

CORRS  
CHAMBERS  
WESTGARTH



L A W Y E R S

Court  Conference  Phone To  Phone From  Other

Matter No

Date 10/4/02

Client

BGS.

Time 1:00 pm To

Re

Mediations - Lynch.

Author JPC

Unit

Tom Hanger

Richard Douglas, Simon Morrison, Bruce Brown, Roger Singh  
Kevin Holyoak v JPC

RD - will give advice as see approp for to partic  
clients on issue of 'all or nothing'

- "has no intention of shielding clients from  
the mediator"

- re insurance - if we wish to conven with  
my individual ptff that absence of litigs shd be  
taken into a/c, then the flip side is that a partic  
client might ask SRM whether he shd take it  
into a/c & the total amount could be unknown.

Discovered this issue at length - RD says its "a  
false issue"

JC made it clear that

- an offer will be made, if appropriate
- offer will have to be accepted / rejected on  
the day
- will not be left open until end of process
- " " " acceptable for ptff to say he'll  
accept contingent on other settlements

ACTION:



CCW.070.0355

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Unit \_\_\_\_\_

As to our proposed mediation agreement.

5. Amend to "will not be filed".

11. OK

13. Too wide - need to be able to talk about it to medical practitioners etc. Also the spouses etc.

"save to spouses medical practitioners" + shall @ the time of such disclosure will impose a like confidentiality requirements on the person to whom such disclosure is made.

14. Not happy with process of medical exam be impeded by fact that something minor might not be awful.  
SKM to re-draft clause -



25. Don't want to see med<sup>n</sup> process slowed down by failure to address as many common

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issues as possible in the initial day. Agreed →  
agreed no change required to CCW draft.

26. Not happy with costs of mediation being  
costs in the cause if matters don't settle.

Tom Hanger saying fee is \$4620/day →  
Morison said will consider that one.

On issue of group psychiatrist → Roger Singh  
put up letter of psychs convened. Hanger  
saying - not impressed with their list  
- wouldn't use REDACTED  
- didn't know Byrne.  
- would suggest Ray Cash  
- suggested we make enquiries about  
General Byrne.

Medico legal appointments to be confirmed

ACTION:



CCW.070.0357