

FACSI 01 1667

PHONE 264 7022

1 Oliver Road  
Lismore 2480

WITH THE COMPLIMENTS OF

**STEVE MASSELOS & CO.**

SOLICITORS

SECOND FLOOR  
114-120 CASTLEREAGH STREET  
SYDNEY, N.S.W. 2000

DX 305

P.O. BOX A988  
SYDNEY SOUTH NSW 2000

# STEVE MASSELOS & CO

SOLICITORS

STEVE G. MASSELOS. LL.B

SECOND FLOOR  
114-120 CASTLEREAGH STREET  
SYDNEY, N.S.W 2000

ALL CORRESPONDENCE TO:  
PO BOX A988  
SYDNEY SOUTH, NSW. 2000.

TELEPHONE	DX	FAX
264 7022	305	261 1667

TRUST RECEIPT No. : R2771

Date: 20.11.96

Received from : J R CORKILL

On behalf of : 5922 CFMEU  
(A/c #) (Client name)

Matter description : RE DEREGISTRATION

Reason for receipt : A/C COSTS AND DISBS

Amount : \$\*\*1,411.00

Received by :

Z. J. Curley

By : Cheque

JRC's chq.

FACSIMILE 261 1667

PHONE 264 7022

John R. Corkill  
149 Keen Street  
Hillmore NSW 2480

WITH THE COMPLIMENTS OF

**STEVE MASSELOS & CO.**

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SYDNEY, N.S.W 2000

ALL CORRESPONDENCE TO:  
PO BOX A988  
SYDNEY SOUTH. NSW. 2000.

TELEPHONE      DX      FAX  
264 7022      305      261 1667

TRUST RECEIPT No. : R2729

Date: 06.11.96

Received from : J. CORKILL

By : Cheque

On behalf of : 5922 CFMEU  
(A/c #) (Client name)

*NEFA Chq.*

Matter description : RE DEREGISTRATION

Reason for receipt : PART PAYMENT OF COSTS AND DISBS

Amount : \$\*\*1,400.00

Received by : *[Signature]*

**Commonwealth Bank**  
Commonwealth Bank of Australia  
ACN 123 123 124



Do not complete deposit  
receipt if passbook is  
being presented

Date

20 11 96

Account Identification Number

2565 1018 1269

Account Name

North East Forest Alliance (NEFA)

\$ 50.00

**Deposit Receipt**

Proceeds of cheques not available until cleared.  
Please retain for statement verification.



**Commonwealth Bank**  
Commonwealth Bank of Australia  
ACN 123 123 124



Do not complete deposit  
receipt if passbook is  
being presented

Date

26 11 96

Account Identification Number

25651018 1269

Account Name

N-E-F-A.

\$ 300.00

**Deposit Receipt**

Proceeds of cheques not available until cleared.  
Please retain for statement verification.



North East Forest Alliance  
(Legal Defence Fund)

NAME: SOCIAL CHANGE TRAINING & RESOURCE CTR

ADDRESS: 2 TERANIA ST, THE CHANNON, 2480

CHEQUE ENCLOSED FOR \$ 25-

SEND TO: NEFA  
149 Keen St,  
Lismore, 2480

ALSO BOBBI ALLAN  
346 THE CHANNON RD  
VIA LISMORE  
2480.

\$ 25 —

North East Forest Alliance  
(Legal Defence Fund)

NAME: Lyn Carson & Stuart White

ADDRESS: 9 Jasmyne St Lismore 2480

CHEQUE ENCLOSED FOR \$ 25.....

SEND TO: NEFA  
149 Keen St,  
Lismore, 2480

Chq banked.  
\$25

North East Forest Alliance  
(Legal Defence Fund)

NAME: IAN COHEN & JAN BARRHAM

ADDRESS: PARLIAMENT HOUSE MACQUARIE ST

CHEQUE ENCLOSED FOR \$ 200 + \$50

SYDNEY 2,000

SEND TO: NEFA  
149 Keen St,  
Lismore, 2480

\$ 200.00  
50.00

Marice, could I get a receipt on this please  
Thanks for



North East Forest Alliance  
(Legal Defence Fund)

NAME: JENI + PAUL KENDALL - TAIT

ADDRESS: RMB 116 Blue Knob Rd Numbur NSW 2480

CHEQUE ENCLOSED FOR \$ 50.00

SEND TO: NEFA  
149 Keen St,  
Lismore, 2480

Gaia  
Films

R.M.B. 116 Blue Knob Road  
NIMBIN. NSW 2480 Australia  
Phone: (066) 89 7236  
Fax: (066) 89 7287

Dear John,

All our very best wishes & it  
gives us great pleasure to help  
with your great work

With Compliments

Love + light  
Jen + Paul

North East Forest Alliance  
(Legal Defence Fund)

NAME:

R Oldroyd

ADDRESS:

2 Ostrom St, 5th Lismore

CHEQUE ENCLOSED FOR \$ 20 .....

