

Mr Damien Codognotto OAM
PO Box 3091,
The Pines Shopping Centre 3109

Dear Mr Codognotto,

Re: Disciplinary Action

I am writing to inform you of the outcome of the Board meeting held on 15 November 2005. As notified to you by registered mail, this meeting was held to review the matter of the statements made by you which led to the instigation of disciplinary proceedings.

The board has noted that you,

- did not provide a written response to the Board's original letter asking why disciplinary action should not be taken, as required by MRAA rules,
- did not take the opportunity to attend the Board meeting to present those reasons and help resolve the matter,
- did not maintain confidentiality of these proceedings as required by the rules, and
- still challenge the authority of the Board to proceed with this matter.

In order to make clear to you that the board has acted within the rules of the organisation, a breakdown of the actions taken by the board is attached (Appendix 1).

At the Board meeting all evidence was presented and your responses were read. After deliberating at length, the Board confirmed that disciplinary action was warranted for the following reasons:

By falsely stating that 'Anton Lange was drummed out of the Ulysses Club' and 'he was blackballed by a motorcycle club':

- with reference to his actual position of good standing in Ulysses, you caused harm to a fellow Member and, by implication, the integrity and stability of the MRAA, and
- with reference to the actions of the Ulysses executive, you caused harm to the MRAA by making those false statements on MRAA forums thereby damaging the MRAA's credibility and integrity with its peer organisation the Ulysses Club.

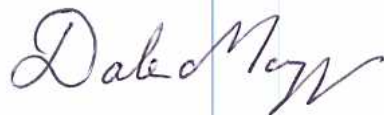
Following this decision a secret ballot was held and the unanimous resolve was that by publishing false statements you have shown reckless disregard for the interests of the MRAA and its members, in contravention of the rules of the organisation.

After further deliberation it was unanimously determined that:

- Your membership of the MRAA and all rights and privileges due to you as a member are to be suspended from the date of this notification.
- The suspension will be removed if you present a written apology,
 - acknowledging that your statements regarding Mr Lange are false,
 - undertaking not to make further false statements, and
 - that copies of this statement are sent to,
 - the MRAA Board,
 - Mr Anton Lange,
 - the National President of Ulysses, and
 - all persons, organisations and e-groups to which original and subsequent emails have been sent by you concerning this matter.
- If that apology is not received within 28 days from this date (i.e. by 18 December 2005), the Board will meet to further consider this matter with regard to your membership.
- During this period, any further breach of the rules will result in immediate action under section 6.

Under Section B6.5 of the Constitution the board's action may be appealed at the next General Meeting *after completion of the process*. However you are reminded that this appeal may only be made on the basis that the Board's action did not comply with the by-laws and Constitution.

Yours Sincerely



Dale Maggs
President MRAA

19 November 2005

.B6.1. If the Board is of the opinion that a Member has acted in a manner described in Section 6 of the Constitution, the Board shall,

B6.1.1. make a resolution stating the Board's opinion.

Following your public distribution of accusations that Anton Lange was "drummed out of Ulysses" the Ulysses organisation was contacted to ascertain the truth of this serious allegation. Responses from both the National President and Vice-President of Ulysses stated that this was not the case, and further stated that Anton was well known and respected and requested that the MRAA deal with the perpetrator of this claim.

This was considered at a Board meeting and a highly respected MRAA member was requested to independently follow up the matter and provide a report and recommendation regarding what further steps the organisation should take.

This investigation included speaking to Ulysses who indicated that they expected action to be taken concerning these statements. Ulysses consider that by your actions they have been brought into disrepute by the MRAA. Further legal advice concerning your statements was also obtained. The final report into this matter that was presented to the Board recommended that you show cause why disciplinary action should not proceed.

This report was formally accepted at the following Board Meeting.

B6.1.2. keep a detailed record of its deliberations and findings, and

B6.1.3. notify the Member in writing,

B6.1.3.1. stating the allegations and the Board's findings, and

B6.1.3.2. inviting the Member to show cause why disciplinary action should not be taken.

These actions have been minuted by the board. at each meeting.

You were notified by registered letter regarding this matter.

Please note the following extract from this letter.

These allegations have since been refuted in writing by the Ulysses National President and Vice-President who have stated that they consider that Anton Lange is a valued member of that organisation. They have also expressed an expectation that the MRAA will take action regarding these allegations.

Following an investigation into this matter, we have obtained advice that these remarks may be considered defamatory and that they have, in fact, brought the MRAA into disrepute.

Please provide written reasons by 11 November 2005 why disciplinary action should not be taken against you in relation to this matter. These submissions will be considered by the board at a special meeting to be held at 5/2 Quist Court Dandenong South on 15 November 2005 at 7.00 pm. You may elect to attend this meeting to speak to your written submissions.

This letter clearly states the board's concerns and their reasons for bringing disciplinary action.

B6.2. The Member,

B6.2.1. shall respond in writing, no later than 14 days after notification and that response shall be considered at a Board Meeting called to deal with the matter,

B6.2.2. may attend that Board Meeting to address the Board in addition to the written submission,

B6.2.3. may be accompanied by another Member as an observer.

It is clearly stated that the meeting on Tuesday 15 November was a board meeting to deal with this matter in the form as specified by section B6.2.1..

Please note that we have not yet received written reasons supporting your case and that the sole correspondence from you has been concerning the constitutionality of this matter.

B6.3. Detailed minutes shall be recorded and,

B6.3.1. confirmed, in writing by the Board, or

B6.3.2. if the Member attended the Board Meeting, a draft copy shall be provided to the Member and, with agreed amendments, shall be confirmed, in writing, by the Board, the Member and the observer, if any.

Please note that a copy of these proceedings is only available should you choose to attend the meeting. (refer B6.3.2 above)

B6.4. The process of investigating any allegations, notification, response and subsequent deliberations shall be confidential to those directly involved.

Please note section B6.4 carefully, as we have grave concerns that you have already seriously compromised this section by your actions to date – specifically the sending of emails concerning this matter to non-board members. In fairness to yourself and to ensure that you receive natural justice the Board has dealt only with those directly involved.

B6.5. The Member may appeal the Board's actions at the next scheduled MRAA General Meeting on the grounds that the process did not comply with,

B6.5.1. Section 6 of the Constitution, or

B6.5.2. Section B6 of the Bylaws.

Any such appeal may only concern the validity of the procedure, the findings of the board or (if applicable) any penalties or conditions imposed by the board are not subject to appeal