

David Berlusconi

From: David Berlusconi
Sent: Friday, 28 September 2018 2:01 PM
To: Michael McCauley
Subject: FW: Trip home

See email correspondence below.

Regards.

David Berlusconi
Human Resources Manager
Australian Automotive Group Pty Limited
60 O'Riordan Street, Alexandria
NSW, 2015, Australia
P | +61 2 9332 8167 F | +61 2 9360 5375
M | +61 0417 293 398 E | dberlusconi@aag.com.au

From: Brendan [mailto:brendan@bondimigration.com.au]
Sent: Wednesday, 12 September 2018 12:36 PM
To: David Berlusconi
Cc: Lena Muscat
Subject: RE: Trip home

Hi David

Here is the last email I sent Jamie...

Jamie,

CITY FORD

Michael is looking forward to meeting you and for you to begin working.
He was not aware you had left Australia.
He is expecting you in August.

I suggest the next time Michael hears from you, is when you arrive in person to resume work as agreed.
I doubt he wants to become embroiled in your personal affairs.
If he withdraws his support of you, and the nomination is withdrawn, your 457 visa will be cancelled.

Please refer to his email below..

Hi Brendan,

Not sure who he spoke with. It certainly was not me. I would have insisted he come say hello before returning to England.

Either way August it is.

Regards,
Michael McCauley
Service Manager

You had indicated you would return to Australia to commence working for City Ford, after taking a break for 2 months.

You currently have a valid Australian working visa, an approved sponsor, and an offer of employment with City Ford with a confirmed wage of \$59,280.

CANCELLATION OF YOUR 457 VISA

Your current visa (457 visa) will be cancelled if you do not return to Australia to work for your sponsor, within 90 days.

The nomination was approved 10/07/2018, therefore your 457 visa is liable to be cancelled on 11/10/2018.

A cancelled visa results in a 3 year ban from re-applying for a visa to Australia, if cancelled for non-compliance.

If City Ford withdraw their nomination/sponsorship your 457 visa will also be cancelled.

COMPLIANCE

You ceased being compliant 90 days after you left your former job, and you remained in Australia for a considerable time afterwards.

You are currently compliant, due to the approved 482 nomination, however you will become non-compliant again if you don't commence work with your sponsor, City Ford within 90 days. As above.

3 YEAR BAN

If your 457 visa is cancelled for non-compliance, you will face a 3 year ban from re-applying for another visa. The next application you then make will be heavily scrutinized.

MY ADVICE

It seems you have changed your mind about wanting to live, work in Australia, and are now seeking to transfer blame in an effort to justify your decision.

I am confident my advice will stand up to scrutiny against any audit that may be necessary.

Please refer to your email below:

On 4 June 2018 at 09:59, Jamie Smithson <j.smithson026@gmail.com> wrote:
Hi Brenden,
Will there be any negative implications when I go home on the 21st for 2 months?
I have spoke to city ford and confirmed i will start when I return.
Kind regards
Jamie Smithson

I advised you as follows:

If you are the subject of a new nomination before you depart, your 457 visa is unlikely to be cancelled.

On a personal note, I have had your back since you engaged my services (for a 189/190 visa).

At the time you sought my advice, you had left a wake of destruction behind you including numerous failed relationships with previous employers, agents, etc.

I'm not sure why you want to add me to this list, as well as adding City Ford to the list.

PERMANENT RESIDENCE

Your permanent residence via the skilled migration pathway is imminent and I don't understand why you would jeopardise this.

Unless of course England is where you want to be..

I have advised you that you need an additional 9 months of Australian work experience to gain 5 points towards your skilled migration (permanent residence) Expression of Interest.

These 9 months are critical to the success of your application.

More so now that the Skilled Migration passmark has been raised from 60 to 65 points. You currently have 55 points.

I note that you have attempted the English test numerous times.

CEASING MY SERVICES

If you wish for me to cease acting for you I shall.

Please provide written instruction (by email) that you no longer require my services.

I shall close your file accordingly.

I will leave this with you for consideration.

