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20 November 2006

Mr Ted Exell
Catholic Archdiocese of Melbourne
228 Victoria Parade
EAST MELBOURNE VIC 3002

Partner
Richard Leder (03) 9672 3489
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*Safe Response
to Richard*

Dear Ted

Foster

You will recall that the Terms of Settlement provided that we are to pay the Fosters' legal costs on a solicitor/client basis, to be taxed if we are unable to agree.

Williams Winter have just served me with the bills of costs in each matter. Each bill runs at around 50 pages so unless you particularly want to see copies, I will not trouble you with them. The total amounts claimed are:

- Aimee: \$23,249.39
- Anthony: \$24,488.62
- Christine: \$25,249.09
- Emma: \$37,067.66
- Katherine: \$30,704.51

The Summons for Taxation are listed for a call-over on 28 November 2006. Obviously it remains to be seen whether it will be necessary for the matters to proceed to taxation or whether we are able to negotiate an agreed amount.

I recommend that we brief Liz Harris who is an expert Costs Consultant to advise us and if necessary, to represent us at the taxation. I consider her to be pre-eminent in the area and you may recall that we have used her previously. I will assume that this is acceptable to you unless I hear from you otherwise.

I have also noted that either through inadvertence or mischief, Michael Jorgensen has attached the Terms of Settlement to the Summons for Taxation, which means that they would be available to anyone searching the file, notwithstanding the expressed confidentiality provision in the terms.

I have contacted the Taxing Master's Associate who agreed that she will not allow the file to be inspected prior to the call-over, at which time we can address the matter further. I have also written to Williams Winter to raise the issue.

20 November 2006
Catholic Archdiocese of Melbourne
Foster



I will keep you informed.

Kind regards

A handwritten signature in black ink, consisting of a stylized, cursive 'R' followed by a long, horizontal stroke that tapers to the right.

Richard Leder
Partner