

25-AUG-99 WED 17:09

COLIN W LOVE & CO

FAX NO. REDACTED

P. 01/03

COLIN W LOVE & Co

— Solicitors —

FACSIMILE COVER PAGE

PLEASE DELIVER THE FOLLOWING PAGES TO:

Name: MR MICHAEL SCOTT

Company: NSW INSTITUTE OF SPORT

Fax No: REDACTED

From: MR COLIN LOVE

Re: NSWIS AND TENNIS NSW

Total Number of Pages: 3 (including cover sheet)

Date: 25 August 1999

Our Ref: CWL:HE:998852

If transmission is incomplete please contact operator on 9241-1441.

Message/Instructions:

Attached please find copy of letter received from Messrs Rigby Cooke dated 25 August 1999 in respect of the above matter, for your information.

I will telephone you tomorrow morning to discuss same.

The information contained in this facsimile is confidential and may be legally privileged. It is intended for receipt only by the named addressee. If you are not the named addressee, any use, disclosure, copying or distribution of this facsimile or any of the information contained in it is prohibited. Please let us know immediately by telephone if you have received this communication in error so that we can arrange for it to be returned.

25-AUG-99 WED 17:10

COLIN W LOVE & CO

FAX NO. REDACTED

P. 02/03

25.AUG.1999 13:45

RIGBY COOKE 03 96635854

NO. 854

P. 1/2

Our Ref: MJ Shand
 Your Ref:
 Direct Dial: REDACTED
 Direct E-mail: REDACTED@rigbycooke.com.au
 Doc Id: Love.let.23.8.dpc

**RIGBY
 COOKE**
 LAWYERS

25 August 1999

Colin Love
 Colin W Love & Co
 Solicitors
 Suite 104 1st floor
 135 Macquarie St
 Sydney NSW 2000

Level 36
 101 Collins Street
 Melbourne
 Victoria 3000
 Australia
 Facsimile
 61 3 9650 9588
 Telephone
 61 3 9656 8888

GPO Box 4767UU
 Victoria 3001
 Australia
 DX 191 Melbourne
 www.rigbycooke.com.au

By Facsimile: REDACTED

Dear Colin

Tennis New South Wales - NSWIS - Noel Callaghan

We refer to your facsimile received on 23 August 1999.

We confirm our discussions with you that Tennis NSW has been informed of allegations involving Noel Callaghan. It is not a formal complaint as such. The allegations were brought to our clients attention on 3 August 1999 when the "complainant" and her parents requested a meeting with Craig Watson, CEO of Tennis NSW. The allegations have been made by a former State Squad player who is not, nor has been, an NSWIS scholarship holder. The alleged incidents occurred in 1997 and early 1998 when the complainant was 17 years of age.

Our client understands the concerns raised by your client. Our client is also concerned about the issues you raise. To minimise the risks which you raise our client promptly sought advice and requested us to investigate the allegations, report on whether there is any substance to them, and if so, advise them on the steps which it might take. We have now interviewed the complainant and several others and we hope to complete our investigations and report to our client in about three weeks time. Obviously our investigations will also examine whether or not there has been any breach of any applicable codes of conduct and ethics.

Our client has considered the possibility of suspending Noel Callaghan from his duties pending the outcome of this investigation. However it has decided not to do so for a number of reasons.

However, Noel Callaghan has agreed to take "annual leave" effective from today pending the outcome of this investigation.

Our client will be making arrangements to cover Callaghan during his absence in accordance with the usual arrangements when leave is taken.

25-AUG-99 WED 17:10

COLIN W LOVE & CO

FAX NO.

REDACTED

P. 03/03

25.AUG.1999 13:45

RIGBY COOKE 03 REDACTED

NO. 854

P. 2/2

2

Colin Love
Colin W Love & Co

25 August 1999

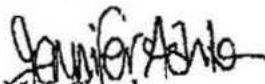
Our client has on an almost daily basis kept your client informed of progress with this matter. It will continue to keep your client informed about this matter and consult with it as requested. While Callaghan may be seen as a representative of NSWIS, he is an employee of Tennis NSW and therefore it is our client who is liable for any action taken in relation to his employment.

As you will appreciate the notes we are making in the course of interviews for our client are privileged. Our client is not prepared at this stage to waive that privilege and to provide your client with copies of the statements. To ensure fairness to both the complainant and Callaghan our client also wishes to keep this matter confidential until such time as it makes a decision regarding the allegations. As mentioned we are hopeful this will only be a matter of weeks.

We trust this satisfies your client of the position and that it will now not see the need to take steps "to disassociate itself from the program and the person against whom the allegation is made", as you suggest in your letter.

We would be pleased to hear from you to advise of your client's response.

Yours sincerely



Maria Shand
Senior Associate

Cc: TNSW