



Crown Solicitor's Office

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11 December 2009 *[This field is a date creation field. The date will change if you save the document as a new document.]*

Ms Paloma Sessions
Legal Officer, Community Services
Department of Human Services NSW
DX 21212 ASHFIELD

By facsimile (02) 9716-2988 *[delete options not required]*

Dear Ms Sessions

State of New South Wales ats AIL & Ors

I refer to our telephone conversation on 10 December 2009.

As indicated during our conversation, I provide a report now as to the directions hearing I attended with Counsel on 8 December 2009 before Registrar Dunn at the District Court Sydney. I instructed Mr Arblaster of Counsel and Mr Raine appeared for the plaintiffs.

Whilst it is my habit to appear at directions hearings without Counsel, there were a number of live issues between the parties which it was felt that Counsel for the plaintiffs might seek to agitate at the directions hearing. As it transpired, those issues did not arise.

Mr Arblaster for the defendant noted the plaintiffs' failure to comply with orders 2 and 5 made by Judge Truss on 16 October 2009 as well as the general deficiency of the particulars furnished by the plaintiffs to date.

Mr Raine indicated that the plaintiffs' lawyers have had difficulty locating the legislation relating to the Department's statutory obligations but that copies have now been ordered. Mr Raine also indicated that he was unaware that Amended Statements of Particulars were outstanding for AIL and Douglas Biles.

The Registrar made the following orders:

1. Particulars outstanding pursuant to orders 2 and 5 made by Judge Truss on 16 October 2009 to be provided by 22 January 2010.
2. Defences to be filed and served by 30 March 2010.
3. Matter listed for further directions on Tuesday, 13 April 2010 at 9:30am.

Mr Arblaster reserved the defendant's right to re-aggitate the issue of particulars at a later time if necessary.

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Counsel has mentioned to me that it would be opportune to arrange for the plaintiffs to be medically examined and I will confer with both Mr Saidi and Mr Arblaster in relation to this over the next few days and anticipate at least arranging for appointments for all plaintiffs to be medically examined on behalf of the defendant.

On the afternoon of 10 December 2009, I received from Bell & Johnson an Amended Statement of Particulars for AIL [REDACTED] together with a Statement of Particulars for Douglas Biles.

I will report again when there has been some development.

Yours faithfully

Evangelos G Manollaras
Solicitor
for Crown Solicitor

Encl. *[delete if not required]*

cc: TMF Claims Officer, Vince Miles.