

IN THE DISTRICT COURT  
OF NEW SOUTH WALES  
AT SYDNEY

No. 4179 of 2004

### TERMS OF SETTLEMENT

Filed for The Trustees of the  
Roman Catholic Church for the  
Diocese of Parramatta

CPK

Plaintiff

**JOHN JOSEPH FARRELL**  
First Defendant

**THE TRUSTEES OF THE  
ROMAN CATHOLIC  
CHURCH FOR THE  
DIOCESE OF ARMIDALE**  
Second Defendant

**THE TRUSTEES OF THE  
ROMAN CATHOLIC  
CHURCH FOR THE  
DIOCESE OF PARRAMATTA**  
Third Defendant

**Makinson & d'Apice**  
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DX 296 SYDNEY  
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Ref: AK: 41705

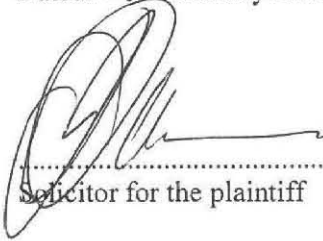
BY CONSENT and without any admissions of liability the parties agree to the following orders:

1. Verdict and judgment for the plaintiff against the defendants jointly in the sum of \$135,000.00.
2. Each party to pay his/its own costs.
3. It is agreed as between the defendants that they shall contribute to the judgment referred to in paragraph 1 in the following amounts:
  - (a) first defendant: \$25,000.00 inclusive of costs;
  - (b) second defendant: \$55,000.00 inclusive of costs;
  - (c) third defendant: \$55,000.00 inclusive of costs.
4. The third defendant shall deduct from its portion of the judgment sum:
  - (a) 10% of the judgment sum by way of advance payment to the Health Insurance Commission pursuant to Section 33B of the Health and Other Services (Compensation) Act 1995;
  - (b) any other statutory charge of which it has been given notice as at the date of these terms.
5. No interest shall accrue on the judgment sum subject to that sum being paid to the solicitor for the plaintiff within 21 days of orders being made by the court in accordance with these terms or 21 days of receipt of an Authority to Receive satisfactory to the defendants, which ever is the later.
6. The plaintiff hereby releases and indemnifies the second and third defendants and The Trustees of the Marist Brothers from any claim arising out of alleged abuse, misconduct, assault, battery,

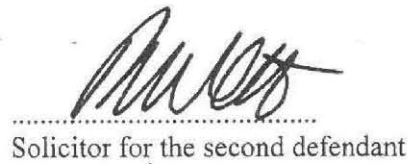
negligence or any other cause of action which the plaintiff has or may have had against the defendants, their offices, employees, agents, priests or bishops or The Trustees of the Marist Brothers, their offices, employees or agents.

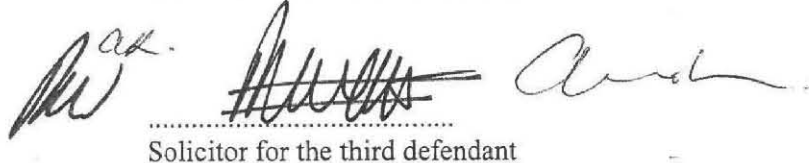
7. These terms not to be disclosed.

Dated: 25 February 2005

  
Solicitor for the plaintiff

  
First defendant in person

  
Solicitor for the second defendant

  
Solicitor for the third defendant

R. J. W. d'ARCE BY HIS PARTNER  
ALEXANDER KOHN