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Independent Australia
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Matter ref: 1693

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Copy by email: dgdonovan@independentaustralia.net
Original by post

5 August 2020

Dear Sir

INDEPENDENT AUSTRALIA: REAL ESTATE RESCUE'S DOMINIQUE GRUBISA: THE DAME SELLING DISTRESS

We act for each of Dominique Grubisa (**Ms Grubisa**).

On Wednesday, 5 August 2020, the Donovan Family Trust and David Donovan published on <https://independentaustralia.net> an article titled "*Real Estate Rescues Dominique Grubisa: The dame selling distress*", a copy of which can be found at the URL <https://independentaustralia.net/business/business-display/real-estate-rescues-dominique-grubisa-the-dame-selling-distress,14172#.XynfDizk8IA.facebook> and a copy of which is **enclosed (the Matter Complained Of)**.

The Matter Complained Of identifies Ms Grubisa by name and also contains photographs and footage of her.

The Matter Complained Of conveys highly false and defamatory imputations that have and continue to cause Ms Grubisa significant distress, hurt and damage. These imputations include, but are not necessarily limited to the following:

1. Ms Grubisa is a predator of financially stressed individuals;
2. Ms Grubisa preys on financially distressed individuals;
3. Ms Grubisa profiteers from unethical and immoral sales tactics;
4. Ms Grubisa profiteers from immoral business practices;
5. Ms Grubisa engages in deceptive and fraudulent conduct.
6. Ms Grubisa encourages other individuals to engage in deceptive and fraudulent conduct.



7. There exists grounds for each of the Australian Federal Police, the Australian Securities & Investments Commission and the NSW Law Society to investigate Ms Grubisa and DG Institute.

(the defamatory imputations).

Each of the defamatory imputations conveyed in the Matter Complained Of is false and indefensible. They have been published with the intent of causing our client harm, damage and also personal embarrassment and distress.

Without limiting any further matter that our client will submit if the matter goes to court, we note as follows:

- A. The products and services promoted by our client for and on behalf of DG Institute are not in contravention of any laws or regulations;
- B. The products and courses offered and promoted by DG Institute and Ms Grubisa across a period of some 10 years have not been the subject of any disciplinary action by any of the Australian Securities & Investments Commission, the Australian Federal Police or the NSW Law Society;
- C. DG Institute and Ms Grubisa do not engage in, nor encourage individuals to engage in any misleading and deceptive and/or fraudulent conduct. No claims in misleading and deceptive conduct have been made against Ms Grubisa and she has never been charged or to her knowledge investigated for fraudulent conduct.
- D. The content concerning approaches by customers of DG Institute to financially distressed property owners and the extracts from the course notes have been clearly and intentionally taken out of context and linked with unrelated extracts to give a false impression that our client is predatory and unethical. This is inexcusable and improperly mischaracterises the course notes and evinces an intention to disregard context and truth with a view to presenting our client in the most damaging manner and light.
- E. Our client promotes tested and proven strategies which are designed to assist potential property developers and which can also assist distressed property owners. As set out above, the strategies taught by DG Institute are legal, open and transparent and have not at any time been found to be in contravention of any laws.
- F. Ms Grubisa has never been convicted of any crimes or charged with fraud.
- G. Ms Grubisa denies ever having employed her parents to provide legal advice to her students and clients.

It is not clear to us how and why Queensland solicitor Chris Baker has spent 2,700 hours working pro bono to assist alleged “victims” of Ms Grubisa. Relevantly, Mr Baker is not acting and has not acted as a legal representative of any litigant or claimant in proceedings commenced against either DG Institute or Ms Grubisa and despite his making and encouraging various complaints to regulatory authorities, no disciplinary actions have been taken against Ms Grubisa or DG Institute.

It is alarming that other content concerning Ms Grubisa’s personal circumstances and selected anecdotes delivered to clients and students of DG Institute in a particular setting have similarly been taken out of context and used to

infer that our client is of dubious character. It is our client's position that this has been done with a view to deriding and undermining Ms Grubisa, her reputation and integrity.

We are instructed that at 10:12pm on 4 August 2020, Mr Donovan sent a web-based submission via the contact us page on the website of DG Institute as follows:

*"Dear s Grubisa,
Independent Australia is publishing a story on your distressed property legal advice and associated business activities tomorrow morning and would appreciate your comment, if convenient.
Thanks,
David Donovan
Founder and Director
independentaustralia.net"*

The Matter Complained Of was published at 7:30am on 5 August 2020, being less than 12 hours following the web-based submission. It is absolutely clear from the timing and delivery of the communication from Mr Donovan that it was not in fact intended to constitute a proper communication seeking Ms Grubisa's comment. Such a late "attempt" to contact our client for comment was disingenuous and improper.

