

Response Minh Tu's letter of November 25, 2022

On Oct. 20, 2022, the board held Minh Tu responsible by letter for all financial transactions from April to September 2023. This letter can be read here: www.linhsonholland.nl/letter-to-minh-tu-2022-10-20-en.pdf. As mentioned in April of that year, the board would serve a writ of summons to Minh Tu if he did not respond within 2 weeks. So that is what happened. Minh Tu still sent a reply to the Oct. 20 letter, but only AFTER the subpoena was sent to his lawyer. Too late, in other words.

(Note: even about the sending date of the letter, Minh Tu is not honest. In an e-mail dated Jan. 5, 2024, he writes: *"Despite our reply on Nov. 25 to your letter dated Oct. 20, a writ of summons was served from your side nevertheless on Nov. 28."* But the Track&Trace report of the registered letter shows that Minh Tu's letter was sent only on Nov. 28, while his lawyer already received the writ of summons on Nov. 25).

Mail with copy of subpoena to Minh Tu's lawyer (on Nov. 25):



@schenkeveldadvocaten.nl>

25-11-2022 10:08



Aan

Beantwoorden

Allen beantwoorden

Doorsturen

Verwijderen





5 bijlagen ▶

Weergave

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Geachte Collega,

Hierbij zend ik u een afschrift van de dagvaarding die een dezer dagen aan uw cliënt de heer Lam zal worden uitgebracht.

Met vriendelijke groet,

Advocaat

SCHENKEVELD. advocaten

Track & Trace report of letter sent by Minh Tu (dated Nov. 25, but sent Nov. 28):

- 

28 november 11:04
Zending is ontvangen door PostNL
- 

28 november 11:01
Pakket is nog niet door PostNL ontvangen of verwerkt

Substantive response:

Minh Tu's letter of Nov. 25, 2022 (actually Nov. 28) can be read here:

www.linhsonholland.nl/letter-from-minh-tu-2022-11-25-en.pdf. (All text highlighted in orange is untrue. Anything true but illegitimate is highlighted in yellow).

Page 1, paragraph 2.

Minh Tu indicates that he was not lawfully dismissed. This is not true. The CoC found that his dismissal was valid: www.linhsonholland.nl/coc-decision-2022-11-23.pdf. This decision was later upheld by the court: www.linhsonholland.nl/judgement-2022-12-22.pdf. Thus, he was no longer authorized to act as a director after that time.

Page 1, paragraph 3.

Any decision requires a majority on the board. Minh Tu did not have it. As of January 2022, the board consisted of 3 people. In the period of April to September 2022, Minh Tu ignored the opinion of the other 2 board members despite the fact, that in April 2022 he was expressly informed by registered letter, that he would be held personally liable. Thus, all decisions made by Minh Tu during that period are unlawful.

Page 1, paragraph 4.

Su Phu (Do) did not resign, as Minh Tu repeatedly continues to claim. Su Phu was put under intense pressure by Minh Tu's group to resign and, in the March 27, 2021, meeting, declared his willingness to resign under several conditions, after everything would be neatly arranged through a notary. However, these conditions were not met at all. Two days later, Minh Tu came to the temple with 8 people, during which they severely intimidated Su Phu into signing a letter of resignation. In the process, the group even locked the door of the temple from the inside and Su Phu was trapped in his chair as the group intimidated around him. He resisted that pressure and did not sign. Nevertheless, Minh Tu deregistered Su Phu from the CoC register the very next day. The situation was so threatening that Su Phu reported it to the police.

Unsigned resignation letter:

Nam mô Bồ Đề Sư Thích Ca Mô Ni Phật .

Tôi tên là :

Pháp danh là: Thích Trí Thoát

Từ năm 2015 đến nay 28/03/2022 tôi là viện trưởng , trụ trì chùa Linh Sơn Hà Lan

Hôm nay tôi chính thức rút tên ra khỏi chùa Linh Sơn Hà Lan và không còn chịu trách nhiệm về tất cả những sinh hoạt của chùa .

Ngày tháng ... năm

Thích Trí Thoát

Page 2, paragraph 3 (Payments made).

