

Jane Favretto

From: Sanders, Lauren MAJ <REDACTED>
Sent: Tuesday, 1 September 2015 3:34 PM
To: Jane Favretto
Cc: Reilly, Anthony MR 1; Lysewycz, Michael MR; Rebecca Whittle
Subject: RE: Defence Abuse Claims - DVA paybacks [HDY-SYD.FID532417]
[SEC=UNCLASSIFIED]

UNCLASSIFIED

Thank you Jane,

I imagine that now that they have had some exposure to the legislation and the impact upon their Category A claimants and when they receive Mr Greaves' assessment, they should have a better understanding of the application of the legislation for their clients.

Tony is in contact with Frank and Lisa to arrange the telephone hook up and is waiting on Frank to confirm a time. We shall let you know how it goes.

Regards,
Lauren

L.O. Sanders
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From: Jane Favretto [mailto:REDACTED]
Sent: Tuesday, 1 September 2015 15:13
To: Sanders, Lauren MAJ
Cc: Reilly, Anthony MR 1; Lysewycz, Michael MR; Rebecca Whittle
Subject: Defence Abuse Claims - DVA paybacks [HDY-SYD.FID532417]

Dear Lauren,

I refer to our correspondence on Friday regarding the change to DVA resourcing and related impact on payback assessments.

I called Lisa Kinder this morning to inform her DVA are no longer in a position to provide payback assessments for the Category B and majority of the Category C claimants. I explained that there had been a change in resourcing. I told Lisa that once a settlement sum had been agreed, DVA would be able to provide assessments then.

I told Lisa that DVA is still clarifying why lists of treatment expenses were not provided for Category A claimants [REDACTED] and [REDACTED] (Frank White confirmed he is clarifying this despite the change), and that Frank is seeking finalisation of Mr Greaves' payback assessment (Lisa specifically asked about this). I also informed Lisa that

Frank White will answer DVA-related questions she may have (to the extent he can) during the teleconference with Tony to take place soon.

Lisa said that in the absence of payback assessments, it is very difficult for Shine to advise the claimants. I told Lisa that the legislation will provide some guidance, and that DVA produces fact sheets which may be a good starting point for considering the potential paybacks. I added that ultimately, the claimants will need to be aware that paybacks to DVA may be required if they receive a settlement sum (even if the quantum of the payback is not known).

Lisa thanked us for letting her know about this change.

I sent Lisa an email this afternoon to confirm what we discussed by phone. Please see attached a copy of this email.

Regards,

Jane

Jane Favretto
Lawyer

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Follow us  

HENRY DAVIS YORK

From: Sanders, Lauren MAJ [mailto:REDACTED]
Sent: Friday, 28 August 2015 1:12 PM
To: Rebecca Whittle
Cc: Reilly, Anthony MR 1; Lysewycz, Michael MR; Jane Favretto; Kerry Stewart
Subject: RE: Defence Abuse Claims: Update [HDY-SYD.FID532417] [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Rebecca,

Thank you.

That is correct. I can confirm that we (Defence) are not able to provide further assistance in providing this information. Further, DVA have advised that they will be able to provide the payback figure information once a settlement amount have actually been agreed to; and they would expect that practically, this would result in the claimant attending any mediation or settlement conference on the understanding that we (the Commonwealth) have made them aware that there is a possibility of offset in the event any payment is agreed upon.

Regards,
Lauren

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