

**John Dalzell**  
**ext-6160**

13/03/2006 10:41 AM

To: "Michael Moore" <mmoore@ado.syd.catholic.org.au>,  
mcasey@ado.syd.catholic.org.au,  
john.usher@ado.syd.catholic.org.au  
cc: MWright@ccinsurances.com.au  
Subject: Ellis - Costs argument

Dear Michael, Michael and Fr John

The *Ellis* matter has been listed in the Supreme Court this **Wednesday, 15 March 2006**, for oral argument on the costs of the limitation hearing.

The Plaintiff has retained junior and senior counsel for the hearing which is likely to take 2-3 hours.

The costs argument in any application where the Plaintiff has sought the indulgence of the Court, such as in this case, is always complicated. The Court has complete discretion as to what order it may make.

As the costs are substantial in this case and because of the relatively complex arguments on the interpretation of case law, we have provisionally retained Stephen Rushton SC to appear for Cardinal Pell and the Trustees.

Although the Court has already dismissed the case against the Cardinal with costs, the Plaintiff has written to the Court in an attempt to re-open this aspect of the costs argument (although how he intends to do this is a mystery).

Could you please confirm that we may brief Senior Counsel for the hearing on Wednesday.

Kind regards

John Dalzell