Minh Tu does is of the opinion that the payments he made (totalling €21,283.36) were unlawful. This, of course, is nonsense. As stated above, he was not authorized to make payments on his own and he was EMPHATICALLY informed of that. The following paragraph briefly discusses the payments.

Page 2, paragraph 4.

Category “purchase items without board order”, this includes the following items:

- Purchase of cameras.
- € 1.488, - of kitchen equipment (without substantiation with receipts)
- Conifer hedge (€950, -)

The last one in particular is peculiar. The conifer hedge was planted and the invoice for the purchase was provided by Minh Tu. Remarkable fact is that this conifer hedge seems to have been paid 4 times. In March/April of that year a total amount of €1.900, - was collected (mostly in cash). However, this amount was never deposited into the bank account. However, an amount of €950, - was transferred twice to the person who ordered the conifer hedge. In addition, the purchase of the conifer hedge is also accounted for as costs for the Le Phat Dan celebration, which of course is absurd.

Cost summary Le Phat Dan celebration, as submitted by Minh Tu (Note: Bon 7 refers to the invoice for the conifer hedge):

	A	B	C	D
1	Overzicht bonnen:			
2				
3	Viering 15 mei 2022			extra bijdrage/gegeven
4	Bon 1	€ 300,00	ca si Phuong Chinh	€ 214,20
5	Bon 2	€ 860,20	Thay Bao	€ 660,40
6	Bon 3	€ 139,80	Thay Bao	
7	Bon 4	€ 400,00	ca si Xuan Phuong	€ 205,64
8	Bon 5	€ 400,00	Vu Thanh Cong	€ 150,59
9	Bon 6	€ 800,00	Thay Xuan Tan Truong	€ 450,20
10	Bon 7	€ 950,00		
11	Bon 8	€ 928,07		
12	Bijdrage Ca Si Thao Quyen (zie verzamelbon 9)			€ 150,00
13	Bijdrage Ca Si Hong Tam (Belgie) & Romeo (schoonvader)			€ 300,00
14	Huur muziek instrumenten (zie verzamelbon 9)			€ 300,00
15	Voorbereiding Altaar & Fruitmand			€ 300,00
16	Voorbereiding & materialen podium			€ 1.200,00
17	Voorbereiding & inkopen voor keukengerei			
18		€ 7.028,07	betaald per bank	€ 1.500,00

Invoice conifer hedge (Bon 7 from the overview above):



Garmundo.nl
 Beerseweg 45
 5431 LB Cuijk
 Tel.: +31 (0) 485 319259
 Email: klantenservice@garmundo.nl
 KvK: 70944555
 Bank Nr:
 IBAN: NL80 RABO 0327 9793 80
 BTW Nr: NL858520382B01

Factuur

Factuur adres:

Beetskoogkade 7
 1631DP Oudendijk
 Netherlands

Datum: 17-3-2022 Factuur Nr.: 220101479

Artikel code	Artikel Naam	Aant	Prijs (inc)	Rij totaal (€)
THOSMARAKI120-140	Thuja Smaragd 120-140 cm (Met kluit)	100	9,50	950,00

Subtotaal	950,00
Verzendkosten	0,00
Totaal	950,00

Collection for conifer hedge in February/March 2021 (mostly cash):

Donk Sach M.T. & Dong gap Cuy trng

[REDACTED]	€ 50
[REDACTED]	€ 50
[REDACTED]	€ 100
[REDACTED]	€ 50
[REDACTED]	€ 100 ✓ R&S
[REDACTED]	€ 100
[REDACTED]	€ 50 ✓ R&S
[REDACTED]	€ 200
[REDACTED]	€ 300 bank
[REDACTED]	€ 200
[REDACTED]	€ 50 bank
[REDACTED]	€ 50
[REDACTED]	€ 100 bank
[REDACTED]	€ 50 bank
[REDACTED]	€ 50 bank
[REDACTED]	€ 40
[REDACTED]	€ 50
[REDACTED]	€ 50
[REDACTED]	€ 50
[REDACTED]	€ 50 bank
[REDACTED]	€ 50

Thao X

[REDACTED]	= € 50
[REDACTED]	= € 50
chua ✓	1.900

Payment to the person who ordered the conifers (April 28, 2021):

