

## Statement

Nicholas James Ashworth

Ashworth v Ashworth BD18D10629

4th September 2020

I, Nicholas James Ashworth of 1 Holly Bush Way Beverley HU17 8GA make this statement in relation to the court order dated 19<sup>th</sup> August 2020. And the subsequent submission by the applicant of the 40 “pictures”

Further to my statement to the court dated 2<sup>nd</sup> September of which it was outlined the absurdity of the lack of cooperation and commonsense approach from the instructing solicitors and the applicant it is welcomed that the applicant has today 4<sup>th</sup> September submitted the relevant “pictures”. This evidence is the foundation of their Application Notice dated 3<sup>rd</sup> June 2020 in which claims are lay that I have not disclosed my true business interest.

Originally there were 191 pictures of evidence; this has been whittled down to 40.

To assist the courts please find my comments and observations regarding the 40 pictures alleging previous business interest.

Photo's **1,2,3,6,9,11,17,31 & 32** refer to issues of cash. These represent **22.5%** of the overall evidence.

It has been brought to the instructing solicitor's attention previously that in the preceding 12 months of the applicants divorce proceedings, from the business current account some £9800 in cash had been withdrawn from the account as evidence by bank entries. It has also been confirmed by the applicant that she work quite a lot in the 12 months prior to the proceedings working for Louise Pepper, Orange Blossom of which she received cash in hand payments of up to £1000 some months.

**P 1-2.** To produce random pictures of cash hidden like it is a child's game of hide and seeks is ludicrous. We had money in the house because I drew it from the bank as evidenced and Nicola had cash payments. Money was partly saved to cover spending money on the holidays we went on, holidays that we have

asked the applicant to confirm yet to date has been evasive and none cooperating.

**P3.** Is again some random envelopes where there isn't any writing on it

**P9.** Is a simple question of how much cash did he want to pay for the van – how is this evidence of undisclosed previous business interests confuses me! It is from my regular email address to a regular customer asking how much would he pay for a van?

**P11.** Has no date or reference to anything however if I were to guess it would be a message to a guy to pay him for removing a deck – again what has this to do with any undisclosed previous business interest

**P17.** Is this for real? Again what relevance has it got for the Court application for undisclosed business interest? The description states cash hidden in the car... any barrister would surely see that there is no car in sight and if I remember rightly the background is that of Nicola's skirt that she has and are these £20 notes not just being circulated in different positions, there is no date evidence whatsoever of when this was taken. It demonstrates if nothing else the lengths that the applicant will go to in supporting her previous claims of taking me all the way.

**P31.** Seriously? Is a picture of a corner of an envelope with 3 letters on it – there is no cash there in the picture, no time stamp and totally contradicts the description of "Nicks handwriting on the cash envelope"

**P32.** I had a customer who was foreign and on the numerous holidays that we went on he would supply some Euros at a more favourable rate than the foreign exchange. If the instructing solicitors had supplied the information we wanted on all the holidays and dates and costs then he could easily check that bank accounts prior to these holidays and see very little if any foreign exchange transactions happened. If he did he would find virtually nothing as the money withdrawn from the bank and Nicola's cash in hand jobs would pay for our foreign spending money, hence the few thousand pounds in cash we always had.

It is bizarre and strange that the pictures supplied and referred to as No 2 & 3 are the exact same pictures that the applicant emailed to me on the 8 January

2019 at 2019 hours. This clearly demonstrates that some if not the majority of the contents of the file were being openly shared. Again it is insulting to the court that something as serious as not disclosing previous business interest would not be raised at an earlier stage and this is my view that the instructing solicitors have indeed have had sight of the contents and they have refused to have an independent expert check to confirm or deny this. All unnecessarily more costs.

**P4** A company I was going to set up which has had nothing in it if it was set up at all. I am a businessman who looks at different ventures, there is no evidence of a previous business interest whatsoever and if there was a concern it could have been raised with the SJE and not some last minute desperate attempt to discredit me.

