

From: Danny Casey</O=FIRST ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=DCASEY>  
Date Sent: Saturday, 17 November 2007 07:52:54  
Date Received: Saturday, 17 November 2007 07:52:54  
To: Paul McCann (paul\_mccann@corrs.com.au)<paul\_mccann@corrs.com.au>; John Dalzell  
(John.Dalzell@corrs.com.au)<John.Dalzell@corrs.com.au>  
CC: Michael Moore</O=FIRST ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=Michael>; Michael  
Casey</O=FIRST ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=Mcasey>; John  
Usher</O=FIRST ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=Jusher>  
BCC:  
Subject: FW: Ellis v Trustees - Decision of HCA  
Attachment: image001.gif

---

Hi Paul and John

Been occupied on other things but heard about the great result in High Court. This decision and your work has provided enormous benefit to the Church. It lays the platform for a significant repositioning of the Church and enables us to more appropriately respond to litigation.

Thank you for the drive and professionalism and the hard work that has got us here.

It is important we now explore the implications – we would like to discuss this further and brief the Church more widely across Australia.

No doubt MM, JU or MC will be in touch.

Regards

Danny Casey  
Chief Operating Officer  
World Youth Day Sydney 2008

Telephone: +61 2 9390 5195  
Facsimile: +61 2 9261 8312

[www.wyd2008.org](http://www.wyd2008.org)

Confidentiality and privilege notice

This is an email from WYD 2008 ACN 118 060 987 as trustee of the World Youth Day 2008 Trust. The email message and any accompanying attachments may contain information that is confidential legally privileged and/or subject to copyright. If you are not the intended recipient, please do not read, use, disseminate, distribute or copy this message or attachments. If you have received this email message in error, please notify the sender immediately and delete the email message. Confidentiality and legal privilege are not waived or lost by reason of mistaken delivery to you. We do not guarantee that this email and any attachments are free from virus or other errors. We will not be responsible for loss or damage resulting (either directly or indirectly) from any such virus or error. The content of and opinions expressed in non-business emails are not necessarily ours. To contact WYD 2008 please telephone +61 2 9390 5900.

---

From: Michael Moore  
Sent: Friday, 16 November 2007 3:44 PM  
To: Danny Casey  
Subject: FW: Ellis v Trustees - Decision of HCA

Dear Danny

FYI. I have just seen the attached email.

Yours sincerely

Michael Moore  
Acting Business Manager & Financial Controller  
Direct Line (02) 9390 5186  
Fax No: (02) 9261 8312

\*\*\*Confidentiality and Privilege Notice\*\*\*

This email message and any accompanying attachments may contain information that is confidential. If you are not the intended recipient, please do not read, use, disseminate, distribute or copy this message or attachments. If you have received this email message in error, please notify the sender immediately and delete the email message. Confidentiality and legal privilege are not waived or lost by reason of mistaken delivery to you. Before opening any attachments, please check them for viruses and/or other defects. To contact the Chancery Office of the Archdiocese of Sydney please telephone +61 2 9390 5100.

---

From: John.Dalzell@corrs.com.au [mailto:John.Dalzell@corrs.com.au]  
Sent: Friday, 16 November 2007 10:58 AM  
To: WYDCorpAffLIST Paul McCann; Michael Casey; John Usher; Michael Moore; MWright@ccinsurances.com.au; Joseph Bucci  
Cc: Stephen Rushton; flynn@selbornechambers.com.au; mchugh@banco.net.au; Richard.Leder@corrs.com.au;  
Victoria.Brigden@corrs.com.au; Sera Mirzabegian  
Subject: Ellis v Trustees - Decision of HCA

Dear Michael, Fr Usher and Marita

John Ellis' application for special leave came before the High Court this morning. The bench was constituted of Justices Hayne and Kiefel.

Andrew Morrison SC opened for the Applicant. After hearing his oral submissions, the bench did not trouble Richard McHugh SC for a response. The Court held that the Court of Appeal decision was founded on "settled principles of law" and therefore special leave to appeal would not be granted.

In light of this decision, the law as propounded by the Court of Appeal (on 24 May 2007) now stands as settled law in Australia as to the liability of the Cardinal and the Trustees.

One point I should raise is that I instructed Richard McHugh not to ask for costs of this application. Justice Hayne did not invite the submission. In light of the costs orders we already have against the Applicant, at first instance and on appeal for the Trustees and the Cardinal, and the fact that there was a considerable number of the press representatives in Court, I did not feel that the application was appropriate. In reality, the Applicant will not be in a position to pay the costs that he now owes, either to his lawyers or to the Trustees/Cardinal. We should discuss our position on the costs question in due course.

I would also recommend that we meet in the next few weeks to revisit the judgment of the Court of Appeal and consider the impact that this will have on the conduct and obligations of the current Cardinal and his successors. We should perhaps also consider some of the areas that were not the subject of the Court's decision such as occupier's liability.

Please feel free to call me to discuss this.

Kind regards

John

John Dalzell  
Senior Associate

john.dalzell@corrs.com.au  
Tel +61 2 9210 6160  
Mob 0419 168 345  
Fax +61 2 9210 6611  
www.corrs.com.au

Please consider the environment before printing this email.

This email and any attachments may be confidential and legally privileged.