

HIS WORSHIP MR. McGRATH COURT 9, A-  
CHIEF JUDGE-COMPENS. COMMISSION COURTS  
131, Macquarie St. 9th Floor.  
Sydney N.S.W., 2000.

File  
15.6.90

Your Honor,

I would like first of all to apologize for my way of intrusion. I'm forced to disregard all the rules of Austr. Comp. Commission Courts because I had to go through you some how, since neither my solicitor or barrister never wanted to take any notice for my complains since the beginning of my case..

They are the only one in title to mention anything to a judge & if they don't I am not in title to say nothing either than answering questions by yes or no.

I've noticed too many lies and false interpretations from employers solicitors doctors. Solicitors kept calling those details as irrelevant to my case into court. With my common sense I can judge that it's definitely wrong and unjust.

I insist to give you my personal message although I do not expect any consideration to my message.

I am very eager to read about your judgement, after the 2 days into court, last Friday.

I have found about your Judgement dated 16-12-85 only a short time ago at my previous appearance in court this year. Neither I had your comments of that day.

Disregarding the multiple typing mistakes by the courts typists, I've noticed misinterpretations, and also lies coming from employers and Doctors. Especially Dr. Weisz.

So when I was handed photo-copies of documents I discovered the following.

Doctor Weisz statement at the lines 14th to 17th mentioned that:...(in your judgement) He takes the view that the transplant, that has been done, has not satisfactorily dealt with the problem, and suggests that he should have further treatment of that sort performed to this limb. Treatment has been completely stopped. (Insurance refusing to pay physiotherapy). That had happened when the therapist used to treat me for all my complains but used to charge the insurance Co. for just my hand. Accidentally he charged for the one but mentioned the lot. They also refused to pay for the kms used to go to there py. Physiotherapy was helping me a lot. Now I suffer a lot in winter. I do not sleep at night at all. The physiotherapist was using heating, acupuncture and stretching (Or contractions treatment for my back).

I also read in the lines of Dr Weisz report that the operation performed by Dr. Searl was done in 1980 (Instead it was done in 1977. When I was still working for J.I. Case). I had some contraction performed in Nepean Hospital and manipulation for my back trouble the same during my working time. I've missed work and I was put asleep with anaesthetic to perform that thing. I always informed my supervisors about those happenings. For the transplant operation I've missed one-month pay from work. Social security is the one who paid me something that time. Medicare paid for the costs partially. (I was paying top scale Medi-Care then).

I agree that I made a mistake to accept normal duties then, although a doctor certificate was recommending light duties. I thought avoiding dealing with compensation, hoping treatment and acupuncture would have helped me to <sup>lose</sup> my job which was only 200mts. away from where I live. I believe that there is a possibility to admit that if I would have stopped working for a while I might have improved my general fitness. In the mean time I had continious sleepless nights those days.

I read in the last line of 1st page of your Judgement that: There is no evidence brought by the respondent to say that he was not complaining about all these matters on the course of his employment. So if no one tells you anything about some details which I doubt, how could you be affi-

ally informed if in court I am allow<sup>ed</sup> to say only yes or no or to answer only to questions asked to me personally. I am not allow<sup>ed</sup> to object if I discover something wrong? (wrong comments). Solicitors are the one in title to object if they think it's necessary to do so only.

Dr Guirgis made a mistake of misinterpretation which was brought to his attention by myself many years later. (His first report mentioned a squashed finger by dropping a heavy weight). I had dropped a heavy counter-weight on my left hand and had a lacerated finger (very badly hurt) when I pulled the hand (by a natural instinct). Dr. Guirgis provided a supplement report dated 10-9-90 which corrected his first report. My solicitor seemed not to accept any changes of any previous report because as he claims that the first judgement cannot be corrected at all. It sounds to me very strange that kind of logic to be acceptable by myself. Also he claims any of the mistakes I've mentioned to him are irrelevant for my case.

I would like to conclude with the following, your Worship: Being a tough guy a hard worker and in trouble after an accident, it pays to be a bludger and not to suffer and to keep working.

My solicitor claimed that the insurance went broke that's why they stopped sending any money lately and that's why they refused a request of a lump sum of \$75,000. They offered to me \$14,000 (which I've refused). I was told that I've been overpaid of about \$15,000 from Social Security. My intention was to start some kind of business, such as a little kiosk newsagent and to start earning a living. That way I wouldn't have to depend of any pension at all permanently.

If I would find the job a bit tiresome my wife would share the working time. One day my children would take over too.

Anyhow if I wrote to you is because I don't plan to give up of some rights being an Australian citizen.

The way I was left in court really have been discouraging me to try any other attempt on some kind of courses. I've tried already too many so far. I do not think that ever existed anyone in Australia that has been trying so hard, considering my age. (The 14th Sept. I'll be 60 years old.)

At the page 2 of Dr. Weisz report you read (page 2: line 13). He walked and sat without restrictions. No support was evident and he did not appear to be in any obvious discomfort. I did show him a belt that I was wearing to support my back.

I apologize once again for the inconvenience and unusual approach towards you your worship but I wanted you to know about most of the things I was complaining to my solicitor.

I'll include some documents photo-copies of mine to know me better that what I've been represented so far.

Thank you, Best regards. Do something, if you believe it's right, to help me out. I'll make some very particular prayers for you if you do or not help me.

Yours very truly

Mario Moscatelli  
P.O. Box 20 St. Marys  
2760, N.S.W.

*Mario Moscatelli*  
The 5<sup>th</sup> June 1990.

P.S.

I've nearly forgot the following.

I expected as I've heard in court that the one who took the film which was projected into the T.V. (Action which I was told not acceptable now's a day) was supposed to appear in court too. I was very disappointed not to see anyone. That would have been very useful to me to prove what I believe.

Our Both leading government parties and the Insurance wanted at any cost to get rid of me of an invalid pension and of my rights to workers compensation. In a short time I'll find out if my thinking is definitely right, from my income. An age pension at 60. It's the easier thing to get me out of everything else. I am not the only victim of this regime. Next election would show truly what I am insinuating. I'm sure that you do believe in justice. Don't you your honour?

ST. MARY'S  
5 - PM  
13 JUN  
1990  
N.S.W. 2100



Mrs Lena Agustin  
102 StH Terrace  
Bankstown NSW 2200  
NSW

Spia  
Lena,  
Non ho ancora preparato il restante della mia  
spesa con gli altri.  
L'indignazione fu causata per via della tua  
ragione. Al momento ho pure dei problemi dentistici  
sempre per via dei soldi.