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GRIGOR
I A W Y E R S

This document has been redacted for Public Interest Immunity claims made by Victoria Police. These claims are not yet resolved.

TO: VICTORIA POLICE

ATTENTION: SUBPOENA MANAGEMENT UNIT

RE: HORTY MOKBEL

FACSIMILE: [REDACTED]

FROM: GRIGOR LAWYERS

DATE: 1 SEPTEMBER 2008

PAGES: 8 (in total)

Please refer to attached correspondence.

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Grigor Lawyers
ABN 81 118 575 214

Level 11
488 Bourke Street
Melbourne VIC 3000

P 03 9642 3517
F 03 9670 8850

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GRIGOR

L A W Y E R S

1 September 2008

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Subpoena Management Unit
Victoria Police Centre
627 Flinders Street
MELBOURNE VIC 3005

VIA FACSIMILE: (03) [REDACTED]

Dear Sir/Madam,

Horty Mokbel

We act on behalf of the abovenamed who is currently being tried in the Melbourne Supreme Court.

Please find enclosed for your information and attention a copy of a Form 6-1A Subpoena dated 1 September 2008 requiring the production of material specified in the Schedule to the Melbourne Supreme Court on Wednesday 3 September next at 10.00am in relation to the above matter. We note that a copy of same will be served upon your department later today.

We also wish to indicate that some of the material requested may be obtainable from Detective Sergeant Dale Flynn at the St Kilda Road Drug Taskforce.

We advise that Mr. Mokbel's Trial is being heard in the Melbourne County Court building due to ongoing renovations at the Melbourne Supreme Court.

As such, we ask that you provide all requested materials at your earliest convenience so that it can be transferred to Court Room 5.1 at the Melbourne County prior to the commencement of court proceedings on the abovementioned date.

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Subpoena Management Unit

2.

1 September 2008

We would be grateful if you would contact our office upon receipt of this correspondence to confirm receipt of the subpoena.

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Yours faithfully,

Grigor Lawyers

GRIGOR LAWYERS

Enc.

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FORM 6-1A

Court Reference: 1498 of 2007

IN THE SUPREME COURT OF VICTORIA (CRIMINAL DIVISION) AT MELBOURNE:**BETWEEN:****The Queen**

Plaintiff

-and-

Horty Mokbel

Defendant

FORM 6-1A: SUBPOENA

Date of Document:	Monday 1 September 2008	
Filed on behalf of:	The defendant	
Prepared by:	Grigor Lawyers	
Address:	Level 11/488 Bourke Street Melbourne VIC 3000	Tel: (03) 9642 3517 Fax: (03) 9670 8850 Ref: HM

To Chief Commissioner of Police

at the Subpoena Management Unit at the Victoria Police Centre (ph: 9247 6954):

637 Flinders Street

Melbourne Victoria 3005

YOU ARE ORDERED:

- ☐ *to attend to give evidence—see section A of this form;
- ☒ *to produce this subpoena or a copy of it and the documents or things specified in the Schedule—see section B of this form; or
- ☐ *to attend to give evidence and to produce this subpoena or a copy of it and the documents or things specified in the Schedule—see section C of this form.
- *Select one only of these three options

Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.

The last day for service of this subpoena is: Monday 25 August 2008

Please read Notes 1 to 13 at the end of this subpoena.



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Date: Monday 1 September 2008

Form 6-1A

Issued at the request of Grigor Lawyers on behalf of the defendant, whose address for service is:

Grigor Lawyers
Level 11/488 Bourke Street
Melbourne Victoria 3000

A. Details of subpoena to attend to give evidence only

Date, time and place at which you must attend to give evidence:

Date:

Time:

Place:

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

Alternatively, if notice of a later day is given to you by a member of the police or the Solicitor for Public Prosecutions, you must attend on that day until you are excused from further attending.