Details af- en bijschrijving



Stichting Linh Son Tempel

NL26 INGB 0006 8694 80

Datum	Omschrijving	Type	Bedrag (EUR)
28 april 2022	Naam: [REDACTED] Omschrijving: 950 tien cay trong , 38,83 nhung vat khac IBAN: [REDACTED] Datum/Tijd: 28-04-2022 11:02:46 Valutadatum: 28-04-2022	Online bankieren	-988,83

Second payment to the person who ordered the conifers (June 28, 2021):

Details af- en bijschrijving



Stichting Linh Son Tempel

NL26 INGB 0006 8694 80

Datum	Omschrijving	Type	Bedrag (EUR)
08 juni 2022	Naam: [REDACTED] Omschrijving: Con trai [REDACTED] mua cay thong IBAN: [REDACTED] Kenmerk: 950 Datum/Tijd: 08-06-2022 21:20:50 Valutadatum: 08-06-2022	Online bankieren	-950,00

Clearly, there was quite creative accounting.

Cost summary “**payment to third parties without description**”:

This concerns 2 payments to followers. No loan is known from either of them.

Details af- en bijschrijving



Stichting Linh Son Tempel

NL26 INGB 0006 8694 80

Datum	Omschrijving	Type	Bedrag (EUR)
18 juni 2022	Naam: [REDACTED] Omschrijving: Tra tien cho con co [REDACTED] IBAN: [REDACTED] Datum/Tijd: 18-06-2022 11:38:00 Valutadatum: 18-06-2022	Online bankieren	-5.000,00

Details af- en bijschrijving



Stichting Linh Son Tempel

NL26 INGB 0006 8694 80

Datum	Omschrijving	Type	Bedrag (EUR)
16 augustus 2022	Naam: [REDACTED] Omschrijving: tra [REDACTED] IBAN: [REDACTED] Datum/Tijd: 16-08-2022 20:23:15 Valutadatum: 16-08-2022	Online bankieren	-248,60

Regarding “**legal/account fees**”: it was Minh Tu's choice to hire a lawyer and the assignment to AccountAd was also not taken from the board. Thus, these costs cannot be charged to the foundation.

About the expenses for the celebrations, it should be further noted, that several expenses were paid from the bank account, but they are accounted for as “cash expenses” (see comments page 3).

Page 2, paragraph 5.

The comment, that a reconstruction is not a matter of the board is, of course, absurd. If a reconstruction of the temple is not a matter of the board, what is? Moreover, Minh Tu had been expressly told by registered letter not to open the room. Yet Minh Tu demolished Su Phu's room. It was simply an abuse of power.

The argument that the reconstruction was necessary, because of a leakage is an outright lie. The said payment for the sewer service was made on August 23, while the reconstruction was already in full swing in June:

Details af- en bijschrijving



Stichting Linh Son Tempel

NL26 INGB 0006 8694 80

Datum	Omschrijving	Type	Bedrag (EUR)
23 augustus 2022	IZ TK SERVICE O ALMERE NLD Pasvolgnr: 013 22-08-2022 11:09 Transactie: 08H2I3 Term: 70657772 Valutadatum: 23-08-2022	Betaalautomaat	-42,35

Moreover, a receipt provided shows that this was not a leak, but simply a full septic tank. How can a full septic tank (outside) be grounds for a second-floor reconstruction?

-350,⁹⁰ EUR

Michel Doorn Riool

Betaalautomaat

Betaalverzoek

Split het bedrag

27 augustus 2022

Van
NL INGB

Naar Michel Doorn Riool

Tags **Tiền hút hầm cầu (toilet)**

Plaats toe

Page 3, paragraph 1 (Revenue)

Actually, we can't take section, which should show, that after deducting the costs, there would be zero revenue left at all, seriously. But still if we do...

Minh Tu confirms that the Le Phat Dan celebration generated €8.000, - (in cash), but according to him, the costs were higher than the revenues. He accounts for these costs as follows:

Celebration Le Phat Dan (May 15, 2022).

