

**From:** Maria Shand  
**To:** "cwatson@REDACTED" @RC Melb.GWIA  
**Date:** Mon, Sep 13, 1999 7:55 am  
**Subject:** Re: Noel Callaghan

\*\* For Your Eyes Only \*\*

Hi Craig

I am available Wednesday if needed, and will keep free in case you should need me. If the Board is to make a decision on Tuesday then it is important that any resolution it makes be drafted very carefully so as not to jeopardise any flow on action, from a legal point of view. Please let me know if I can be of any assistance in this regard.

At this stage all the insurers should know is that it is possible that <sup>BXJ</sup> might make a claim against NC and TNSW, but it is only a potential and that is all. The report should not be made available to your insurers at this stage.

I do not consider NSWIS should be told anything other than "you are progressing the investigation" until a decision is made and NC and <sup>BXJ</sup> told of its outcome. I consider the Board needs to carefully consider a whole plan of action following its decision. Again there are legal ramifications about what and when things are said.

I am in the office all day today so please feel free to ring me to discuss the above.

Regards  
 Maria Shand  
 Senior Associate

email: REDACTED  
 mobile: REDACTED  
 Rigby Cooke Lawyers  
 Tel: REDACTED International: REDACTED (direct dial)  
 Fax: REDACTED International: REDACTED  
 Web: <http://www.rigbycooke.com.au>  
 \*\*\*\*\*

This electronic mail contains information that is privileged and confidential, intended only for use of the individual or entity named. If you are not the intended recipient, any dissemination, copying or use of the information is strictly prohibited. If you have received this transmission in error please delete it immediately from your system and inform us by email on [lawyers@rigbycooke.com.au](mailto:lawyers@rigbycooke.com.au).

Virus Disclaimer: It is the recipient's duty to virus scan or otherwise test this email before loading it onto any computer. No warranty is given by Rigby Cooke that this email is free from computer viruses or any other defect or error. Rigby Cooke is not liable for any loss or damage incurred by any person loading this email or if liable Rigby Cooke's obligation will be limited to retransmitting this email to the intended recipient.

>>> Craig Watson <cwatson@REDACTED> 09/12 5:54 pm >>>  
 Maria

Have now read your report and tried to digest the contents. Have also met with John Whittaker and Malcolm Bergmann over the weekend. Our plan at this stage is to copy your report to the Executive ( three others besides John and Malcolm) and have a special executive session on Tuesday at 4.40pm to prepare our recommendation to the Board which meets at 6.00pm. The Board will be advised of this process and invited if they so wish to read your report prior to the 6.00pm Board meeting. At this stage it will not be necessary for you to attend either sessions on Tuesday. We may well require your attendance on Wednesday or soon thereafter depending on the outcome of the Board deliberations. I have requested the TCA constitution as requested and should have that to you sometime Monday.

There are a couple of questions we would like answered before Tuesday which i am sure will not be a problem.

1. When putting our insurer on notice of a possible action, what information are they entitled to. Your report? Just notification ?
2. What information should we give NSWIS at this stage?

Talk to you soon

Craig