

**Bryan J. Gurry & Co. Solicitors**

Bryan J Gurry LL.B.  
James B Gurry B.Juris. LL.B.  
Associate  
Michelle B Valmorbidia B.Juris. LL.B.

414 St. Kljda Road  
Melbourne 3004  
Telephone 267 7288  
AUSDOC DX 30546  
South Melbourne

Our ref. JBG:KL 83:1113:M

Your ref. 50/FO

10th July, 1985.

M.A. Pollard, Esq.,  
Solicitor,  
Road Traffic Authority,  
Cnr. Lygon and Princess Streets,  
CARLTON. 3053.

Dear Sir,

re: The Motorcycle Riders Association of Australia Incorporated  
and Damien Codognotto -v- Road Traffic Authority.

We refer to our recent telephone conversation in regard to your estimated profit costs and disbursements in respect to these proceedings.

We enclose copy of Article which appeared on Tuesday 9th July 1985, in the "Age" newspaper.

Our clients have drawn to the attention of the writer, the said article more particularly, in regard to the Ministerial decision for use of reflective discs to be installed in place of the yellow concrete blocks now used to separate trams and traffic on Melbourne Roads and, the new changes to be implemented in regard to the Fairway System.

You will recall that at all points of time our clients have not objected to the Fairway System as such, but to the use of the yellow separator blocks as part of the Fairway System.

Therefore, it would appear that whilst these proceedings were on foot, a Ministerial decision had been made after investigation by the Ministry for the removal of the blocks and their replacement by reflective discs.

It is therefore our opinion that in view of this, our clients aims and objectives have been achieved, and, in point of fact, the withholding of this information from the proceedings is of such a serious nature that it may warrant a more thorough investigation.

We therefore submit that our clients should not be responsible for payment of the Road Traffic Authority's costs incurred in regard to these proceedings, and, in addition, that the Authority should be responsible for our clients costs and disbursements incurred.

2/...

re: The Motorcycle Riders Association of Australia Incorporated and  
Damien Codognotto -v- Road Traffic Authority.

We look forward to receiving your early reply to the above and we are instructed that should no satisfactory reply be forthcoming, the matter should be placed in the hands of the Shadow Minister for Transport, for further investigation through the appropriate sources.

Yours faithfully,  
BRYAN J. GURRY & CO.

per:

encl.

**Bryan J. Gurry & Co. Solicitors**

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414 St. Kilda Road  
Melbourne 3004  
Telephone 267 7288  
AUSDOC DX 30546  
South Melbourne

Our ref. JBG:KL 83:1113M  
Your ref.

10th July, 1985.

Mr. Damien Codognotto,  
President,  
Motorcycle Riders' Association  
Incorporated,  
440 Elizabeth Street,  
MELBOURNE.

Dear Damien,

re: Motorcycle Riders' Association v R.T.A.  
Tramway Separator Blocks

Further to our previous telephone conversations in regard to this matter, we advise that we were contacted on the 5th July 1985, by the Solicitor acting on behalf of the R.T.A. in regard to their costs and disbursements.

We were advised that they are prepared to accept the sum of \$5,750.00 all inclusive. We point out that this includes their Barristers Fees and other disbursements that may have been incurred.

Quite simply, we consider the amount sought to be more than reasonable as our opinion is that their costs and disbursements, if properly calculated, would exceed \$8,000.00 to \$9,000.00.

At this point of time, we have now written to the said solicitors in regard to the recent article that appeared in the Age in regard to Separator blocks and their removal. A copy of the letter is enclosed for your attention. Naturally, no agreement can be reached in regard to costs and disbursements until we receive a reply, but it would seem appropriate at this point of time that we gain your instructions that in the event that responsibility for costs is to be made by yourself and the Association that you agree upon payment of the sum of \$5,750.00. In addition, please advise the manner in which payment will be made.

Please confirm these instructions in writing.

We have now made application to the Legal Aid Commission in regard to our costs and disbursements. It is our opinion that the Commission will not consider the Application but, there is no harm in trying.

2/...

2/...

re: Motorcycle Riders' Association v R.T.A.  
Tramway Separator Blocks

We are concerned at this point of time in regard to the disbursements that are being required to be paid, more particularly, the Barristers fees and the witness expenses. We enclose our interim disbursement account in regard to the costs by way of witness expenses of the attendance of Constable Ansell and Sgt. Cowen-Hackett at Court.

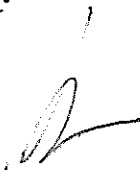
Your attention is drawn to the enclosed invoices. Naturally, should the Commission agree to pay these costs or the RTA, then those moneys will be refunded.

As a preliminary estimate of the outstanding Barristers fees, we advise that the total amount payable to Mr. Richard Stanley, Q.C., is \$5,970.00 the sum of approximately \$2,500.00, is outstanding in regard to Mr. Peter Vickery and we are yet to receive accounts from Mr. Robert Lancey. We have already paid out of our own pocket the sum of \$900.00 to Mr. Alan Meyers, Barrister, for the fees associated with the preliminary advice given by Mr. Meyers and the fees for his initial drafting of documentation.

We will keep you informed as to the developments in regard to this matter.

