

Macrossan & Amiet Solicitors: news update

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Gene Paterson: Georgina on growing up with her Dad.



Gene Paterson is my father and there are two things I know about him for sure: -

1. He works hard; and
2. He has had a fortunate life.

By Georgina Paterson

I know the first because he was and still is always at work - and if he's not at work he's talking (lecturing) us about some kind of aspect of his day. That's not to say he doesn't have other interests (his first love - Brothers Football club) but he certainly enjoys the work, the people and challenges that come along the way.

The second I know, because after a few drinks Gene likes to reflect on his life, telling myself, and my five brothers and sisters (three boys and three girls), how fortunate he has been in life, love, work, family and friends - generally summing up his (longwinded) speech with "I have had a GREAT life".

My earliest memories of dad and Macrossan & Amiet involve the old office next door to St. Patricks College. "On occasion" when we would be waiting for Gene to finish work, myself and my siblings would amuse ourselves in the archive room. There was no need for a shed those days, or not that I knew about, just a huge storage area near the kitchen of the office, where we would play hide and seek amongst the rows of files. Climbing to the top of the shelves, hiding in boxes, sliding under the racks, ducking into cracks (if I recall correctly the shelves were of a demountable type and would easily sway).

Another past time was the shredder. It was massive and lets just say would amuse us for hours. Thinking back I have no idea what we shredded - it may or may not have been important, but if it was near the machine we were going to shred it. I also think one of my brothers attempted to shred a tie - again, we may or may not have broken the machine. Nonetheless, if Gene was going to make us wait we had to do something so we didn't annoy him.

Being a family who was encouraged to participate in after school curriculum, mainly sports or football for the boys and dancing for the girls, none of us understood why dad kept a baseball bat in his office cupboard. A man renowned for being up front and straight to the point, when questioned about it, he simply said "I have a crazy client and he gets angry easily so I bought the baseball bat in case I have to knock him out" - Lesson one: How to defend yourself from crazy clients - learnt!

Moving from a little office with 5 carpark spaces, that you had to do an Austin Powers 20 point turn to get out of, to Gordon Street, Gene was moving to a bigger office.

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News



It is with great concern that I, along with what I am sure are many Queensland residents, have been made aware of unflattering reports about the standard of care provided to patients at a number of public hospitals throughout the State.

By Sarah Dennis

Medical negligence

Medicine is a complicated practice and health care providers are not expected to be perfect. Sometimes treatment is unsuccessful and a patient will suffer injuries, but that is not to say that the treating doctor has performed his or her duties negligently. Medical negligence can occur from an action taken by the medical practitioner, or by the failure or unreasonable delay in taking appropriate action.

Who is a health care provider?

Although a health care provider usually refers to a physician, the term includes any medical care provider, including dentists, nurses, and therapists. The law provides that hospitals, clinics, and managed care organisations are responsible for the mistakes of their employees and therefore may also have a claim brought against them.

What type of medical treatment is negligent?

As a patient, you are entitled to expect that your doctor will perform their job to an acceptable standard. Negligent medical treatment may include:-

- Failure or delay in diagnosing a condition, or misdiagnosis of a condition;
- Failure or delay in providing appropriate treatment for the condition;
- Failure to perform surgery with reasonable care and skill; and/or
- Failure to provide post-operative care with reasonable care and skill.

A medical practitioner may also be legally liable if they do not obtain your informed consent to perform a medical procedure and that procedure results in harm, even though the procedure is performed properly.

If your medical treatment falls below the required standard, causing you as a patient to suffer physical,

psychological or financial harm as a result, then you may be entitled to claim compensation for your injuries.

What can you expect when you decide to pursue an action?

Medical negligence litigation is one of the most difficult and technical forms of personal injury litigation. As a client, you need to be aware of how long it will take from your first consultation with a solicitor until your case is litigated. If you do indeed have a valid cause of action, you will need to be determined to pursue your claim and realise that years can sometimes pass before your claim is finalised or a judgment is handed down. It will require a lot of time to be spent with your solicitor to piece together the relevant evidence to prove that the doctor's conduct fell below requisite standards, and that the conduct caused or materially contributed to the harm you have suffered.