B. Details of subpoena to produce only

You must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the Prothonotary at the address below so that they are received not less than three days before the day specified for attendance and production. (See Notes 5 to 9)

Alternatively, if notice of a later day is given to you by a member of the police or the Solicitor for Public Prosecutions, you must attend and produce the subpoena, or a copy of it, with the required documents or things on that day until you are excused from further attending.

Date, time and place at which to attend to produce the subpoena or a copy of it and the documents or things:

Date: Wednesday 3 September 2008

Time: 10.00am

Place: Supreme Court of Victoria - 210 William Street, Melbourne VIC 3000

Address to which the subpoena (or copy) and documents or things may be delivered:

The Prothonotary

[Supreme Court of Victoria
436 Lonsdale Street
Melbourne]



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Address to which the subpoena (or copy) and documents or things may be sent by post:

Form 6-1A

The Prothonotary

[Supreme Court of Victoria
210 William Street
Melbourne]

SCHEDULE

The documents and things you must produce are as follows:

All information and reports relating to or touching upon [REDACTED] and his activities in the period of November 2004 to April 2006.

C. Details of subpoena both to attend to give evidence and to produce

In so far as you are required by this subpoena to attend to give evidence, you must attend as follows:

Date:

Time:

Place:

You must continue to attend from day to day unless excused by the Court or the person authorised to take evidence in this proceeding or until the hearing of the matter is completed.

Alternatively, if notice of a later day is given to you by a member of the police or the Solicitor for Public Prosecutions, you must attend on that day until you are excused from further attending.

In so far as you are required by this subpoena to produce the subpoena or a copy of it and documents or things, you must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the Prothonotary at the address below so that they are received not less than three days before the day specified for attendance and production. (See Notes 5 to 9)

Alternatively, if notice of a later day is given to you by a member of the police or the Solicitor for Public Prosecutions, you must attend and produce the subpoena, or a copy of it, with the required documents or things on that day until you are excused from further attending.

Date, time and place at which to attend to produce the subpoena or a copy of it and the documents or things:

Date:

Time:

Place:

Address to which the subpoena or a copy of it and documents or things must be delivered:

The Prothonotary

[Supreme Court of Victoria
436 Lonsdale Street
Melbourne]



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Address to which the subpoena (or copy) and documents or things may be sent by post:

The Prothonotary

[Supreme Court of Victoria
210 William Street
Melbourne]

Form 6-1A

SCHEDULE

The documents and things you must produce are as follows:

NOTES



Last day for service

1. Subject to Note 2, you need not comply with the subpoena unless it is served on you on or before the day specified in the subpoena as the last day for service of the subpoena.
2. Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last day for service of the subpoena, actual knowledge of the subpoena and of its requirements.

Addressee a corporation

3. If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

Conduct money

4. You need not comply with the subpoena in so far as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the day on which your attendance is required.

Production to the Prothonotary

5. In so far as this subpoena requires production of the subpoena or a copy of it and a document or thing, instead of attending to produce the subpoena or a copy of it and the document or thing, you may comply with the subpoena by delivering or sending the subpoena or a copy of it and the document or thing to the Prothonotary at the address specified in the subpoena for the purpose so that they are received not less than three days before the day specified in the subpoena for attendance and production.
6. If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify the Prothonotary in writing of your objection and of the grounds of your objection.
7. Unless the Court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to the proceeding, the Prothonotary may permit the parties to the proceeding to inspect the document or thing.
8. If you produce more than one document or thing, you must, if requested by the Prothonotary, produce a list of the documents or things produced.
9. You may, with the consent of the issuing party, produce a copy, instead of the original, of any document that the subpoena requires you to produce.

Applications in relation to subpoena

10. You have the right to apply to the Court—

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(a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena; and

(b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

Form 6-1A**Loss or expense of compliance**

11. If you are not a party to the proceeding, you may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs reasonably incurred in complying with the subpoena.

Contempt of court—arrest

12. Failure to comply with a subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.
13. Note 12 is without prejudice to any power of the Court under any Rules of the Supreme Court (including any Rules of the Supreme Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.
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