

Wednesday 25<sup>th</sup> February

“Mr Roger Misso  
Mendlesons Solicitors  
8 Station Street  
MITCHAM VIC 3132

“without prejudice”

To Mr Roger Misso

Motorcycle Riders Association of Australia Inc. and Damien Codognotto

We refer to correspondence between your office and the MRAA.

At the MRAA board meeting on Tuesday 24<sup>th</sup> February, we maintain the strong view that it would be difficult for your client to establish the existence of a debt due to the lack of supporting evidentiary material.

The MRAA is also in a current precarious financial position and it would be a violation of our fiduciary duty to commit to a payment that we cannot afford.

This matter will be put forward to the MRAA AGM on February 29<sup>th</sup> 2004 for the membership to discuss and vote on, in doing so there is also a high risk they will vote against any payment to your client as many members seem to be of the view;

- (i) even if the debt is proved, your client faces the risk that he will be paid in instalments and given the MRAA's current financial position there is a possibility that your client will receive instalment payments in the future until the debt is paid in full.



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- (ii) If the MRAA wishes to embark on litigation, we are of the view the MRAA will be successful in defending any claim brought by your client and given the current state of our finances it may prove more viable proposition for the MRAA to defend the claim that to pay out the potential debt.

We await your response.

Yours faithfully,

Brian Beardon  
MRAA President (on behalf of the MRAA Board)