SEND TO: NEFA

149 Keen St,  
Lismore, 2480

M.O. ~~cash~~ \$20.00

John Cashill

Oct. 2. 96

Hi John

enclosing further donation \$1000

GREEN ALLIANCE NETWORK  
BOX 9 SINGLETON 2330  
NSW AUSTRALIA  
065-773105

towards Court Case expenses. I'm thinking it  
is maybe a large order for a fundraising gig; &  
if fundraising plus any other donations achieves a  
surplus, then I'm sure NEFA could use it;  
& I'm glad GAN is in a position to assist  
in this way.

Very best wishes

Love

Bonnie

# North East Forest Alliance Ph/Fax 066 224 737. C/-149 Keen St Lismore 2480.

## Friends of NEFA's Legal Defence Fund (Donations towards court costs in Corkill vs CFMEU IRCA)

Donor	Cash / Cheque	Amount	Deposited	Date	Prog Total
Green Alliance Network	Cheque	1,000.00	JRC a/c	6/11/96	1 000.00
Georgia Beyer	Cash	250.00	JRC's a/c		1 250.00
Mick [redacted]	Cash	250.00	JRC's a/c	5/11/96	1 500.00
Ian Cohen MLC	Cheque	200.00	NEFA a/c	} 4/11/96	
Jan Barham	Cheque	50.00	NEFA		
Lyn Carson & Stuart White	Cheque	25.00	NEFA		
Ben Kilvert	Cash	250.00	NEFA		
					525 2 025.00
Jenny Kendall & Paul Tait	Cheque	50.00	NEFA	6/11/96	
R Oldroyd	Money Order	20.00	NEFA		70 2 095.00
Social Change	Chq	25.00		20/4/96	50
Bobby Allan	Chq	25.00			100 2 245.00
Cash/ Vito?	Cash	100.00			
Will Banks	Cash	20.00			
S. Watt	Cash	25			
W. Pattison	Cash	20			65 2 310.00
J. Connor	Chq	300.00			2610.00



# N.E.F.A.

North East Forest Alliance

Ph/Fax 066 224 737, C/-149 Keen St Lismore 2480.

## Friends of NEFA's Legal Defence Fund (Donations towards court costs in Corkill vs CFMEU IRCA)

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Green Alliance Network	Cheque	1,000.00	JRC a/c		
Georgia Beyer	Cash	250.00	JRC's a/c		
Mick Egan	Cash	250.00	JRC's a/c		
Ian Cohen MLC	Cheque	200.00	NEFA a/c		
Jan Barham	Cheque	50.00	NEFA		
Lyn Carson & Stuart White	Chequer	25.00	NEFA		
Ben Kilvert	Cash	250.00	NEFA		
Jenny Kendall & Paul Tait	Cheque	50.00	NEFA		
R Oldroyd	Money Order	20.00	NEFA		

---

**John R Corkill**  
Public Interest Advocate,  
Environmental Educator, Planner, Policy Adviser

---

*1 Oliver Place, Lismore. 2480. Phone 066 21 6824 h 066 22 4737 w.*

November 1996

Mr Steve Masselos,  
Steve Masselos & Co, Solicitors,  
2nd Floor, George Bosch Chambers,  
114 - 120 Castlereagh Street, SYDNEY.

Ph: 02 264 7022; Fax: 02 261 1667

Your ref: SGM/vc/5922

Dear Mr Masselos,

**Re Corkill vs CFMEU In the Industrial Relations Court No. NI95/4744**

I refer to your letter of 16 October 1996 enclosing a Certificate of Taxation in the above matter, and to my letter of 4 November enclosing a cheque for \$1,400 as part-payment.

In that letter I undertook to complete the payment of this amount by the end of this calendar month November 1996. I wish to do so now.

Please find attached a further cheque for \$1,411.00 being the final payment of costs in this matter.

Yours sincerely,



**STEVE MASSELOS & CO.**

SOLICITORS

STEVE G. MASSELOS. LL.B

OUR REF: **Mr Masselos/vc/5922**  
YOUR REF:

16 October 1996

Red 22/10/96  
JRe  
SECOND FLOOR  
114-120 CASTLEREAGH STREET  
SYDNEY, N.S.W 2000

ALL CORRESPONDENCE TO:  
PO BOX A988  
SYDNEY SOUTH. NSW. 1235.

TELEPHONE 9264 7022 DX 305 FAX 9261 1667

TOLL FREE TELEPHONE 1 800 645 099 TOLL FREE FAX 1 800 063 179

**CERTIFIED MAIL**

Mr J. Corkill,  
149 Keen Street,  
LISMORE. NSW. 2480.

Dear Sir,

Re: Industrial Relations Court of Australia  
NI 95/4744  
CONSTRUCTION FORESTRY MINING & ENERGY UNION  
& GAVIN HILLIER ats. JOHN ROBERT CORKILL

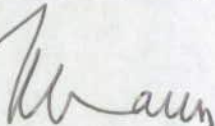
We refer to previous correspondence herein and now enclose by way of service on you Certificate of Taxation dated October 1 1996.

As appears from the Certificate of Taxation, costs in the sum of \$2811.00 have been awarded to our client Union.

