

John Dalzell ext-6160

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cc: mcasey@ado.syd.catholic.org.au

Subject: RE: Strictly Private & Confidential

25/10/04 15:09

Dear Dominic

To keep you up to speed on the Ellis file: I attended court this morning and we set down the agreed timetable for the putting on of evidence in this matter ( It is unlikely that we will want or indeed need to put on any affidavits in support of our case for the limitation argument). We will have a very clear picture of the strength of Ellis' claim against us by **8 November** when we receive his affidavit. In all likelihood, the limitation argument will take place sometime in the new year.

We are continuing to gather evidence in preparation for the limitation argument and have now sent subpoenas to all of the counsellors and psychiatrists who have assessed or treated Ellis. At least one such document that we have now received shows that Ellis had the requisite awareness of the alleged abuse before August 2001, an important date when the Court considers his application to extend time limits.

As you know, Anna Ross is away from the office this week, if there is anything I can help with please call me on 9210 6160. I will keep you informed of any further developments.

Kind regards

John Dalzell