Kind regards, Brendan - 0404 552 322

From: David Berlusconi <dberlusconi@aag.com.au>
Sent: Tuesday, 11 September 2018 4:04 PM
To: Brendan <brendan@bondimigration.com.au>
Cc: Lena Muscat <lmuscat@austautogroup.com.au>
Subject: RE: Trip home

Thanks for that Brendon,

I am being asked by our financial controller to justify the nomination and fees we paid to get him up and ready. I need to know if he is coming back to Australia to commence work with us and if so, the details including are there any further costs.

From what I have gathered so far, he spoke to or emailed Michael requesting he start at a later date and emailed you on the 21st of June saying he is going home for 2 months (presumably returning on 21 August and starting with us on that date). But I heard somewhere along the line (it could have been from Michael - but may not have) that you contacted him telling him he needed to get back here immediately after this date had passed. Again I may be wrong on this point.

Can you bring me up to speed with this person (from your end) regarding his return date, whether all the paperwork is completed, are all the fees paid, are there any more, what was your last conversation with him etc?

I am hopefully this can be sorted out asap and put to bed.

Regards.

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From: Brendan [<mailto:brendan@bondimigration.com.au>]

Sent: Wednesday, 12 September 2018 12:33 AM

To: David Berlusconi

Cc: Lena Muscat

Subject: RE: Trip home

Hi David,

I have an email from Jamie as follows..

I told Michael I was going overseas until this mess was cleared up. I even have the email saying how he'd forgotten due to being under pressure taking over management at City ford.

Kind regards, Brendan - 0404 552 322

From: David Berlusconi <dberlusconi@aag.com.au>

Sent: Monday, 10 September 2018 8:57 PM

To: brendan@bondimigration.com.au

Cc: Lena Muscat <lmuscat@austautogroup.com.au>

Subject: RE: Trip home

Hi Brendon,

What is the status with this? Do you know who it was by any chance he spoke to?

Regards.

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From: Brendan Muldoon [<mailto:brendan@bondimigration.com.au>]

Sent: Friday, 13 July 2018 10:11 AM

To: Michael McCauley

Cc: David Berlusconi; Lena Muscat

Subject: RE: Trip home

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21 Aug expected to return.

On 4 June 2018 at 09:59, Jamie Smithson <j.smithson026@gmail.com> wrote:
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From: Michael McCauley <mmccauley@cityford.com.au>
Sent: Friday, 13 July 2018 9:55 AM
To: Brendan <brendan@bondimigration.com.au>
Cc: David Berlusconi <dberlusconi@aag.com.au>; Lena Muscat <lmuscat@austautogroup.com.au>
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Hi Brendan,

This has clearly been a major miscommunication on all sides with this sponsorship process.

I really don't care for the past details but what is going to happen moving forward. His sponsorship is now approved.

When will he be returning to Australia? I am keen to finally meet this mystery man and get him working.

Regards,

Michael McCauley

Service Manager

811 Elizabeth Street, Zetland, NSW, 2017, Australia
☎ 02 9332 8160 ✉ mmccauley@cityford.com.au

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From: Brendan [<mailto:brendan@bondimigration.com.au>]
Sent: Friday, 13 July 2018 8:21 AM

To: Michael McCauley
Cc: David Berlusconi; Lena Muscat
Subject: FW: Trip home

Dear Michael,

I hope this finds you well.

Jamie said he spoke with City Ford, and it has been agreed he will go home for 2 months, and return to work thereafter.

Please see below..

Kind regards, Brendan - 0404 552 322

From: Jamie Smithson <j.smithson026@gmail.com>
Sent: Monday, 4 June 2018 10:18 AM
To: Brendan Muldoon <Brendan@bondimigration.com.au>
Subject: Re: Trip home

Yes they told me they have sent you the full fees. This was on the 21st May they said.

Regards

On Mon, 4 Jun 2018, 10:13 AM Brendan Muldoon <brendan@bondimigration.com.au> wrote:

Jamie
Your 457 may be cancelled upon your departure.
Considering you are not working for your original sponsor.
I have not received instruction from City Ford yet. Have you signed the employment agreement?
If you are the subject of a new nomination before you depart, your 457 visa is unlikely to be cancelled.

kind regards,

Brendan Muldoon - Registered Migration Agent # 0742052
41 Gould st. Bondi Beach, Sydney NSW, Australia
PO BOX 7125, Bondi Beach, NSW, 2026
tel| 02-9130 6319 |mob: 0404 552 322
brendan@bondimigration.com.au
www.bondimigration.com.au

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