

REFERENCE FOR JOHN ISAAC

John Isaac conducted a Mediation / Arbitration process for the Trustees of the GM Smith Family Trust over the period March 2009 to June 2009. My brother Graeme and I were the sole Trustees & beneficiaries of the GM Smith Family Trust. I live in Auckland and my brother lives in Australia. The disputes centered around a joint venture (including my brother, myself and a third party) which was set up to build three up market townhouses on the site of our family home in Auckland.

Unfortunately, for a number of reasons the project did not go well, and the expected profits were not realised. There were also many issues around monies paid to and by Graeme and I, and also benefits which were received by Graeme and I from the Trust and other entities.

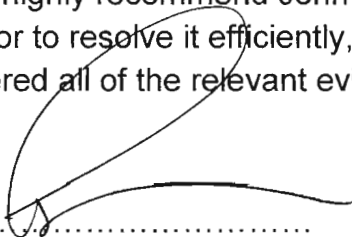
The matters to resolve were complex as there were numerous bank accounts operated during the construction of the units, with transactions spanning a 4 year period and the financial records were not kept in accordance with normal accounting procedures.

My brother and I initially commissioned a report from the Trust's accountant to assist with trying to determine what an equitable split of the remaining funds was after the completion of the joint venture project. Unfortunately my Brother would not accept the recommendation in the Accountant's report so we engaged John Isaac to conduct a mediation first, and then if needed, an inquisitorial arbitration "on the papers". As John was unable to conclude a mediated agreement, he proceeded to Arbitrate.

After very extensive enquiries of the Trust's financial records by John Isaac, and discussions with the Trust's Accountant, the third joint venture partner, and my brother and I, taking some two and a half months to complete, John issued his 14 page award in which gave comprehensive reasoning for his decisions.

I was very impressed with John's thoroughness and integrity throughout the entire process. He unearthed various further adjustments over and above what was contained in the Accountant's report, which needed to be made in order to make an absolutely equitable payment from the Trust monies to the beneficiaries, Despite Graeme being in Australia during this process and me being in Auckland, John was omnipartial at all times with both my brother and I, even when I was delivering documents to his offices. To this day he has never personally met my brother, all communications with Graeme were handled by email and telephone.

I would highly recommend John when someone has any dispute and needs a Mediator or Arbitrator to resolve it efficiently, with integrity and to arrive at an equitable award having carefully considered all of the relevant evidence.



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Denis Smith

30 May 2010