

MONAHAN + ROWELL

LAWYERS

5 August 2004

By e-mail: brayner@ado.syd.catholic.org.au**PRIVATE & CONFIDENTIAL**

Monsignor Brian Rayner
 Archdiocesan Chancery
 Level 16, Polding Centre
 133 Liverpool Street
 SYDNEY NSW 2000

Dear Monsignor Rayner,

SYDNEY ARCHDIOCESE – BASS HILL PARISH at JOHN ELLIS**Our Ref: pjm/40492**

I am writing simply to “touch base” and confirm that I have been instructed in this matter by Catholic Church Insurances Limited.

I have at this stage been given only limited documentation, being:

- (a) CCI's letter to you of 3 August;
- (b) Your letter to CCI of 9 July;
- (c) The assessment/investigation report of Michael Eccleston (but, note, without any of the attachments);
- (d) Letter from John Ellis to you dated 6 July 2004;
- (e) Your letter to Mr Raymond Brazil of 8 July 2004;
- (f) A draft Deed of Release (incomplete); and
- (g) The detailed letter dated 28 July 2004 written to you by solicitors David Begg & Associates on behalf of John Ellis.

In the first instance, could you please arrange for someone from your office to send down the attachments to Michael Eccleston's report, and ANY OTHER DOCUMENTS which the Sydney Archdiocese has in regard to this claim.

Perhaps, at a time convenient to you, you might also give me a ring to discuss the matter. I note that a facilitation meeting was likely to be scheduled for 20 July 2004, but assume that that did

In association with Colin Biggers & Paisley - Sydney

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not take place. Perhaps you could confirm this and let me know what the current status of things is. I would also like your confirmation that it is in order for me to make direct contact with solicitors David Begg & Associates and to liaise with them in regard to the future conduct of the matter.

I would also be very interested to received your own observations on Michael Eccleston's report, particularly taking account of the fact that Fr Duggan has been unavailable to defend himself in the matter because of his medical condition (clear and obvious evidence of prejudice, of course, following upon the 28 year delay by Mr Ellis in pursuing this matter).

I look forward to discussing the matter with you, and to working with you to resolve this matter on fair and just terms to all concerned.

Yours faithfully,

Patrick Monahan
(Senior Partner)

MONAHAN + ROWELL

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