

**MONAHAN + ROWELL**

LAWYERS

13 January 2010

Via DX

**Attention: Mr Joe Bucci**  
 Catholic Church Insurances  
 DX 30577  
 SOUTH MELBOURNE

Dear Joe,

<b>RE:</b>	<b>REPORT NO.</b>	<b>FINAL REPORT (Report No. 3)</b>
	<b>CUSTOMER:</b>	<b>Trustees of the Marist Brothers, Marist College Pearce, ACT</b>
	<b>CLAIMANT:</b>	AAQ
	<b>CCI CLAIM NO:</b>	2651073
	<b>CLAIM RESERVE:</b>	
	<b>CCI contribution -</b>	<b>\$186,500 (incl claimant's costs)</b>
	<b>Marist Brothers contribution -</b>	<b>\$186,500 (incl claimant's costs)</b>
	<b>(Total Claim:</b>	<b>\$373,000 including \$50,000 claimant's costs. Division 50/50 under an indemnity agreement)</b>
	<b>DEFENCE COSTS RESERVE:</b>	<b>\$30,000</b>
	<b>DEFENCE COSTS INCURRED:</b>	<b>\$26,482.95</b>
	<b>NET DEFENCE COSTS RESERVE:</b>	<b>\$3,517.05</b>
	<b>FINAL INVOICE RENDERED:</b>	<b>YES</b>

Our Ref: **pjm/hob/070988****1. INTRODUCTION**

AAQ (the claimant) presently aged 36 years alleges he was sexually assaulted by Br Kostka Chute and REDACT during 1986 when he was a student at Marist College Pearce. At the time the claimant was aged 13 years.

**2. TIME TAKEN TO PROVIDE INITIAL REPORT**

8 November 2007 - Formal instructions to act received from CCI.

23 December 2008 - First comprehensive report provided to CCI.

In association with Colin Biggers &amp; Paisley - Sydney

070988/sec/554127/1

**Partners** Patrick Monahan + Bruce Butler + Mark Attard + Andrew Probert + Allison Grice  
 Mark White + Justin Griffin + Mary Edquist + Rita Zammit + Vanessa Kemp

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Therefore total time taken to provide initial report approximately 1 year and 1 month.

Please note this was prior to the introduction of CCI's reporting protocols on Special Issues matters, and discussions were frequently held with CCI in respect of the Marist College Pearce matters.

**3. PRELIMINARY CLAIM RESERVE RECOMMENDATION**

23 December 2008 - \$150,000 inclusive of costs.

**4. PRELIMINARY DEFENCE COSTS RESERVE RECOMMENDATION**

23 December 2008 - \$20,000 to \$30,000

**5. RECOMMENDED RESERVE 60 DAYS PRIOR TO SETTLEMENT**

Prior to mediation, our recommended reserve was \$373,000 inclusive of costs (for the total claim).

25 June 2009 - Discussions held at CCI's offices between Counsel, CCI and Monahan + Rowell. It was determined that a Calderbank offer of \$200,000 plus costs should be made.

2 October 2009 - Settled for \$255,000 inclusive of the claimant's costs. Note further paragraph 7.

**6. ESTIMATE OF DEFENCE COSTS 60 DAYS PRIOR TO SETTLEMENT**

3 June 2009 - \$30,000 defence costs reserve.

**7. SETTLEMENT AMOUNT**

\$255,000 inclusive of the claimant's costs.

Note: The Marist Brothers contributed \$127,500 to the settlement sum pursuant to the indemnity agreement reached between the Marist Brothers and CCI in relation to Br Kostka Chute matters.

Therefore the settlement amount in relation to CCI was \$127,500.

**8. TOTAL DEFENCE COSTS INCLUDING DISBURSEMENTS**

\$26,428.95. Please note this does not include any bills rendered by our Canberra agents, DLA Phillips Fox, directly to CCI.

**9. DURATION OF FILE FROM DATE OF INSTRUCTIONS**

8 November 2007 - Instructions received from CCI.

26 November 2009 - Sealed Notice of Discontinuance received from Porters Lawyers.

25 January 2010 - Final report to CCI. Therefore length of file 2 years and 2 months.

We take this opportunity to **enclose** a copy of the fully executed Heads of Agreement, Deed of Release and Notice of Discontinuance in this matter.

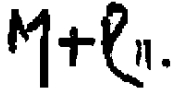
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We would like to once again thank you for your instructions.

Yours faithfully,



MONAHAN + ROWELL

Encl.

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