- € 1,219, - in air and train tickets for musicians and monks

- € 2,131, - in "extra contributions" for those same musicians and monks

1	Overzicht bonnen:				
2					
3	Viering 15 mei 2022			extra bijdrage/gegeven	
4	Bon 1	€	300,00	ca si Phuong Chinh	€ 214,20
5	Bon 2	€	860,20	Thay Bao	€ 660,40
6	Bon 3	€	139,80	Thay Bao	
7	Bon 4	€	400,00	ca si Xuan Phuong	€ 205,64
8	Bon 5	€	400,00	Vu Thanh Cong	€ 150,59
9	Bon 6	€	800,00	Thay Xuan Tan Truong	€ 450,20
10	Bon 7	€	950,00		
11	Bon 8	€	928,07		
12	Bijdrage Ca Si Thao Quyen (zie verzamelbon 9)		€	150,00	
13	Bijdrage Ca Si Hong Tam (Belgie) & Romeo (schoonvader)		€	300,00	
14	Huur muziek instrumenten (zie verzamelbon 9)		€	300,00	
15	Voorbereiding Altaar & Fruitmand		€	300,00	
16	Voorbereiding & materialen podium		€	1.200,00	
17	Voorbereiding & inkopen voor keukengerei			betaald per bank	€ 1.500,00
18			€	7.028,07	

Minh Tu may have provided scans of the air and train tickets (for a total of € 1.219, -), but NOTHING shows that these were actually paid for out of the cash register. In addition, he generously sprinkles extra contributions, which are completely unsubstantiated as well. That these amounts are fabricated are shown by the contribution for Thay Hanh Tan (celebration of July 24), about which more later. Still, the costs in this way do not even come close to €8.000, -, so Minh Tu supplements them with all kinds of amounts, which have nothing to do with the Le Phat Dan celebration or have been paid by bank (and thus cannot be a justification of **cash expenses**):

- Bon No. 7 is the invoice for the conifers, which (see explanation under page 2, paragraph 3), which had thus already been paid 4 times and is ALSO used as justification of cash expenses on behalf of Le Phat Dan. Speaking about creative accounting...

- Bon No. 8 is an invoice for tent rental on for the Le Phat Dan celebration. An expense for the Le Phat Dan celebration indeed but paid by bank (and not cash).



Schoot verhuur & event b.v.
 Adres Wickenweg 41 3815 KL Amersfoort
 Telefoon (033) 432 40 07
 Storing (uitsluitend speed) 033-7600999
 IBAN NL 87 ING B0682975745
 kvk Amersfoort 68402716
 Btw.nr. NL 8574.25.201.B01
 Email info@schootverhuur.nl
 Internet www.schootverhuur.nl

FACTUUR 2200742

Datum : 12-05-2022
 Offerte nr. : 92681 /2
 Debiteurnummer : 28632
 uw. ref. nr. :
 Betalings conditie : Heeft pin/cont vooruit betaald

Stichting Linh Son Tempel
 Dhr. N. Lam
 Beetskoogkade 7
 1631 DP OUDENDIJK

n.v.t.		Huurperiode 1	n.v.t.	
Za 14 mei 2022	: 8.00 - 18.00		Ma 16 mei 2022	: 08.00 - 18.00

Per.	Artikel	Aantal	Omschrijving	Dagprijs	Huurdg.	Tarief	Bedrag	BTW
1	29425	1.00	Tent Alu-hal 10x10 m (excl. vloer)	591,00	1.00	591,00	591,00	H
1	390102	88.00	Transport tent "p/km"	2,00	1.00	2,00	176,00	H

Subtotaal (excl. btw.) **767,00**
 Factuurbedrag (excl. btw.) **767,00**
 Reeds gefactueerd (excl. btw.) 0,00
 Nog te betalen (excl. btw.) **767,00**
 Btw 21% over 767,00 161,07
 Te betalen (incl. btw.) **€ 928,07**

- The other expenses (rental musical instruments preparation Altar & Fruit Basket, stage, kitchen utensils) are TOTALLY NOT accounted for (total amount €3.300, -).

Celebration July 24, 2022

The cost for the July 24, 2022, celebration is substantiated only by a (cash) payment to Thay Hanh Tan:

21	Viering 24 juli 2022				
22	Bon 1	€	1.000,00	Thay Hanh Tan	€ 806,13
23		€	1.000,00		

Of that, €193.87 would be for a plane ticket and the rest an additional contribution. Over €800, - as an additional contribution is not only very generous, but also demonstrably untrue. That the cash payment to Thay Hanh Tan was made of thin air is shown by the fact that Thay Hanh Tan was paid by bank (not in cash). Moreover, not €1,000, - (as Minh Tu claims), but €300, -.