Provided you have a valid claim and are willing to pursue your cause, you will be entitled to compensation to help place you in the position you would be had the negligent act not occurred.

Other alternatives

Alternatively, you can contact the Health, Quality and Complaints Commission, or visit their website www.hqcc.qld.gov.au to complain about issues such as incorrect diagnosis, poor quality treatment, your inability to access records, or alleged unprofessional conduct by a medical professional. The making of complaints to the Commission is important as it offers an opportunity for healthcare providers to improve their services. The service is independent, impartial and free, and results in the provision of better quality healthcare for you, the consumer.

News



The mobile phone is not only used to make phone calls anymore ...

By Heather Smith

Free Internet Downloads

Mobile phones are an all in one gadget with an MP3 player, digital recording device and digital camera installed. Our use of computers has also changed; they are now used not only for word processing but also for downloading, burning and sharing music files.

Most, consider the practice of downloading music a societal norm, however many do not realize it is also a crime if the songs have not been purchased. In the United States, a woman was ordered to pay \$220,000 USD in damages to six record companies for 24 songs that had been downloaded from free download site, Kazaa. Music downloading site Napster shut down in 2001 after music giants sued its creator for allowing users to share and download music and movies for free. The company re-opened on a subscriber basis in 2002.

Intellectual property law includes copyrights, trademarks, patents, industrial design rights and trade secrets. Illegally

downloaded music falls under the scope of copyright, which protects intangible property, such as original literary, artistic, musical, or other works, and rights that are not susceptible to the five senses.

If copyright has been infringed the copyright owner has 6 years from the date of infringement to begin a civil action. The court may order that the person who infringed the copyright pay damages and/or legal costs of bringing an action. Copyright infringement, which involve commercial deals, may be a criminal offence under the Copyright Act, an example of such criminal use may be profiting from the sale of pirated movies.

For further information regarding the law of copyright contact the Australian Copyright Council of Australia by visiting their website <http://www.ipaustralia.gov.au/ip/copyright.shtml> or one of our solicitors at Macrossan & Amiet Solicitors.

Gene Paterson: Georgina on growing up with her Dad.

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For years I don't think I really understood what he did but gradually as I got older and started to see him more as a 'role model' than simply my 'father', Gene has certainly had a enormous impact on my life and career decisions. When deliberating about what to study at university this is the conversation that I had with Dad:

George: *I think I might study law*

Dad: Sarcastic tone
What else is there?

And this is the conversation I had with mum:

George: *I think I might study law*

Mum: Roll of the eyes
You're being shallow. You're just saying that because that's what your father does and you don't know anything else. What about speech pathology?

Right - good to see they are on the same page.

Let's just say I kept them both happy. I did 12 months of Arts to "find myself". What I found out was I hated speech pathology.

Studying law and having a parent in the profession - I have discovered - means you have to take the good with the bad. When I didn't know what the hell I was doing at uni a quick phone call/email to Gene (then delegated to a trainee or junior solicitor) would normally do the trick. Then on the other hand, if you showed him an assignment too close to when it was due it would be torn apart and I would be left in a slight panic wondering if I should change it or not.

I never thought I'd end up at Macrossan & Amiet. I didn't plan to work at the same firm as Gene, but this is how it has turned out for me. Gene and I have always got along well and I definitely see some of his traits coming out in me - again taking the good with the bad. Gene's most infamous trait, I think, is his 'general' assertive/yelling speaking tone. When I



Georgina and Gene Paterson

was younger and Gene would use this tone with me (often I might add) I would respond saying "Don't speak to me like I'm one of your clients - I'm your daughter"; but now I am so used to it that it doesn't faze me. I can honestly say this is just how he talks, he's not yelling...just trying to get his point across.

I am happy to be at Macrossan & Amiet. I am being taught by some of the best in the profession. If one of those people just happens to be related to me then I guess I'm just lucky to be associated on some level.

Feature



Lyn has been a friend and a client of mine for a number of years. The best word I could think of to describe Lyn would be “busy”. I have the clear impression that her time is very valuable and that everyday proceeds with the same structure and organisation required for a military campaign. It would therefore be of no surprise to people who have met Lyn to find out that her Dad was a professional soldier.

