

Ellis

Kaithlyn Taschner

From: Mike Bailey
Sent: Friday, 12 October 2012 4:58 PM
To: Jennifer Cook
Subject: FW: CONFIDENTIAL [2]
Attachments: RE: Overdue progress payments, Mr and Mrs Ellis #9008; RE: Outstanding invoices FIN14098 & FIN14210; RE: Outstanding invoices ; RE: Outstanding invoices (and reimbursement for direct payments)

Hi Jennifer,

A reply from John Ellis...

I sent it on to Danny, but neglected to include you: apologies.

He is right in saying that I had not told him that it may be ending. That wasn't my role, and was not outlined that way by Mgr John, although he did ask me to question how much more would be involved and I furnished him with that info from Ellis and you will note that in one email I, I did query whether a certain payment would be the final one.

Thanks,

Mike Bailey

Executive Officer to Mgr John Usher, Chancellor
 Level 16
 The Polding Centre
 133 Liverpool Street,
 Sydney, NSW 2000
 (02) 9390-5332

From: John A. Ellis [mailto:SA
Sent: Friday, 12 October 2012 4:31 PM
To: Mike Bailey
Subject: RE: CONFIDENTIAL [2]

Dear Mike

I am prepared to take your word regarding the figures.

Can you please advise me of the date for the meeting with Mons John so we can get this in our diary.

Pardon my mistake regarding the GST. That was based on what the builder had told me. Apparently someone from the Archdiocese had requested invoices be directed to the Archdiocese so that the Archdiocese could claim an input tax credit.

The payments have no tax implications for me, and the manner of the payments is immaterial to me.

I do need to take issue, however, with the suggestion that any non-payment of expenses to date had been flagged with me in any way. Your relevant emails of 10, 19, 20 and 29 September are attached. You did ask in one email about the forward payments, and I obliged with the information. It would have been significantly less surprising if we were told that forward payments would not be met, but given the contents of your various emails, the non-payment of past amounts, some going back to May 2012, is unfair and contrary to undertakings and commitments given. This particularly relates to [2] and [3] in my letter of 10 October 2012.

Best regards

John

From: Mike Bailey [mailto:mike.bailey@sydneycatholic.org]
Sent: Friday, 12 October 2012 3:13 PM
To: Nicola M. Ellis; John A. Ellis
Subject: RE: CONFIDENTIAL [2]

Dear John,

Thank you for your email.

I am sorry the matters outlined came as a surprise to you – particularly given dialogue between us when we have indicated the quantum of payments requested to assist with home renovations were well beyond what we had anticipated and that we needed to draw this aspect of our assistance to a conclusion.

In our letter of 8 October 2012, we were mistaken in saying that \$342,000 of the total compensation and payments made to you of \$518,000 related to house payments. In fact, \$434,000 of the total payments related to your house payments. In the circumstances, you will understand why the Archdiocese is not placed to make additional payments to you.

To enable immediate payment of urgent bills, I have arranged, as outlined in my letter, for \$50,000 to be transferred today to your account. I trust this will assist you in settling the outstanding accounts with the contractors you have engaged.

It is important to note that GST on these invoices cannot (and should not) be claimed by the Archdiocese as all the payments we have made to you have been made by way of assistance and compensation. Obviously, it is your responsibility to obtain your own advice about any tax implications these payments might have for you.

I will be pleased to arrange a meeting with Mgr Usher when he returns from leave. He will no doubt be very keen to understand how you are but will not be in a position to explore further financial support, beyond possible specific reimbursement for counselling.

I hope this clarifies the approach and that the final \$50,000 will be of assistance as you complete the project. We are very pleased to have been able to assist you in such a significant and tangible way.

Thanks John.

Mike Bailey

Executive Officer to Mgr John Usher, Chancellor
 Level 16
 The Polding Centre
 133 Liverpool Street,
 Sydney, NSW 2000
 (02) 9390-5332

From: John A. Ellis [mailto:SA
Sent: Thursday, 11 October 2012 1:14 PM
To: Mike Bailey
Cc: John Usher
Subject: RE: CONFIDENTIAL [2]
Importance: High

Dear Mike

I have received your letter dated 8 October 2012, which crossed in the mail with my letter to Mons John yesterday.

Needless to say, the letter has generated a range of emotions for both Nicola and myself, given that your letter came without any notice whatsoever, and in the context of us following up on accounts that had been sent to Mons John as far back as May, and the builders accounts that are long overdue. I do feel like a bit of a dill spending the time in good faith to collate everything to put the outstanding issues in order for Mons John.

I think it best that I not go into detail at this point, and let the emotions settle down.

However, there are some immediate practical issues which require clarification:

- Will the Archdiocese be paying the 5 accounts sent through for direct payment? This includes the 3 builders accounts which are long overdue?

Because of the delay to date and the additional delay that would be caused by me having to wait for the payment and then order cheques to pay these accounts, my very strong preference, and my request, is that these accounts be paid direct. As I understand it, the Archdiocese can then obtain input tax credits for the GST component.

There are other outstanding issues with the correspondence, and I request a meeting with Mons John and/or the appropriate decision maker at the earliest possible time. The worst thing now will be to have this remain unresolved for a long time.

I appreciate that Mons John is out of action until early November, so can you please arrange a meeting for the earliest available date after that.

many thanks
John Ellis.

From: John A. Ellis
Sent: Wednesday, 10 October 2012 2:44 PM
To: Mike Bailey
Cc: john.usher@sydneycatholic.org
Subject: CONFIDENTIAL

Dear Mike

Because of the build-up of various claims as we draw to the end of the job, and because we are being chased by various unpaid suppliers, I thought that it would, after all, make sense to collate everything outstanding at the moment.

I hope this is useful, and does not cut across what you have been working on.

Hopefully, it is all clear and generally in date order, so you will be able to tell what has been processed and what has not.

I have not attached to the letter the 3 builder claims and the 3 other claims that are waiting to be paid directly to the suppliers. Please let me know if you want these again. I thought it best to separate out what we have paid and what is to be paid directly to the suppliers.

One thing I will note is the payment to Devex ('Floor Heat Australia') for their invoice dated 6 July 2012 that they have been chasing for 3 months. I have now paid them, and so that amount of \$1,257.30 is now included in the amount I have asked to be reimbursed to me. This is the only potential confusion. I appreciate that to date I have been asking for that to be paid directly to the supplier, and I was lothe to change that and confuse things. However, they simply would not wait any longer.

I have also updated the forward payments, and hope I have included everything.

I have put a copy in the post also, as with all the attachments, it is a big document.

If you have any questions, please call me.

Kind regards

John Ellis