Additionally, in circumstances where the allegations set out in the Matter Complained Of were not identified in the communication, it did not put our client on notice of the defamatory imputations intended to be published nor give her a proper opportunity to respond.

Instead, it is clear from the timing of the communication and the publication of the Matter Complained Of that it was sent in order to include the false statement appearing at the foot of the Matter Complained Of as follows:

"Note: Independent Australia contacted Dominique Grubisa about the issues raised in this story, but at the time of publication, had not yet received a response."

This is improper, unjustified conduct that is lacking in bona fides and will give rise a claim for aggravated damages is this matter proceeds to trial.

It follows that Mr Donovan's and the Independent Australian's motive and intent was to damage our client's reputation and smear Ms Grubisa in a serious and harmful manner. This has compounded and aggravated the hurt and damage suffered by Ms Grubisa.

Our client therefore requests that Independent Australian and Mr Donovan immediately:

1. Remove the Matter Complained Of from the internet, including removing it from any other publication or forum on which it has been published and ensure that any caches relating to or concerning the Matter Complained Of are also removed;
2. Cease publishing in any form, the defamatory imputations set out in this letter (or any imputations that do not differ in substance);
3. Agree to publish a retraction and apology in terms acceptable to our client;
4. Agree to provide our client with a written apology in terms acceptable to our client and to be distributed as she sees fit; and

5. Agree to pay our client's legal costs associated with the Matter Complained Of and this correspondence.

In addition to paragraphs 1 to 5 above, our client invites you to make an offer to make amends generally.

Should you fail to comply with the above requests, our client will consider all of their respective options, including the commencement of proceedings for defamation. Our client otherwise reserves all of her rights.

This is a Concerns Notice within the meaning of Part 3, Division 1 of the *Defamation Act 2005 (NSW)*.

We also request that you preserve all research notes, file notes, journalist and photographic or film documents, memoranda, editing notes and any other document in the possession of each of Independent Australia and David Donovan created or relating to any proposed publication or the Matter Complained Of relating to our client.

We also draw your attention to the *Civil Dispute Resolution Act 2011 (Cth)*.

Yours faithfully
Automic Legal



Victoria-Jane Otavski
Principal
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Victoria.jane@automicgroup.com.au

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Real Estate Rescue's Dominique Grubisa: The dame selling distress

By [David Donovan](#) | 5 August 2020, 7:30am | [17](#) comments



Dominique Grubisa presenting one of her highly lucrative seminars (Image via [Facebook.com/DGInstituteAustralia](#))

Preying on property owners in financial distress is a growth industry – but even these predators are being preyed upon by yet even meaner fish. IA investigator [Dave Donovan](#) unearths another seedy cesspit.

“Did you know...” is one of Sydney solicitor Dominique Grubisa’s favourite catchphrases, as she lectures aspiring investors on “distressed estates” in her [Real Estate Rescue](#) course and many other seminars.

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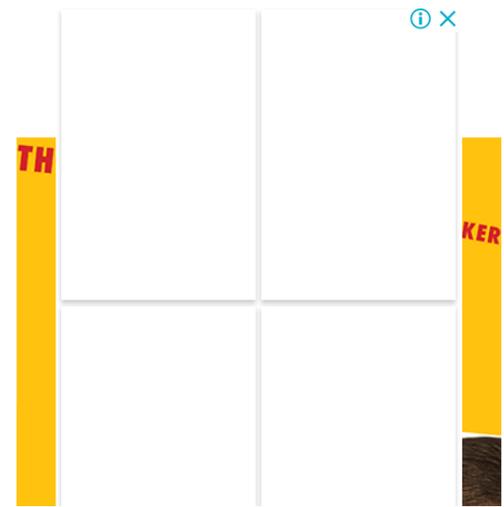
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Grubisa has a high profile sales force (Screenshot via dginstitute.com.au)

