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**To:** swoods <swoods@wentworthchambers.com.au>, mcashion <mcashion@sixthfloor.com.au>  
**Cc:** parblaster <parblaster@selbornechambers.com.au>, Jodie\_Vella <jodie\_vella@agd.nsw.gov.au>, Evangelos\_Manollaras <evangelos\_manollaras@agd.nsw.gov.au>  
**Sent:** Monday, 12/03/2012 10:20 AM  
**Subject:** RE: Biles

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CSO REFERENCE: 200801481 - D2012/90885

Steven

On Wed we will almost certainly be asked whether our evidence is complete. It seems that to some extent that may depend upon whether KB files further evidence, but in light of the further enquiries of Maxwell and Dr Skinner to some extent it may not. How are we to answer that question and, if applicable, the next questions - why isn't it already served and when will it be served?

Regards

Michael

Michael Cashion SC  
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From: Steven Woods [mailto:swoods@wentworthchambers.com.au]  
Sent: Monday, 12 March 2012 10:18 AM  
To: Michael Cashion  
Cc: Paul Arblaster; Jodie\_Vella@agd.nsw.gov.au;  
Evangelos\_Manollaras@agd.nsw.gov.au  
Subject: RE: Biles

Michael,

Your understanding is correct.

Re further evidence- the idea is to look for it, I'm not sure we will find it.

If we find it, it will be "negative"- ie x cannot be located.

Steven Woods

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From: Michael Cashion [mailto:mcashion@sixthfloor.com.au]  
Sent: Monday, 12 March 2012 9:39 AM  
To: swoods@wentworthchambers.com.au; parblaster@selbornechambers.com.au  
Cc: Jodie\_Vella@agd.nsw.gov.au  
Subject: FW: Biles

Steven/Paul

As I understand it, the defendant's preference is to have KB's limitation application and the defendant's stay application insofar as it relates to KB heard at the same time and to have the limitation applications by the other 14 plaintiffs and the stay application insofar as it relates to those plaintiffs stood over. That seems to be the sensible course as, at least at present, the evidence in KB's application and in the the defendant's stay application insofar as it relates to her seem to be the same or substantially the same. If that were to change, the defendant's approach may need to change. In that regard, has KB indicated whether she intends to file further evidence in relation to either her application or the defendant's stay application and, if so, what and when? For our part, is it envisaged that the approaches to Mr Maxwell and Dr Skinner will result in the defendant filing further evidence in relation to those applications and if so, what and when?

Regards

Michael

Michael Cashion SC

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From: Jodie\_Vella@agd.nsw.gov.au [mailto:Jodie\_Vella@agd.nsw.gov.au]  
Sent: Friday, 9 March 2012 12:51 PM  
To: mcashion@sixthfloor.com.au; swoods@wentworthchambers.com.au;  
parblaster@selbornechambers.com.au  
Cc: evangelos\_g\_manollaras@agd.nsw.gov.au  
Subject: Biles

Dear all

Biles is listed for directions next Wednesday, 14 March 2012.

Would Counsel please consider the following:

Is it the defendant's preference to hear KBs' limitation application together with the stay application, or do we need to further consider the evidence to be adduced by the parties? Should the defendant's position be communicated to WLS ahead of the directions hearing? They know the defendant's position is to have its stay/dismissal application heard in respect of KB only, and stood over in so far as it relates to the other 14.

What provisions the defendant might require for the service of further evidence. On this, I note the following:

Counsel's suggestion that Peter Maxwell be instructed to carry out further investigations; and  
That further instructions are to be given to Dr Skinner.

Michael, are you available to appear at the directions hearing on Wednesday, 14 March 2012?

Steven and Paul, when are either of you, or both of you, available in the coming weeks to meet with Peter Maxwell to discuss his further investigations, as suggested?

Kind regards  
Jodie Vella  
A/Solicitor  
for Crown Solicitor

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