**P5.** When does looking at things on Google constitute a previous business interest? My 2 daughter's artwork legacy has been covered; invoices produced and are covered in the SJE. Totally lacking in any credibility, substance nor common sense, I am sorry to say just a very bitter and twisted ex partner.

**P7 & 8** Really not worth a reply

**P10, 21, 22** How can a general email enquiry about potential funding for the development of our field constitute anything but common sense and pre planning. It was done to see if we could cut out the developer and pay someone direct to build the houses?

**P12.** Seriously, if this is the extent to which I am being questioned on such as random emails this is a waste of the courts time. What can I say about this picture?

**P13** Shows a bank entry for a credit from UK Caravans Direct of £14,000, reference in the entry stating ABI Ashridge which is a caravan that we sold to UK Caravans Direct. The same page shows credits from Impetus and a cheque payment of £18,750 which would be from Blue Anchor Leisure, it may surprise the applicant and the instructing solicitors but I sold caravans back then. Yet again this is just a pure scatter gun approach more than likely fuelled by the backing of the instructing solicitors.

**P14** Is a blurry picture of a credit entry dating back **7 years** ! The franchise network was transferred around that time and this represented the commission that was due to the business that month however was paid by UK Caravans Direct. **7 years ago** and we have had nothing in since then and why wasn't this brought up in the SJE? To support my position that the instructing solicitors have been lying is clearly demonstrated in their email to "High Impact Franchising" dated 7 July 2020 the day before one of many court hearings. It clearly asks about our relationship and the franchise network and I Buy Caravans. So if the instructing solicitors knew about this before the hearing but not before the SJE it again shows they have had sight and knowledge of the zip file. So it stands that the instructing solicitor didn't know about the applicants concerns before the SJE but knew about it before the court hearing on the 8<sup>th</sup> July 2020 as they contacted the above. If they knew after the SJE then clearly it is because the contents of the zip file had been shared contrary to their position either way they are guilty of either negligence or lying to the court

**P15.** Allegations of paying Andy Somes and Heather Haylock are true they were employed and self employed by me and this was 2016, 4 years ago. The payment of £1250 to Damien without going through invoices is unknown however this is one payment that the applicant has found dating back from 2013 invoice from his company to one unknown payment all within 7 years. Her assertions that this is wages paid to Damien is short of crazy, unfounded and bizarre. If the instructing solicitor or barrister had engaged with the company accountant as suggested these questions could have been put to them and answered however to quote the barrister Walker – Kane in one of his replies that these questions should have been asked a long time ago and is too late.

**P16.** Really don't understand the relevance of this

**P18.** Refer to P13 this clearly shows a caravan sold to UK Caravans Direct which was a Delta Empress for £11,500. This is really becoming unbelievable that the applicant's legal team have not counselled the applicant on the submission of such random claims. I have had 1000's of bank statement pages all of which the applicant has gone through and considers this as evidence of a previous business interest...

**P19** Is an email to the accountant about a business friend who I was trying to get to invest in the business because of the downturn and cash flow issues. This was done before divorce papers were served upon me – how can this be evidence of a previous business relationship. Again if the applicant's legal team after such expense had engaged with the accountants and not shun them away this could have been addressed. I think Miss Sexton in a distressed voice on one occasion claimed she was being ambushed when we brought along the accountant, he was there to help.

**P20** It suits the applicant to plead ignorant however that cannot be used in a court of law. What I would say and ask the applicant under cross examination is the following, did I ever ask her to visit the accountants to discuss company tax, personal tax and the effect of excessive drawings, did she every year sign off her annual tax returns or is she claiming I signed those also? Did I never explain to her about dividends? Nor the tax efficient manner of splitting the dividends to reduce overall tax bill?

**P23, 24,25 & 26** The applicant knew about this business venture and to say otherwise is and will be a lie. We had point of sale material around the house, we talked about it, and her mother has a drinks coaster with the business venture name on it so why is this even being raised now and not in the SJE? It is strange how the applicant on the picture with the bank statement showing commission coming in fails to mention the £10,000 paid from the company called Imptobus of which she claims she never knew about it. Also claims from the barrister that Imptobus was a vehicle of hiding money from the applicant yet the credit on the 13<sup>th</sup> April 2013 clearly shows money moving into the trading company of £10,000. So if I was hiding money as the false claims are made I wouldn't have numerous credits clearly shown on the statements.

