

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

From: Smith, Steve
Sent: Tue, 27 Oct 2009 08:20:24 +1100
To: Wilson, Rod
Subject: RE: F - Without Prejudice Communication

Rod,

I will pick it up this morning and drop it to your office

SS

From: Wilson, Rod
Sent: Tuesday, 27 October 2009 7:53 AM
To: McRae, Findlay
Cc: Smith, Steve
Subject: FW: F - Without Prejudice Communication

Fin,

FYI

Steve,

Can you collect please?

Rod

From: Catherine Gobbo [mailto:████████████████████]
Sent: Tuesday, 27 October 2009 12:23 AM
To: Wilson, Rod
Cc: Smith, Steve
Subject: F - Without Prejudice Communication

*** Without Prejudice Communication***

Dear Rod,

I confirm that I have left a USB stick containing a memorandum of agreement and schedule marked to the attention of Steve Smith with my secretary for collection. My secretary's name is Jessica and she is located on Level 3, Melbourne Chambers, 235 Queen Street.

The documents are provided:

- (a) On a without prejudice basis, and without any admission by F that F does not already have an existing binding and enforceable agreement with the organisation – indeed F maintains that there exists a binding and enforceable agreement;
- (b) Subject to F obtaining legal advice from Mr Mark Waters at Piper Alderman. Mr Waters is yet to be formally engaged to provide such advice as we observed your reluctance for this to occur when we

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met on 9 October 2009. Can you please let me know if the organisation has any objection to the documents being referred to Mr Waters for this purpose?;

- (c) On the basis that the agreement will be executed outside [REDACTED] I note that you were to resolve this "ticklish" issue. For your assistance, if the agreement is subject to the Act, the agreement can be readily incorporated with a simple covering [REDACTED] and minor amendments to the recitals; and
- (d) On the basis that F remains prepared to provide any supporting documentation reasonably requested by the organisation. In this regard, the income support referred to in the Schedule has been determined by F in consultation with her accountant and after receiving oral advice. However, for reasons previously raised by VGS, a formal actuary report (or the like) has not been obtained by F as it may be subject to disclosure by the organisation to Dale if F/the organisation are not covered by the provisions of the [REDACTED] F remains prepared to obtain such a report but will refrain from doing so until a specific request has been made by the organisation (presumably after it has determined whether the Act will or will not apply).

Kind regards,
Catherine Gobbo
Barrister

Melbourne Chambers | 235 Queen Street | Melbourne Vic | 3000 | Foley's List

T +613 [REDACTED]

F [REDACTED] | M [REDACTED] | E [REDACTED]

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