By Andrew Telford

Lyn Gregson

In simple terms, Lyn Gregson is successful and a straight shooter but is a big softie when it comes to her family and friends. Lyn honestly admits that she doesn't have a lot of friends outside of work. I think that the culture she has created at work has really meant that her employees become her friends and even part of her family.

Lyn was born in Sydney, her Mum and Dad married young and had four children. Lyn is the second eldest. Life as a child for Lyn revolved around the army. Being uprooted every two years meant that she had to develop an iron resolve and became versatile and adaptable. The constant moving was very stressful. The whole family had a lot to deal with the constant moving. During this time, Lyn's Dad served two tours of duty in Vietnam which meant he was away from the family for long periods of time. Lyn assumed the role of protector of her siblings. The role of protector and mentor is one that Lyn continues with today on many fronts for family, staff and the community. For those who may typecast Lyn as being born with the silver spoon in her mouth or living off the spoils of a matrimonial property settlement, they might be interested to know that neither applies. Lyn is the genuine self made article.

Leaving school at aged 16, Lyn started work in a pharmacy. For the time it was quite a prestigious job compared to her peers. At the tender age of 18 Lyn married her first husband. Life moved on to the next phase which was shifting to Brisbane and working in a fashion outlet. Being married to a store manager meant that, like much of her childhood, Lyn was continually having to shift and her husband moved around Queensland and they lived not only in Brisbane but also on the Gold Coast and in

Bundaberg. After about seven years, Lyn's first marriage broke down, and Lyn ran off to her first Island, Great Keppel Island. This was the start of Lyn's twenty one year career in island retail and lead to her developing stores for TAA on Great Keppel, Dunk and Brampton Island.

Great Keppel Island was the meeting place for Peter Gregson. By coincidence, Peter had known Lyn when at school in Sydney 10 years earlier and he reminded Lyn that he had tried to “crack on to her” but that she had knocked him back. This childhood connection ultimately lead to marriage after 3 years. Whilst living and working on Great Keppel Island, husband Peter decided that he wanted to sail to the Whitsundays and they bought their first sailing vessel “Hooly Dooly”.

The king of island retail in Queensland, Trader Pete from Hamilton Island, had heard of Lyn's reputation in retail and had also heard that she was leaving Great Keppel Island. Trader Pete contacted Lyn and offered her a job. Lyn remembers the somewhat amusing process of being interviewed by Trader Pete who reduced the whole process to two simple questions being:-

1. How much money do you want?
2. Will you lie for me?

Lyn said that she responded by telling Trader Pete, how that she was worth plenty and then tongue in cheek she called his bluff and said lying would cost another \$10,000.00, Peter laughed at this response and gave her a job. Lyn says that working for Peter Phillips and his wife Nikki was the first time that she had worked in retail outside a large corporate structure. Lyn credits Trader Pete for teaching her how to be an independent operator and how to think like an

...we packed up and returned to Airlie Beach

entrepreneur. Prior to this time, Lyn says that she was far too cautious when it came to business and that it took someone like Peter Phillips to show her how to really run a business for herself.

It must have been the case that Trader showed Lyn too much because she was soon poached by Andre Maestracci from Hayman Island. Lyn and husband Peter went from the cramped living quarters of their boat in the harbour at Hamilton Island to the luxury of a two bedroom apartment on Hayman Island. After a couple of years, Hayman Island closed to be totally re-built and at this time, Lyn was pregnant with her son Jesse.

“My life has been an interesting one. I travelled Australia as an army brat and I was constantly picking fights and coming off second-best.” The greatest fight Lyn ever had occurred some 23 years ago, and it was a fight to save the life of her son, Jesse, who was born prematurely and suffered many medical challenges. Jesse was born in 1986. Lyn then went into “mum mode” and cared for her very sick premature baby which included three months at the Mater Hospital in Brisbane followed by a move back to Sydney to be closer to family.

Lyn started to look for work and think about the future. She was knocked back for menial sales jobs for being overqualified, and then a phone call from her old employer on Hayman Island, Andre Maestracci, changed her life. “We packed up and returned to Airlie Beach.”