Details af- en bijschrijving



Stichting Linh Son Tempel

NL26 INGB 0006 8694 80

Datum	Omschrijving	Type	Bedrag (EUR)
07 augustus 2022	Naam: Buddhistisches klausurzentrum amitayus e.v Omschrijving: Tra tien ve may bay cho thay thich hanh tan IBAN: DE77850400000121482400 Valutadatum: 07-08-2022	Online bankieren	-300,00

It is obvious, that all other amounts for musicians and monks are just as well made up.

Celebration Le Vu Lan (Aug. 14, 2022).

This is the most important Buddhist holiday of the year. Given the expected number of visitors, the revenues can be expected to be at least as high or higher than Le Phat Dan. According to Minh Tu's account, airfare and irresponsible additional contributions are again being lavishly sprinkled:

25	Viering 14 augustus 2022				extra bijdrage/gegeven
26	Bon 1	€	129,30		
27	Bon 2	€	500,00	Minh Hoang Le	€ 233,98
28	Bon 3	€	72,45	Phuong Chinh	
29	Bon 4	€	500,00	Vu Thanh Cong	€ 114,59
30	Bon 5	€	50,65	MC & ca si Phuong Chinh	
31	Bon 6	€	500,00	Xuan Phuong Pham	€ 207,90
32	Bon 7	€	700,00	Thay Hung	€ 552,40
33	Bon 8	€	652,40	Thay Bao	€ 523,10
34	Bon 9	€	147,60	Thay Bao	
35	Bon 10	€	1.100,00	NOK	4.013,00 € 677,58
36		€	4.352,40		

Of course, again without any proof that these costs were actually paid from the cash register. Thereby €4.350, - would be a very low yield compared to the celebration of May 15.

Other costs

Apparently, Minh Tu figured out himself as well that the costs for the 3 celebrations were a bit on the low side to explain all the cash revenue, so he added an additional 4 more costs, including the purchase of an energy-hungry freezer (which has now been taken out of service due to its enormous energy consumption).

In short, Minh Tu created a cost statement to allocate to a desired outcome. These cost statements have absolutely NOTHING to do with reality.

Page 3, paragraph 4

It is particularly galling, precisely because of Minh Tu's serious allegations, that he claims that no cash book was kept. Keeping a cash book is crucial just now. But moreover, it is also untrue. A cash book has indeed been kept by Minh Tu's group since March 27, 2021. A photo of this cash book was shared in the Hoi Niem Phat group on Viber. Minh Tu could at least provide insights into what that cash book entails. This should show whether the tickets were actually paid in cash, but by withholding this cash book, Lam is giving the appearance, however, that this did not happen.

The comment that "The donations received were fully used to pay for the celebrations, but unfortunately nothing was left to be deposited in the foundation's bank account." Is a completely implausible comment given the above account. It is therefore reasonable to assume that even the tickets, receipts for which were provided by Mr. Lam, were not paid from the temple's cash register.

Page 3, paragraph 5

That things were moved and that this was necessary because of the reconstruction is again nonsense. Among other things, we are talking about Su Phu's personal belongings here. The storage room involved a locked part of his room, across from the bathroom. This storage room was totally unaffected by the reconstruction. The items could have remained there just fine. In addition, these items should have been found in another place in the temple. However, this is not the case. Furthermore, a PC with printer disappeared as well as a stamp.

The freezers were outside in the rain with warped lids. In fact, they were simply destroyed. The new freezing cel literally consumes literally 10 times as much energy as 1 freezer (measured

objectively) and has no energy label at all. The freezing cell is estimated to have a capacity of up to 10 m2. What is that needed for? We have enough capacity with 2 (relatively) small freezers.

Conclusion

Finally, Minh Tu claims to regret that “financial mismanagement of the foundation has occurred.” In this, Minh Tu is correct. There has indeed been financial mismanagement of the foundation. Not by Su Phu, but **exclusively by himself!**