9. The Defendant has failed, refused and/or neglected to pay the Plaintiff the sum of \$12,101.47.

The Plaintiff also claims interest under part 8 of the Civil Proceedings Act 2011 at an annual interest rate of 5.50%, that is \$289.94 calculated from 06/12/2017.

**Signed:** Signature not required for electronically lodged documents.

**Description:** Solicitor for the Plaintiff

### **NOTICE AS TO DEFENCE**

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

### **NOTICE UNDER RULE 150(3)**

The plaintiff claims:

<b>Claim</b>	<b>\$12101.47</b>
<b>Interest</b>	<b>\$289.94</b>
<b>Costs of issuing the claim and this statement of claim</b>	<b>\$249.00</b>
<b>Appeal Costs Fund</b>	<b>\$3.60</b>
<b>Professional Costs</b>	<b>\$1154.00</b>
<b>Service and Travelling Costs</b>	<b>\$48.70</b>
<b>Search Fees</b>	<b>\$0.00</b>
<b>e-Lodgement Service Provider's Fee</b>	<b>\$16.17</b>
<b>TOTAL AMOUNT OF PLAINTIFF'S CLAIM</b>	<b>\$13862.88</b>

**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 \$258.00, costs of entering judgment in default.**