Lyn remembers the tough times as a working mum, dropping of her precious son to day care from 6 in the morning until 7 at night. I suspect that dropping off that precious bundle every morning was a very hard thing for Lyn to do. Jesse, to his mum is

just that - very special. “The single-most important reason for me to go into business for myself was to meet the needs of Jesse. I had to secure his future. I knew that two salaries were not going to be enough.”

Lyn spent 14 years with Island Resort Retail and in 1994, just 15 years ago, she started the business, Adelyn Retail Consultancy (ARC), and opened her first store - a news agency and gift store on Hayman Island. It is interesting to hear Lyn comment that, when she bought the Hayman Island Gift Shop and Newsagency, she had, by that time, already bought and sold 17 residential properties which had given her the financial independence to be able to buy the business. Even so, she had a helping hand from a life long friend who gave Lyn a loan for 6 months to help out with the purchase.

Lyn moved the business onto the mainland with the purchase of the souvenir store “Trading Post” and things never stopped growing.

Lyn has built a successful retail empire, survived marriage breakdowns, and the ongoing challenges that present in everyone’s life, she’s opened 17 retail outlets here, Townsville, Brisbane, Sunshine Coast, she has over the last 15 years also closed a few, “sometimes you have to sew a few seeds to find the right crop to harvest”, in other words “if you have the balls to open them you better have the balls to close them if they are underperforming.” Lyn’s current retail outlets include Beachworx, Swim Swim Swim, Moochas, Jewl & the Trading Post.

Lyn Gregson is everywhere in the Whitsundays. She’s Chairman of Tourism Whitsunday, Director, Tourism Queensland, Director, Enterprise Whitsunday and she’s active in more community groups than I even knew



Lyn Gregson

existed. Lyn is all of these things (and more), but the woman and the life behind the achievements is a mystery to most people in town. Lyn whilst known to many is a very private woman.

The retail business, however, was only ever supposed to be a 10-year full-time commitment, said Lyn. That decade mark came to pass around the same time as the collapse of her 25-year marriage to the ‘childhood sweetheart and father of her son’. A fragile Lyn did some soul searching and came up with new plans.

She’s in transition at the moment, reinvigorating stores, rethinking strategies and allowing the business to just about run itself, so she can remove herself from the picture. By 2010, Lyn is hoping to be off on another decade-long tangent.

Meanwhile, she’s playing the role of mentor to her son - a poet, writer and social critic.

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Feature



Lyn Gregson

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Lyn's sister, Michelle, has been working with Lyn for 14 years and many of her staff have been working in the business for many years. It is the relationship with her staff that seems to give Lyn the most gratification, rather than any mention of financial success. In addition to the businesses, Lyn has purchased wisely when it comes to real estate and owns a number of the premises in which she operates her retail outlets

including the Beachworx store situated in the main street of Airlie Beach right next to the Lagoon.

There is also a blossoming relationship in her life which leads to the comment that even at her age, "love can still surprise you!". Lyn's new love, has been a friend for 27 years and is giving her some much needed balance in her otherwise hectic schedule which includes getting to work every day at 6.00am and working for 6 hours on

her own business and then working on her various community commitments.

No matter how you look at Lyn Gregson, she is impressive. She is a great mum, a great boss, a great business operator and a great community worker. We in the Whitsunday's need someone of the calibre of Lyn Gregson. I would ask everyone to be nice to Lyn. Because we simply can't afford to lose her.

Secretaries serve 10 years plus at Macrossan & Amiet

Eight of Macrossan & Amiet's (Mackay office) long serving secretaries are celebrating 10 year plus service with the firm. Barbara Kallio, Carmel Podosky, Jenny Moohin, Alison Bugeja, Karen Lean, Tina Sorensen, Sharon Chidley and Lauren Roberts are at the centre of congratulations and appreciation from Partners, staff, family and friends for their outstanding contributions to the firm and its clients over the past decade.

Joining the firm in 1975, Barbara Kallio is well regarded as the 'lady who wears many hats'. Barbara has worked in Administration, Conveyancing, Deceased Estates, Quality Assurance and Staff Training over the years bringing a wealth of knowledge, patience and experience to her fellow employees.