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SELLING DISTRESS

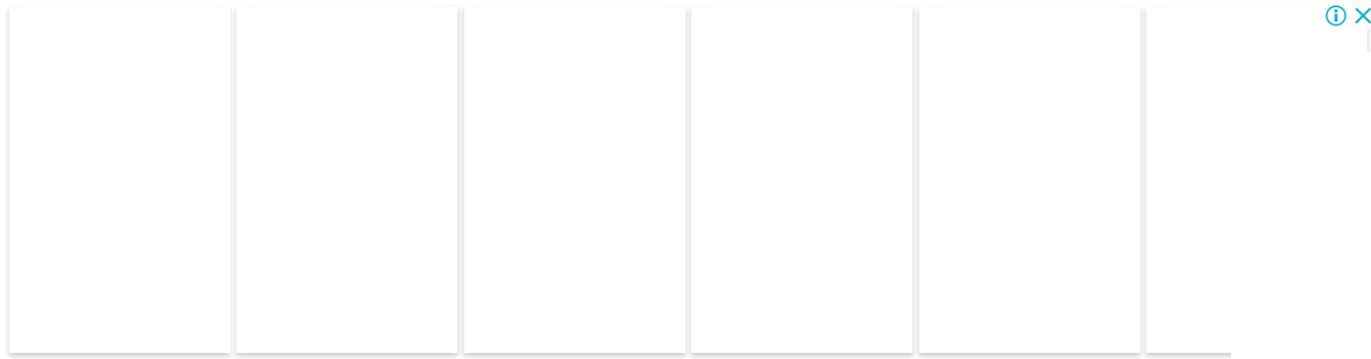
In promoting her *Real Estate Rescue* (RER) course on [Facebook](#) and on her website, Grubisa spruiks her program as being able to secure properties at 10 per cent to 40 per cent below market value.

To do this, she advocates making contact with “emotionally stressed” property owners.

On page 7 of the RER course notes, Grubisa states:

'Homeowners who are in financial difficulties are emotionally stressed people. They suffer from fear about what is going to happen to them and they invariably get in a state of denial or become defensive or aggressive ... so when you deal with distressed owners it helps you to be “understanding” of their predicament.'

Once the initial contact is made, however, Grubisa tells her students to show no mercy (RER notes, page 126):



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Not one to be kept down for long, the mother-of-three set out to regain her wealth – and grow it exponentially. Having suffered financial distress herself, it may have seemed a logical step for Ms Grubisa to use her legal knowledge and recent experience to rebuild her fortune. And thus the [DG Institute](#) was born, along with one of her major cash cows, [Real Estate Rescue](#). Fast forward to 2020 and Ms Grubisa is making tens of millions of dollars a year lecturing aspiring property tycoons in what she describes as “debt law” and “how to protect your assets”.

MY MISSION

DOMINIQUE GRUBISA

Lawyer, Author, Property Educator and Asset Protection Specialist

I believe that each and everyone of us has the right and the potential to choose our own financial future... to be in control.

I am committed with heart and soul to spreading that message... and that's the reason why I created the DG Institute.

To let people like you know that they can achieve their dreams and live the life they want.

So are you ready to create a better future for you and your family? To live the life you deserve?



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Screenshot via dginstitute.com.au

THE GRUBISA METHOD

Students who sign up to the [Real Estate Rescue course](#) are taught how to target “motivated sellers” – meaning those facing repossession, deceased estates and those involved in Family Court proceedings. They are taught how to seek out such people through court lists. Her students are advised to train their eye to pick up desperate sellers and to take full advantage of their plight. She tells her students not to “bow and scrape with these people”, and that they can expect aggression as many do not enjoy being targeted in this way.

Many of the thousands who have enrolled in the *Real Estate Rescue* course – currently priced at \$5,000 if paid in full upfront, or \$6,600 if paid in six monthly instalments – decline to implement the strategies suggested. Many others take at face value what they have been told by a

qualified legal professional and have implemented her strategies. Some of these unwary souls have subsequently found themselves embroiled in expensive Supreme Court litigation.

A significant feature of the Grubisa sales technique is to tell her students that if a bank steps in and sells a property as "mortgagee in possession", it will keep everything, even if there is substantial equity in the property. In other words, she tells her students that after repossession, banks don't give owners change – it's winner takes all.

Queensland solicitor [Chris Baker](#) has spent 2 700 hours working *pro*

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instance of a property worth \$300,000 with a debt of \$120,000, that the bank would pocket everything including the substantial equity in the property. This is false.

In fact, a mortgagee has an obligation to use reasonable endeavours to sell a property for market value or, if not possible, then for the best price reasonably attainable. If the bank runs up unreasonable costs, then the owner has recourse via [AFCA](#).

He says this is just one of the numerous dubious pieces of legal advice Grubisa provides her students.

Another strategy is described as the "short sale", which involves trying to convince a bank to accept less than the amount owing on the mortgage. She then encourages offering the owner a sweetener on the side, which she stresses must not be disclosed to the bank. Students are encouraged to coach the owner in what they should and should not say. The owner must not mention that there is any money on the side or any history with the student. One may think legal regulators would have misgivings about deceptive conduct being encouraged by an officer of the court.