**P27.** Not relevant to spurious claims of previous business interest – the few watches that I have purchased all have been accounted for and the flow of money shown. Despite claims from the barrister that this isn't the case I have previously copied emails that had been sent to the instructing solicitor to remind them that this had been done. More lies and misinformation form them.

**P28.** Refers to a flippant remark about turning off the advertising, the relevance of this is maybe indicative of the ridiculous claims all unchecked by the solicitors and barristers.

**P29.** It would appear that despite the fact the court ordered a valuation on the FMH, the pension assets, the SJE etc just because a property which was sold in London I jokingly suggested that the pension Coop was worth more than that, this is the benchmark the applicant wants to take. This again is a joke. We all agreed the parameters of the reports/valuations at great expense and now the applicant wishes to have her valuation increased to suit her on the basis of a off the cuff comment. My trade is caravan's not commercial valuations. Commercial property is perilous and if the applicant cares to look at Allsops latest offering which is a freehold Coop in Southport an affluent town they are offering a Coop for sale with a yield of 6.25% - this would value the pension Coop at £784,000 against a professional valuation for the court of £800,000. Again the offering of a picture of a screen shot as evidence reflects the craziness of these claims.

**P30,37,40** The issue of the art purchased as a legacy for my 2 other daughters has been covered extensively, Victoria had a boyfriend in LA at the time a chap called Ben Einstein who lived in LA so she was going to visit so a suggestion of her flying to collect it was just normal, the artwork has been valued and evidence of the purchase price submitted so yet again I do not see the relevance of these pictures unless to create more smoke and mirrors by her legal team.

**P33** Is an emotional charged statement. The applicant has made no reference to the report by Dr Wilson my physiologist who I had been seeing some 7 months before the divorce proceedings were started due to the stress the applicants spending life style was having an effect on me. The applicant's legal team could have written to my doctor or psychologist upon evidence of this yet have failed to do so as it supports my claim of the stresses she put me under.

**P34** Not relevant like the majority of the pictures

**P35,36** With serious pressure on the cash flow on the business I explored and pushed to see if there were any investors wanting to buy into the business.

This was done before divorce proceeding began as I knew 2018 was going to be a bad year and cash was drying up.

**P38** I have to say that the negative energy having to deal with these stupid pictures claims that they represent evidence of previous business interest is just unbelievable. I hope the court takes action against either the instructing solicitors or the barrister for allowing such crass pieces of “evidence” come to the court. This is a screen shot of my browsing history on some particular unspecified date. What would be claimed if in my browsing history I looked up the film The Assassin – the applicant would be reporting me to the Police yet again for plotting to murder her – there has to be some protection for husbands like myself against the absurdity of these claims?

**P39** And again the refusal by the barrister or solicitors to engage with the accountants to answer any queries they may have had is clearly demonstrated. This picture was from in excess of 7 years ago.

It doesn't suit the financial reward for the instructing solicitors and barrister to have a balance discussion or to openly engage with the accountants for example. Again their refusal to even acknowledge the numerous offers or request to sit down is probably their monetary greed in delaying matters as long as possible. This is also demonstrated with the MPS.

Such is the joke of the matters the instructing solicitors sent me a financial offer recently. Clearly they have no grasp of reality in the financial matters despite the substantial waste of our family money. For example in the letter they claim that the applicant still thinks that my daughter has £70k in her bank account which is hers. Despite SJE and previous writing to banks it is tiresome that their offer includes more dreams from Nicola about money that just isn't there. With no common sense applied they claim the art is valued at the higher end when the valuations were starting from £45k which then would be subject to a 25% commission but it seems that they can carry on with their literature fiction.

This a true statement made by Nicholas Ashworth of 1 Holly Bush Way  
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