Entering the workforce as a junior in 1979, Carmel Podosky has risen through the ranks. First starting as a delivery girl, before being promoted to junior secretary and now working for John Formosa, Carmel is an extremely well respected secretary amongst Partners and colleagues.

Jenny Moohin and Alison Bugeja both began fulltime work with the firm in 1989. Jenny began her career as the assistant to former Managing Partner,

Tony Ghusn, until his retirement in 2003; and has continued on to her current position as a Loans Officer and Office Administration Manager.

Also starting as a junior, Alison commenced work in the commercial section under John Formosa. Since then Alison has moved on to work in the litigation section under Gene Paterson.

Within six months of beginning her career at Macrossan & Amiet in 1994, Karen Lean took newly admitted solicitor, Darren Sekac, under her wing and 14 years later she is still enjoying being his secretary.

Sharon Chidley and Tina Sorensen have been members of the Macrossan & Amiet team for 12 and 13 years, respectively. Since mid 1996, Tina has been connecting the staff to their clients as the firms head receptionist. Sharon works as a conveyancing clerk for Gene Paterson.

Lauren Roberts has been with the firm for nearly 11 years, beginning her career as a secretary to various professional staff before her current position as personal assistant to Damian Carroll.

Managing Partner Mr Gene Paterson said this is a remarkable achievement and an opportunity to publicly

acknowledge the support and commitment of these fantastic women.

"The support and commitment of these women to the firm, the people they work with and their clients is absolutely fantastic. I am proud of their personal and professional achievements over the past years and only hope they remain with us for many more to come," Mr Paterson said.

On Friday, 13th of March, colleagues, family and friends celebrated the remarkable contribution these woman have made to the firm over the years with a BBQ held in the Macrossan & Amiet car park.

Macrossan & Amiet Solicitors have been serving the local and surrounding communities for more than 100 years. With offices in Mackay, Proserpine and the Whitsundays, Macrossan & Amiet Solicitors legal team have a wealth of experience and specific legal knowledge to guide you through a wide range of personal or business related issues.

For further information or to talk to one of our professional staff call Macrossan & Amiet Solicitors on 4944 0333 or visit our website at www.macamiet.com.au

Last word



First homeowners information evening

By Kylie Davies

On the 19th March Macrossan & Amiet, in conjunction with Eclipse Financial Services and Ray White Whitsunday hosted a first homeowners information evening at the Reef Gateway Hotel at Cannonvale. With about 50 people in attendance, the evening was a great success and allowed people to pick the brains of a lawyer, mortgage broker, financial adviser and real estate agent for free!

The success of this event indicates that there are still many people interested in purchasing property. There were a lot of questions asked of the professionals in the room and it was great to see that people were willing to take advantage of the great offers from the Government in relation to the boost to the first home owner's grant and the larger concession on stamp duty despite the current economic climate.

I would encourage anyone thinking of buying their first home to do their research and ask as many questions as possible of their lawyer, accountant, broker, banker and real estate agent before signing a contract. You only get to buy your first home once, and you want it to be a memorable experience, for all the right reasons.

Until next month,
Kylie.



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An Invitation

Macrossan & Amiet invites all clients to come and celebrate the grand opening of the newly completed Whitsunday Airport at Shute Harbour. Come and see what all the fuss is about and why we are so proud to have been involved in this unique project.

74 ISLANDS. 1 GRAND AIRSHOW.

Sunday May 3rd 10am - 3pm

Entrance **\$2** per person
(children under 10 free)
Parking **\$10** per car (limited)
Proceeds to be donated to
CQRescue and RFDS

Celebrate the Grand Opening of



WAVE
Whitsunday Aviation Village Estate

Special guests include:



Plus many more including a special fly past from airport tenants, an R22 display from Forster Helicopters and a rescue display by the RAAF support Helicopter!

HOT FM broadcasting live from 10am. Gates open 9:15am.

Extra buses will be available on the day with a special price of \$2.50 per adult, \$1.30 children/students/pensioners. Children under 4 free. Use of the bus system is greatly encouraged.

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