

From: David Carrington [<mailto:david.carrington@mornpen.vic.gov.au>]
Sent: Wednesday, 18 April 2018 4:48 PM
To: Michal Roucek; 'robert@ieu.asn.au'
Cc: Sophie Margaret Whish; Manroop Soin; Chambers - Hatcher VP
Subject: RE: Independent Education Union of Australia v Commonwealth of Australia as represented by the Department of Education and others [ABLAW-ImangeDocs.FID165140]

For the attention of the Associate to Vice President Hatcher:

Dear Ammy,

Further to the correspondence below, we wish to apply please to have the production order in question set aside on the basis that the witness statement to which it relates and derives will no longer be in evidence in the matter, per the [attached undertakings from the Union](#).

Please let me know if you have any questions, or what further steps may be required.

Thank you for your assistance.

Yours faithfully
David

From: David Carrington
Sent: Tuesday, 17 April 2018 11:31 PM
To: 'Michal Roucek' <Michal.Roucek@ablawyers.com.au>; 'robert@ieu.asn.au' <robert@ieu.asn.au>
Cc: Sophie Margaret Whish <Sophie.Whish@ablawyers.com.au>; Manroop Soin <Manroop.Soin@Ablawyers.com.au>; 'chambers.hatcher.vp@fwc.gov.au' <chambers.hatcher.vp@fwc.gov.au>
Subject: RE: Independent Education Union of Australia v Commonwealth of Australia as represented by the Department of Education and others [ABLAW-ImangeDocs.FID165140]

Dear Mr Roucek,

Further to your email, please can you confirm what steps by the IEU would satisfy your position below regarding withdrawal.

It is our view that the undertaking provided is sufficient to provide assurance that the evidence will not form part of the case against your client.

Regards
David Carrington

From: Michal Roucek [<mailto:Michal.Roucek@ablawyers.com.au>]
Sent: Tuesday, 17 April 2018 6:12 PM
To: David Carrington <david.carrington@mornpen.vic.gov.au>; 'robert@ieu.asn.au' <robert@ieu.asn.au>
Cc: Sophie Margaret Whish <Sophie.Whish@ablawyers.com.au>; Manroop Soin <Manroop.Soin@Ablawyers.com.au>; 'chambers.hatcher.vp@fwc.gov.au' <chambers.hatcher.vp@fwc.gov.au>
Subject: RE: Independent Education Union of Australia v Commonwealth of Australia as represented by the Department of Education and others [ABLAW-ImangeDocs.FID165140]

Dear Mr Carrington and Mr Seals

Thank you for your correspondence.

We will await confirmation the statement has been withdrawn by the Independent Education Union before providing our client's support for the Orders For the Production of documents to be set aside.

Yours faithfully

Michal Roucek

Senior Associate
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From: David Carrington [<mailto:david.carrington@mornpen.vic.gov.au>]

Sent: 17/04/2018 2:40 PM

To: Sophie Margaret Whish; Manroop Soin

Cc: chambers.hatcher.vp@fwc.com.au

Subject: Independent Education Union of Australia v Commonwealth of Australia as represented by the Department of Education and others

Importance: High

Dear Sirs,

I refer to the production order served upon Mornington Peninsula Shire dated 4 April 2018 in the matter of *Independent Education Union of Australia v Commonwealth of Australia as represented by the Department of Education and others* ("the Order").

Please find attached confirmation from the Union that the witness statement of Thomas Haines-Sutherland is being withdrawn from evidence.

We propose therefore that the Order be set aside/withdrawn by agreement as a matter of urgency.

I should be grateful if you could please confirm your intention in this regard by no later than 5pm tomorrow.

Regards
David Carrington



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