Yours faithfully,  
BRYAN J. GURRY & CO.

per:



All communications should be addressed to—  
Chief Commissioner of Police  
Box 2763 G.P.O.  
Melbourne, Vic. 3001

Telephone:  
320-3333 3355

VICTORIA POLICE



CHIEF COMMISSIONER'S OFFICE  
POLICE HEADQUARTERS  
380 WILLIAM STREET  
MELBOURNE

23rd May 1985

Our Ref. 14535  
Your Ref. \_\_\_\_\_

Bryan J. Gurry & Co.,  
Solicitors,  
414 St. Kilda Road,  
MELBOURNE. 3004

IN ACCOUNT WITH:

Police Department  
380 William Street,  
MELBOURNE. 3000

RE: ATTENDANCE OF WITNESS

MOTORCYCLE RIDERS ASSOC. & CODOGNOTTO -v- R.T.A.

TO: The costs of the Police Department  
as per the Police Regulation Act 1958  
and Police Salaries and Allowances  
Determination 179, for the attendance of  
Const. K. Ansell 19388  
as witness at the Melb. Supreme Court  
on 18-3, 6-5-85 in relation to the  
abovementioned proceedings.

INCLUDING:

|         |                             |                 |
|---------|-----------------------------|-----------------|
| 2 x 1/2 | Day's salary and allowances | \$ 87.86        |
|         | Travelling allowances       | \$              |
|         | Other expenses incurred     | \$              |
|         |                             | _____           |
|         |                             | \$              |
|         | <u>Less</u> Conduct Money   | \$ 5.00         |
|         |                             | _____           |
|         | <u>TOTAL AMOUNT DUE:</u>    | <u>\$ 82.86</u> |

FORWARD REMITTANCE TO:-  
ACCOUNTANT, POLICE DEPT.  
P.O. BOX 2763Y, G.P.O.  
MELBOURNE, VICTORIA. 3001

SIGNED: .....  
ACCOUNTANT  
POLICE DEPARTMENT

Cheque should be drawn in favour of The Accountant, Police Department, and  
forwarded to the ACCOUNTANT, POLICE DEPARTMENT, P.O. BOX 2763Y, G.P.O.  
MELBOURNE, VIC. 3001.

All communications should be addressed to—  
Chief Commissioner of Police  
Box 1, G.P.O.  
Melb, Vic. 3001

Telephone:  
320-3333

VICTORIA POLICE



27 MAY 1985  
CHIEF COMMISSIONER'S OFFICE  
POLICE HEADQUARTERS  
380 WILLIAM STREET  
MELBOURNE

23rd May, 1985

Our Ref. 14536

Your Ref.

Bryan J. Gurry & Co.,  
Solicitors,  
414 St. Kilda Road, IN ACCOUNT WITH:  
MELBOURNE, 3004

Police Department  
380 William Street,  
MELBOURNE. 3000

RE: ATTENDANCE OF WITNESS

Motorcycle Riders Assoc. & Codognotto-v-R.T.A.

TO: The costs of the Police Department  
as per the Police Regulation Act 1958  
and Police Salaries and Allowances  
Determination 179, for the attendance of  
Sgt. T. Cowen-Hackett 12588  
as witness at the Melb. Supreme Court  
on 18/3, 6/5/85 in relation to the  
abovementioned proceedings.

INCLUDING:

|                                 |                  |
|---------------------------------|------------------|
| 2x½ Day's salary and allowances | \$ 107.32        |
| Travelling allowances           | \$               |
| Other expenses incurred         | \$               |
|                                 | _____            |
|                                 | \$               |
| <u>Less</u> Conduct Money       | \$ 5.00          |
|                                 | _____            |
| <u>TOTAL AMOUNT DUE:</u>        | <u>\$ 102.32</u> |

FORWARD REMITTANCE TO:-  
ACCOUNTANT, POLICE DEPT.  
P.O. BOX 2763Y, G.P.O.  
MELBOURNE, VICTORIA. 3001

SIGNED: .....

*Benda*  
ACCOUNTANT  
POLICE DEPARTMENT

Cheque should be drawn in favour of The Accountant, Police Department, and forwarded to the ACCOUNTANT, POLICE DEPARTMENT, P.O. BOX 2763Y, G.P.O. MELBOURNE, VIC. 3001.

Mr. Damien Codognotto,  
President,  
Motorcycle Riders' Association  
Incorporated,  
440 Elizabeth Street,  
MELBOURNE.

RE: Motorcycle Riders' Association v RIA Tramway Separator  
Blocks

FILE NO. 83.1113M

YOUR REF.: .....

DATE

INTERIM DISBURSEMENT ACCOUNT

TO OUR DISBURSEMENTS:

In regard to witness expenses being :

- |    |                       |          |
|----|-----------------------|----------|
| 1. | Sgt. T. Cowen-Hackett | \$102.32 |
| 2. | Constable K. Ansell   | 82.86    |

|                             |  |          |
|-----------------------------|--|----------|
| By amount required from you |  | \$185.18 |
|-----------------------------|--|----------|

|  |          |          |
|--|----------|----------|
|  | \$185.18 | \$185.18 |
|--|----------|----------|

With compliments:

JBG:KL            10th July 1985.

**DATED**

E.&O.E.

  
.....  
BRYAN J. GURRY & CO