



"Joseph Bucci"  
<JBucci@ccinsurances.co  
m.au>

20/12/2006 09:12 AM

To <Richard.Leder@corrs.com.au>

cc

bcc

Subject RE: Catholic Archdiocese of Melbourne and Foster

*ra/AR*

Thanks Richard, I dropped the cheque into Ted yesterday afternoon.

I greatly appreciate your assistance and look forward to working more collaboratively with you in the New Year.

I hope you have a good break over Christmas and the very best wishes to you and your family.

Regards

Joe

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**From:** Richard.Leder@corrs.com.au [mailto:Richard.Leder@corrs.com.au]

**Sent:** Tuesday, 19 December 2006 6:35 PM

**To:** Joseph Bucci

**Subject:** Catholic Archdiocese of Melbourne and Foster

Strictly confidential and protected by legal professional privilege.

Dear Joe

I refer to your recent correspondence in which you requested further information including a memorandum from counsel.

By way of background, you will recall that the settlement in this matter entailed:

- payments to the plaintiffs totalling \$750,000
- an indemnity in respect of any liability of the plaintiffs' to the HIC
- payment of the plaintiffs' costs taxed on a solicitor - client basis unless agreed between the parties.

In addition to the above, the Archdiocese has of course incurred its own legal costs.

You will recall that the Archdiocese was represented at the mediation by Mr David Collins SC and by Kevin Lyons. In accordance with your request I asked Mr Collins to provide a memorandum confirming the oral advice he provided in the course of the mediation, which was to the effect that the settlement should be agreed to. I have now received that memorandum. I **enclose** a copy.

You also requested an itemised bill in respect of the Archdiocese's legal costs. In response I **enclose** a full printout from our computerised time recording system, containing a detailed narration of every time entry and disbursement we have incurred in relation to the litigation issued by the Fosters. The printout includes amounts paid and are unpaid and the amounts are GST exclusive.

Please note that these details do not include time or expenses incurred by the Archdiocese in relation to the Fosters with Peter O'Callaghan, Carelink or the compensation panel. The Carelink expenses are very very significant because as will be obvious from the material, Emma and the rest of the family

have all needed a lot of treatment.

In relation to the plaintiffs' costs, we are endeavoring to settle these. For this reason my files are all currently with our costs consultant. I **enclose** her advice which, as you will see, recommends a settlement of the plaintiffs' costs for between \$113,000 and \$123,000. We have instructed her to proceed on that basis and try to reach a settlement and I will keep you informed.

You have also requested copies of Emma and Katherine's police statements. As my files are currently with our costs consultant I cannot check this, but my recollection is that O'Donnell died before they came forward to make their complaints and that there are therefore no police statements. I may be wrong about this - did you make this request based on anything that led you to believe that they exist?

The material enclosed with this email is provided on the basis that the Archdiocese and CCI have a common interest in the material. Accordingly in providing this material to CCI the Archdiocese does not waive legal professional privilege in it.

If you require any further information regarding this matter please do not hesitate to contact me.

Finally, if you require any information from me in any other matters, would you please clarify this and I will endeavor to comply either before Christmas or immediately on my return. I understand from Ted that CCI has stated that you are awaiting other material. Would you please clarify what you seek.

All the best for Christmas and for 2006.

Kind regards

**Richard Leder**

Partner

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