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Those who sign up to the DG Institute's 12-month Elite Mentoring Program (\$50,000, or \$60,000 if paid monthly), have the hard work of tracking down the personal details of "motivated sellers" done for them. Twice a week these elite mentees are sent lists of names and addresses, including Google map links to the homes of people in distress. These lists contain the names and addresses of people

appearing before the Family Court. Nothing in the court list identifies proceedings as a divorce or property settlement – anyone in the Family Court is fair game for Dominique Grubisa.

Her actions in distributing this personal information are not only unethical, but are potentially in [breach](#) of s121(2) of the [Family Law Act 1975 \(Cth\)](#). Because of this, they have been referred by the Family Court to the Australian Federal Police and the NSW Law Society.

A spokesperson for the Family Court and the Federal Circuit Court of Australia made the following statement to IA regarding this matter:

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The Court lists are published and disseminated in accordance with Court Rules and Section 121 of the Family Law Act 1975.

IMPORTANT:

Under the Family Law Act, serious penalties can apply if s121 is breached. It is unlawful, in certain circumstances, to publish or disseminate the identity of parties and witnesses involved in family law proceedings and information relating to an account of those proceedings.

The NSW Law Society declined to comment, making the following statement:

'Under the requirements of the [Legal Profession Uniform Law](#), the Law Society of NSW is not able to provide comment on individual solicitors.'

The DG Institute offers a range of other products and services, about which there will be more to follow.

THE GRUBISA TEAM

Along the way, Dominique Grubisa has allegedly engaged her parents to provide legal advice to her students and clients.

Which is a serious issue. Because her parents, Christopher Fitzsimons and Angela Fitzsimons, were both struck off as lawyers for serious misconduct. Her father, in 2012 and her mother, in 2013. Her father, indeed, went to prison for his crimes.

Providing professional legal advice after being struck off is a serious offence. Even more so, as it appears to have been done secretly, with both parents using email addresses and a post office box not connected

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to Ms Grubisa's law firm or business. Indeed, in providing legal advice and drafting documents, Mr Fitzsimons these days allegedly goes by the alias of Chris Jackson.

MORE TO COME

More about the colourful cast of characters with which Dominique Grubisa has surrounded herself, including her parents, in Part Two.

 **Lynn Luck** @lucklynn67 · Aug 1, 2020 

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Carolyn Bond
@carolynlbond

Teaching you how to convince distressed home owner to sign over power of attorney so you can control their property - sounds legit!



"Real Estate Rescue", Dominique Grubisa and DG Instit...
I have not attended a DG Institute (DG) seminar, however I have concerns that her students ("investors" ...
[thenaysayer.net](#)

8:13 AM · Aug 1, 2020 i

 6  See Carolyn Bond's other Tweets

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Note: Independent Australia contacted Dominique Grubisa about the issues raised in this story, but at time of publication, had not yet received a response. IA also contacted the Law Council regarding this story, but they declined to comment.

If you know more about this story, please email your info to daviddonovan@independentaustralia.net.

You can follow director [Dave Donovan](#) on Twitter [@davrosz](#). Follow Independent Australia on Twitter at [@independentaus](#) and on Facebook [HERE](#).

Related Articles

- [INVESTIGATION 2: Tom Tate, Frankie Four-names and the piggy forestry bonds](#)



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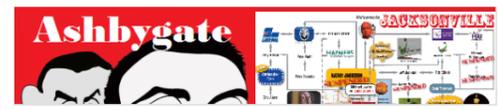
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Also in the dark are the thousands who sign up to Ms Grubisa's courses, unaware the advice they receive is inaccurate in many respects, putting them at risk of engaging in deceptive and/or fraudulent conduct. They are also uninformed about her allegedly questionable business practices and dubious associates. Some only discover this after they face expensive litigation in the Supreme Court.

The [AFP](#), [ASIC](#), the [ACCC](#), and the [NSW Law Society](#) know all about these allegations, though seem content to pass the buck, sit on their hands or simply decline to investigate. And so Grubisa sails on, making millions of dollars a year from unwary aspiring property tycoons, almost entirely unchallenged by the authorities or the mainstream media.

'Stay clear of discussing how much this is affecting their family, recent sicknesses, healthcare bills and the like. Your job is to move forward with your plan, not engage in family counselling.'

Of course, while odious to many, there is nothing illegal about a lawyer advising people to engage in these sorts of sharp – even brutal – business practices. What is problematic in the case of Grubisa is that her advice encourages deceptive and/or allegedly fraudulent conduct. Her business practices are also highly questionable.

