

All correspondence to be addressed to

**THE SOLICITOR GENERAL**  
Crown Law Department  
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Our Reference: AK 64/11 – SG/c.13(e)

19 January 2011

Mrs Dana Stephenson  
Stephenson and Associates  
**KOLOFO'OU**

Dear Mrs Stephenson

**Restraining Orders: ANZ Bank account numbers 1607515 and 1711163**

Further to our email correspondence on this matter, we write to inform you that the Supreme Court has issued a restraining order regarding funds in two of your client's, Scott Michael Percy, ANZ bank accounts, namely accounts numbers 1607515 and 1711163. Enclosed is an original copy of the Supreme Court Order.

In brief, Tonga Police received complaints regarding funds that were allegedly obtained by false pretences by persons named Trevor and Hilary Jefferson, from Jonathan Traister and Kenneth Stein of the United States. The total amount is alleged to amount to USD152,400 (equating to TOP\$282,854.97). After conducting the investigation Tonga Police discovered that a portion of those alleged fraudulently obtained funds are kept in your client's two accounts, with TOP\$9,380.60 in account number 1607515, and TOP\$80,000.00 in account number 1711162.

Based on that information, Crown Law, on behalf of the Attorney General, applied to the Supreme Court under sections 57 and 58 of the Money Laundering and Proceeds of Crimes Act 2000, for an order to restrain the funds in these two accounts until investigation and prosecution is completed, and that Order was approved on 17 January 2011.

We appreciate the cooperation your client is giving, and believe he is likely to have been used as a pawn by the suspects in this case. Please note that this Order is in force for only 6 months, unless further ordered by the Supreme Court.

If your client has any issues regarding this order he is entitled to apply to the Supreme Court to review the order. We are of course available to discuss any issues your client may have before further taking the matter back to the Supreme Court.

Sincerely,

  
Aminiasi Kefu  
Solicitor General



Encl

**IN THE SUPREME COURT OF TONGA  
CRIMINAL JURISDICTION  
NUKU'ALOFA REGISTRY**

**CR 11 of 2011**

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**IN THE MATTER OF** An application under section 57 and 58 of the Money Laundering and Proceeds of Crimes Act 2000, as amended

**AND IN THE MATTER** of TOP\$89,380.60 funds kept in the ANZ Bank account numbers 1607515 and 1711163

**AND IN THE MATTER** of an application by the Attorney General for a Restraining Order against proceeds of crime obtained by Trevor Jefferson, Hilary Jefferson and Paea Lavulavu, currently held by Scott Michael Percy in the ANZ Bank account numbers 1607515 and 1711163.

**BEFORE THE HON. CHIEF JUSTICE**

**HAVING CONSIDERED** the Applicants' ex-parte application for a restraining order dated 14 January, 2011, **AND HAVING READ** the affidavit filed in support by Chief Inspector of Police Kalisi Kafo'atu Tohifolau, **AND PURSUANT** to section 57 and 58 of the Money Laundering and Proceeds of Crime Act 2000;

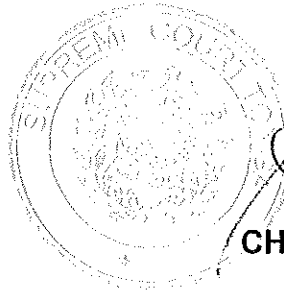
**IT IS ORDERED THAT:-**

1. The funds in the amount of TOP\$9,380.60 in the ANZ Bank account number 1607515 and the funds in the amount of TOP\$80,000.00 in the ANZ Bank account number 1711162 are hereby restrained by the Court from any dealings by any person whatsoever, including the signatories and the ANZ Bank staff, until further order of the Court;
2. The signatories of those ANZ Bank accounts are hereby ordered not to make or authorize any transaction that would decrease the funds stated in the said ANZ Bank accounts, including the transfer to any other account, whether overseas or local, the conversion of the amounts into any foreign currency, or any other transaction that

would decrease the amount or alter the location of these amounts in the said ANZ Bank accounts;

3. The ANZ Bank and its staff are hereby ordered to refrain from processing any transaction that would deduct or alter the location of the said funds in the said ANZ Bank accounts, including the deduction of any bank fees or other bank charges that would decrease the funds covered by this order;
4. This order shall be served by the Crown on the signatories to the ANZ Bank accounts 1607515 and 1711162, and the ANZ Bank branches here in Tongatapu and in Vava'u, forthwith.

NUKU'ALOFA: 17 January, 2011



CHIEF JUSTICE