

**IN THE SUPREME COURT
OF NEW SOUTH WALES
SYDNEY REGISTRY
COMMON LAW DIVISION**

20308 of 2004

**NOTICE TO ADMIT FACTS
AND AUTHENTICITY OF
DOCUMENTS**

Filed for: John Andrew Ellis

JOHN ANDREW ELLIS
Plaintiff

**HIS EMINENCE CARDINAL
GEORGE PELL**
First Defendant

**THE TRUSTEES OF THE
ROMAN CATHOLIC
CHURCH**
Second Defendant

**REVEREND AIDAN
DUGGAN OSB**
Third Defendant

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To the First and Second Defendants:

The plaintiff requires you to admit for the purpose of these proceedings only the following facts:

1. That the Third Defendant sexually abused the plaintiff between 1975 and 1987 as set out in paragraphs (a) and (b) of the particulars to paragraph 16 of the Statement of Claim in these proceedings.
2. That the Third Defendant was at all relevant times engaged as a priest in the service of the Archdiocese of Sydney.
3. That the Plaintiff made a claim upon the First and Second Defendants on 3 June 2002 through the Towards Healing protocol as adopted by the First and Second Defendants.
4. That no assessor under the Towards Healing protocol was appointed prior to 26 June 2003.
5. That the assessor's report was submitted to the First and Second Defendants on 24 November 2003.
6. That a facilitation meeting was held on 20 July 2004 under the Towards Healing protocol.

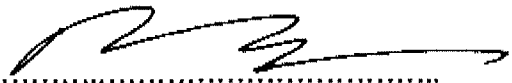
The plaintiff requires you to admit for the purpose of these proceedings only the authenticity of the following documents:

1. The document titled "Towards Healing Principles and Procedures in responding to complaints of abuse against personnel of the Catholic Church of Australia, December 2000."

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2. The Plaintiff's Notice of Complaint under the Towards Healing protocol dated 3 June 2002 attached as Annexure "B" to the affidavit of John Andrew Ellis filed and served on 12 November 2004.
3. The report by Mr Michael Eccleston under the Towards Healing protocol dated 24 November 2003.
4. The form of deed of release attached as Annexure "D" to the affidavit of John Andrew Ellis filed and served on 12 November 2004, being the form of deed provided to the Plaintiff by Mr Raymond Brazil for and on behalf of the First and Second Defendants on or about 9 July 2004

If you do not, within 14 days after service of this notice upon you, serve a notice upon the plaintiff disputing any fact and the authenticity of any document above specified, that fact and the authenticity of that document shall, for the purpose of these proceedings, be admitted by you in favour of the plaintiff.



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David Begg, Solicitor for the Plaintiff

Filed: