

John Dalzell ext-6160

To: "Dominic Cudmore" <dcudmore@ado.syd.catholic.org.au>  
cc: mcasey@ado.syd.catholic.org.au, brayner@ado.syd.catholic.org.au  
Subject: Re: Conference with Senior Counsel 05.10.04

06/10/04 11:55

Dear Dominic and Michael,

As you know, Paul, Anna and I met with Stephen Rushton SC to discuss this matter generally but with a particular emphasis on gathering evidence in preparation for the upcoming application to extend the limitation period on 25 October 2004.

Stephen has suggested that we apply further pressure on Ellis to provide us with the evidence that he intends to rely upon in the application. I have drafted a letter this morning asking Ellis' solicitor to agree some draft directions for this date.

We agreed to progress the matter as follows:

- Gather all case law on the 'proper defendant' argument including cases on the employment relationship between the church and priests;
- Contact the Marsden Hospital and Cumberland College of Health Services to get the employment records for Ellis; and
- Issuing a 'Notice to Produce' to get all relevant documents from Ellis, his first wife, their medical practitioners and the family court.

Dominic, do you have a file containing the media reports relating to allegations and claims that have been made against the Church, say since 1990? This is particularly important as we propose to establish the fact that such allegations are well reported and publicised in the popular press.

Also, on reading the Eccelstone Interview with Ellis, at page **30**, Ellis seems to suggest that he **worked** for the 'Beginning Experience' weekend retreats. **Would you know who I should contact to get any records that they may have on him?**

Finally, Paul briefly outlined the claim made by Buckley to give Stephen some background information in the event that the church wish to retain Corrs / Stephen to deal with this matter.

The law firm that Ellis worked for, Baker and McKenzie, are compiling all documents the hold on him. Also I have been in contact with Fleur Bishop this morning and she will respond to the subpoena, but asked for more time. The return date for both of these subpoenas is 13 October 2004 and at this stage we should know more about Mr Ellis.

I will keep you informed, however if there is anything we can help you with please call either myself on 9210 6160 or Anna on 9210 6904.

Kind regards

John Dalzell