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But who is Dominique Grubisa, really? Piecing together information from a large number of sources, mostly her own testimony, readily available online, the picture that appears of the former junior barrister is of a flamboyant and driven extrovert. Yet, one who nurses a certain bitterness towards elements of the establishment, who she feels have failed to recognise her talent and brilliance, and have crushed her dreams.

Law was not Grubisa's initial career choice. Before gaining her qualification, she auditioned for [NIDA](#) but failed to make the grade. Another hopeful, who Grubisa described as an *"unkempt, hippy-looking, skinny girl"*, did manage to make it through the same round of auditions. Her name was [Cate Blanchett](#).

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that buy their products ...

Unfuckingbelievable and disgusting, isn't it ?

1 ^ | v • Reply • Share >



John Boards → Hawkeye40 • 2 hours ago

grubs have no ethics

2 ^ | v • Reply • Share >



Hawkeye40 → John Boards • 2 hours ago • edited

And the fucking LNP call themselves ... Christians ? ...

The new motto for these unbelievers should be, " In Money We Trust ", not god.

I hope the Australian voters wake up and kick this sick psychotic government out of power, at the next Federal and State elections, they have fucked up everything that their filthy corrupt hands have touched.

1 ^ | v • Reply • Share >



John Boards → Hawkeye40 • 2 hours ago

Christians? There are none in reality, it's a religious euphemism, "Trust me, I believe in Dog".

Sorry but there is no dog, it's just big business, think of who really has all the money..

It's not the poor is it, so how much are all the churches, religious cults worth? MEGA bucks.

These days, sad to say, I don't trust anyone anymore, at least not when it comes to money.

I don't think it would be a new motto, that's their normal motto, their modus operandi.

They operate on the principle.. "there's a sucker born every minute".

Yeah indeed time more Aussies wake up to all the shit, but not till it is really hitting them in the hip pocket, as it will soon when they have to join the dole queue, then reality will step in!

1 ^ | v • Reply • Share >



CMMC • 8 hours ago

Have a good look next time you see the "Financial News" on any given TV station (including our ABC).

They are furiously SPRUIKING the Stock Market, in general. Telling everyone to get out there and buy shares, calling any listings that have increased in price as evidence of a "turnaround" or a "market rally".

This is "mug punter" baiting and the Mom&Dad investors are the intended target.

Nobody at the actual Stock Exchange would follow their buying "advice"

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NOBODY at the actual STOCK EXCHANGE would follow their buying advice .

2 ^ | v • Reply • Share ›

 **42 Long** → CMMC • 3 hours ago

The stock market runs on GREED & FEAR. This "sweet thing" is a predatory swindler & fringe dweller, who enjoys twisting the knife...because she gets off on it. .

^ | v • Reply • Share ›



Philip Pryor • 6 hours ago

What an unfortunate name, with a grub to start and more grubs around in real estate and property, though nothing like broad areas of finance. The law can be manipulated, as it is all created, no god needed, of wood, stone or fantasy. The leading veto powers of the UNO are the "winners" of W W 2, and are all descended

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Gregory I • 6 hours ago

Ah yes, the Law, the 'personal admiration society'.

1 ^ | v • Reply • Share ›



Russ • 5 hours ago

Great piece Dave.

I was disappointed but not surprised to observe, that the first shares (perhaps the only ones) to spike at the start of the pandemic in Australia, were shares in the major debt collectors.

The Rogue debt collectors and the dags on their arse, known as insolvency lawyers are just less than scum.

No wonder that many of them, check out when they find themselves in financial difficulty, being fully aware of the journey that awaits them.

1 ^ | v • Reply • Share ›



Russ • 5 hours ago

I wonder if the Grub-is a family, are recidivist predators and also prey on the poor stupid buggers that they duped into buying multiple properties, on little or no deposit?

By convincing them into thinking they were real estate tycoons, they already had placed their bums in the air ,bending over the bridge rail, wearing the requisite cowboy chaps and no undies.

I think these grotesque 'humans', network and probably get spotters fees or commissions from their associates for recruiting new meat into the insolvency industry feeding pit.

1 ^ | v • Reply • Share ›



Alpo • 4 hours ago

"The AFP, ASIC, the ACCC, and the NSW Law Society know all about these allegations, though seem content to pass the buck, sit on their hands or simply decline to investigate."...

Just tell them that Ms Grubisa is a dangerous member of the ALP-left who is involved with the ACTU and she is personal advisor to Anthony Albanese... You will see how they will take next to no time to investigate her....

^ | v • Reply • Share ›



Alpo • 3 hours ago

She looks like the impersonation of Neoliberalism, that fully embraced the old Roman say:
Your death is my life....

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