

**Jane Favretto**

---

**From:** Jane Favretto  
**Sent:** Thursday, 24 September 2015 6:06 PM  
**To:** REDACTED  
**Cc:** Kerry Stewart  
**Subject:** RE: Greaves info from DVA [SEC=UNCLASSIFIED] [HDY-SYD.FID567602]  
**Attachments:** NSM20764 Greaves S 93 Initial List of Treatments Jul 2015.xlsx

Dear Tony,

In relation to the DVA material from Greaves sent through on Monday (below), we have a few queries:

- Does the "Initial FE" relate to future offset?
- The materials do not indicate a lump sum payback repayable to DVA for the estimated settlement figures provided. Will there be one? If so, what will it be?
- Are the figures provided for the "Initial FE" fortnightly payments that will need to be made following settlement or are these figures deducted from the current TPI pension Greaves receives?
- Can we have a general explanation as to how DVA will treat the "Initial FE" figure?

We will send the attached treatment list to Shine and ask them to indicate the treatments relevant to Mr Greaves' claim on receipt of your instructions.

Regards,

Jane

---

**From:** Reilly, Anthony MR 1 [mailto:REDACTED]  
**Sent:** Monday, 21 September 2015 5:16 PM  
**To:** Kerry Stewart  
**Cc:** Sanders, Lauren MAJ  
**Subject:** Greaves info from DVA [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Kerry

As discussed, this is all we are getting. We didnt send it earlier because we were led to believe they would clarify, but apparently not. Let us know if you want to discuss, and we will try to work out what it means. If necessary, we can revert to Frank with specific questions.

Cheers

Tony

Anthony Reilly  
Office of Defence Special Counsel  
Defence Legal  
CP2-3-050

Tel: REDACTED  
Mobile: REDACTED

Note: This document contains legal advice and may be subject to legal professional privilege. Unless it is waived or lost, legal professional privilege is a rule of law that, in part, provides that the client need not disclose communications between a legal practitioner and client. To keep this privilege the purpose and content of this advice must only be disclosed to those persons who have a need to know and on the basis that those persons also keep it confidential.

---

**From:** White, Frank [mailto:REDACTED]  
**Sent:** Monday, 17 August 2015 16:09  
**To:** Reilly, Anthony MR 1  
**Subject:** FW: Claims by various claimants represented by Shine Lawyers for common law damages against the Commonwealth (Department of Defence) - Private & Confidential [HDY-SYD.FID532417] [TO BE CLASSIFIED] [DLM=Sensitive:Personal]

Hi Tony,

As discussed.

Thanks

Frank

**From:** Perry, Celia  
**Sent:** Thursday, 6 August 2015 5:53 PM  
**To:** White, Frank <REDACTED>  
**Subject:** FW: Claims by various claimants represented by Shine Lawyers for common law damages against the Commonwealth (Department of Defence) - Private & Confidential [HDY-SYD.FID532417] [TO BE CLASSIFIED] [DLM=Sensitive:Personal]

Hi Frank,

Mr Greaves is the only client on the Category C list with current accepted conditions.

The treatment list is attached.

The breakdown is as follows for his pension offsets:

Amount	250,000	500,000	750,000	1,000,000
Initial FE =	430.82	861.65	1292.47	1723.30

Date	Notional %:	Amount
26/09/97 (10%DP)	0%	0.00
29/07/98 (40% DP)	10%	24.16
07/04/99 (100% DP)	50%	122.70
17/12/99 (TPI)	TPI – 50%	524.30

Regards

Celia Perry

Team Leader – Offsetting & Manual Payments

Rehabilitation & Compensation

Ext: REDACTED

Call: REDACTED

Fax: REDACTED

Offsetting & Manual Payments email: [AMBOMP@dva.gov.au](mailto:AMBOMP@dva.gov.au)

**From:** White, Frank

**Sent:** Tuesday, 23 June 2015 10:32 AM

**To:** Offsetting.and.Manual.Payments <[Offsetting.and.Manual.Payments@dva.gov.au](mailto:Offsetting.and.Manual.Payments@dva.gov.au)>

**Subject:** FW: Claims by various claimants represented by Shine Lawyers for common law damages against the Commonwealth (Department of Defence) - Private & Confidential [HDY-SYD.FID532417] [TO BE CLASSIFIED] [DLM=Sensitive:Personal]

Hi,

The second list of claimants, for your action please.

Thanks and regards

Frank White

A/g Director

Information Law

REDACTED

---

**From:** Kerry Stewart [mailto:REDACTED]  
**Sent:** Monday, 22 June 2015 3:30 PM  
**To:** White, Frank  
**Cc:** Ikinder REDACTED  
**Subject:** Claims by various claimants represented by Shine Lawyers for common law damages against the Commonwealth (Department of Defence) - Private & Confidential [HDY-SYD.FID532417] [TO BE CLASSIFIED]

Dear Frank

Thank you for attending the meeting at our offices last week. We refer to our earlier email regarding category A claimants. We now attach a schedule nominating 3 category C claimants.

We confirm you will attempt to indicate whether, should a claim for common law damages be successful, if there is any payback the claimants are likely to be required to make and/or the impact (if any) of any successful claim for common law damages on their existing or future DVA entitlements. It has been agreed with Shine Lawyers that for the purposes of these enquiries for DVA to assume that each claimant may receive damages totalling:

\$250,000; or

\$500,000; or

\$750,000; or

\$1 million.

We note your prior indication that preliminary views will take approximately a month to be conveyed and the calculations can be made on 4 proposed amounts. We confirm that no discussions regarding the quantum of the

claims have commenced with Shine Lawyers. The above amounts are potential figures only requested by Shine Lawyers.

Please do not hesitate to contact me if you require any additional information to enable this process to be undertaken.

Regards

Kerry

Kerry Stewart

Special Counsel

REDACTED

REDACTED

44 Martin Place Sydney NSW 2000

Follow us  

**HENRY DAVIS YORK**

---

**HENRY DAVIS YORK  
CONFIDENTIALITY AND PRIVILEGE NOTICE**

This email is intended only to be read or used by the addressee. It is confidential and may contain legally privileged information. If you are not the intended recipient, any use, distribution, disclosure or copying of this email is strictly prohibited.

Confidentiality and legal privilege attached to this communication are not waived or lost by reason of the mistaken delivery to you. If you have received this email in error, please delete it and notify us immediately by telephone or email.

IMPORTANT: This email remains the property of the Department of Defence and is subject to the jurisdiction of section 70 of the Crimes Act 1914. If you have received this email in error, you are requested to contact the sender and delete the email.

...

...

...