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Ligeti Partners

Elisha Bongiorno →

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Partners

Tom Ligeti
Paul Singam
Simon Loftus
Henry Carus

Senior Associates

Andrew Sawkins
Vicki Carter
Nicole Norris
Lisa Gulikers

Practice Manager

Pauline McLean



A0067

Level 1

280 Queen Street
Melbourne Vic 3000

DX 314 Melbourne

Telephone

(61 3) 9600 4555

Facsimile

(61 3) 9600 4100

14 June 2000

Ligeti Partners

LAWYERS

Corrs Chambers Westgarth

By Fax: 07 3228 9444

Our Ref:
Your Ref:
Contact:
Email:

TVL:ERB:h-brisbane
DJA/29233-7545873
Tom Ligeti
tligeti@ligeti.com.au

Dear Sir/Madam

Our client: HIH Insurance
Insured: Brisbane Grammar School

We act on behalf of HIH Insurance who have instructed us in relation to the claim submitted on behalf of the Brisbane Grammar School.

Based on the material provided, HIH do not believe that they have any liability to indemnify on the basis that the professional indemnity policy does not respond to the threatened claims. Rather, those claims should be immediately referred to the School's public liability insurers on risk at the time when the various alleged acts occurred.

If you disagree with the position adopted by HIH, then could you please:

1. Advise the basis upon which you believe that the professional indemnity policy should respond;
2. Provide more detailed factual information concerning the allegations made against the school.

Given their position in relation to indemnity, HIH do not believe it appropriate that they provide a detailed response to the proposed press release. Suffice to say that they have serious concerns regarding its contents.

Specifically, we consider the comment that "it is impossible to accurately ascertain what occurred" has the potential to seriously compromise the School's position and that of its insurer. The same can be said for the third paragraph of the proposed release.

Moreover, whilst the release attempts to put aside the question of "legal liability", the remainder of the document clearly mitigates against this.

We consider that the proposed release should be completely reviewed so as to avoid prejudice to the School and its insurers.

Yours sincerely,

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Elisha Bongiorno →

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LIGETI PARTNERS

A handwritten signature in black ink, appearing to be 'E. Bongiorno', written in a cursive style.

CCW.075.0286