

L A W Y E R S

11 April 2002

BY FACSIMILE NO: 3229 1999

Shine Roche McGowan
Solicitors
DX 1057
NORTHPOINT

Partner

Julie Cameron (07) 3228 9461
Email: Julie_Cameron@corrs.com.au

Our reference

JPC/BRIS2923-7545873

Your reference

rs:m11:4078301

WITHOUT PREJUDICE

Dear Sirs

BRISBANE GRAMMAR SCHOOL - PROPOSED MEDIATIONS

Thank you for your facsimile of 10 April setting out proposed changes to the draft mediation agreement.

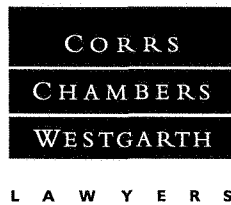
We have incorporated both suggested amendments, with minor variations, as well as a number of other minor amendments and have amended paragraph 13 to overcome your concerns regarding disclosures which may be necessary.

Please confirm, you accept the amendments.

We also confirm our advice at the meeting with Mr Hanger that our client's position regarding the "all or none" issue is as follows:

- 1 Any offer made by our client in the mediation of any particular matter will be for acceptance or rejection during that mediation only.
- 2 Our client will not leave settlement offers in individual matters open until the conclusion of all mediations.
- 3 Our client will not agree to a qualified acceptance by a plaintiff, i.e that the plaintiff will accept an offer made to him if all other matters settle.
- 4 If it becomes apparent at any stage in the mediations process that there is any agreement, formal or otherwise, between the plaintiffs to adopt an "all or none" strategy, our client will withdraw from the mediations





11 April 2002

Page 2

Shine Roche McGowan

BRISBANE GRAMMAR SCHOOL - PROPOSED MEDIATIONS

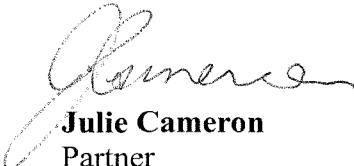
process immediately, irrespective of the number of matters yet to be mediated.

We understand your position is that you are unaware of any such agreement currently subsisting between the plaintiffs. If that is not correct, please advise accordingly before you have any plaintiff sign the mediation agreement.

If you become aware of any such agreement being struck at any stage, we expect you to advise us, so that our client can avoid continuing to incur costs in a process which will thereby have been rendered futile.

Yours faithfully

CORRS CHAMBERS WESTGARTH



Julie Cameron
Partner