You are requested to let us have your cheque in payment of our client's costs within the ensuing fourteen (14) days failing which action will be taken for their recovery.

Yours faithfully,  
**STEVE MASSELOS & CO.,**

Per:  
Encl/s.





**IN THE INDUSTRIAL RELATIONS COURT OF AUSTRALIA  
NEW SOUTH WALES DISTRICT REGISTRY**

**No. NI 4744 of 1995**

**BETWEEN:**

**Robert John CORKILL**

**Applicant**

**AND**

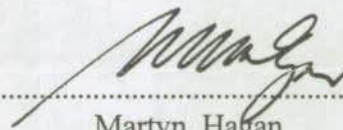
**CONSTRUCTION FORESTRY MINING AND ENGERGY UNION**

**Respondent**

**CERTIFICATE OF TAXATION**

I certify that I have taxed and allowed the respondent's costs to be paid by the applicant pursuant to the order of Wilcox CJ made on 7 March 1996 at \$2811.00.

Dated: 1 October 1996



Martyn Hagan  
Taxing Officer



## FRIENDS of the LEGAL DEFENCE FUND

Dear friend

We are writing to seek a donation to meet the legal debts of John Corkill - forest campaigner.

Lot's of people cannot attend direct actions, go to forest protests, get arrested or spend months in court. Those at the front line of forest protection often take serious risks to achieve major gains - but they can also get themselves into debt. Those who can't take these risks can help out.

For example, our friend John Corkill from the North East Forest Alliance (NEFA) took the timber workers union to court for their threats of violence during a forest protest in December 1995 and has consequently incurred legal debts of several thousand dollars. (See details on attached page). This was an anti-violence action, not an anti-union action. You may be aware that John has been a prime mover in forest actions for many years, notably defending the forests of Chaelundi and North Washpool. But all this has cost a lot of money.

Over the past seven years, the legal actions that John has taken have helped produce the following results:

- \* NSW State Forests having to do Environmental Impact Statements properly,
- \* endangered species being given greater protection
- \* increased protection of water quality in logging areas; and
- \* major improvements in complying with the Freedom of Information Act.

So what can you do to help?

Write a cheque made out to the North East Forest Alliance and send with the form below.

For further information contact Maria Walsh (066) 223826 or Sandra Heilpern (066) 871544

Thank you for considering this request. Any contribution will be greatly appreciated.

Yours sincerely,

*Sandra Heilpern* *Maria Walsh*



---

**John R Corkill**  
Public Interest Advocate,  
Environmental Educator, Planner, Policy Adviser

---

*1 Oliver Place, Lismore. 2480. Phone 066 21 6824 h 066 22 4737 w.*

Mr Steve Masselos,  
Steve Masselos & Co, Solicitors,  
2nd Floor, George Bosch Chambers,  
114 - 120 Castlereagh Street, SYDNEY.  
Ph: 02 264 7022; Fax: 02 261 1667  
Your ref: SGM/vc/5922

4/11/ 1996

Dear Mr Masselos,

**Re Corkill vs CFMEU In the Industrial Relations Court No. NI95/4744**

I refer to your letter of 16 October 1996 enclosing a Certificate of Taxation to the value of \$2,811.00 in the above matter, received by me in Lismore on 22/10/1996. I note your requested terms of settlement being 14 days.

Please find attached a cheque to the value of \$1,400 being part-payment of the awarded amount. I undertake to complete the payment of this amount by the end of this calendar month November 1996.

You may be assured, and may assure your clients, that I will honour this debt and finalise this matter within the month.

I hope this arrangement will be satisfactory.

Yours sincerely,

---

**John R Corkill**  
Public Interest Advocate,  
Environmental Educator, Planner, Policy Adviser

---

*1 Oliver Place, Lismore. 2480. Phone 066 21 6824 h 066 22 4737 w.*

Mr Steve Masselos,  
Steve Masselos & Co, Solicitors,  
2nd Floor, George Bosch Chambers,  
114 - 120 Castlereagh Street, SYDNEY.  
Ph: 02 264 7022; Fax: 02 261 1667

4/11/ 1996

Your ref: SGM/vc/5922

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I hope this arrangement will be satisfactory.

Yours sincerely,



**IN THE INDUSTRIAL RELATIONS COURT OF AUSTRALIA  
NEW SOUTH WALES DISTRICT REGISTRY**

**No. NI 4744 of 1995**

**BETWEEN:**

**Robert John CORKILL**

**Applicant**

**AND**

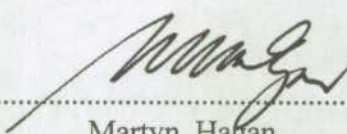
**CONSTRUCTION FORESTRY MINING AND ENGERGY UNION**

**Respondent**

**CERTIFICATE OF TAXATION**

I certify that I have taxed and allowed the respondent's costs to be paid by the applicant pursuant to the order of Wilcox CJ made on 7 March 1996 at \$2811.00.

Dated: 1 October 1996

  
Martyn Hagan  
Taxing Officer



**OBJECTIONS to BILL of COSTS**

Applicant  
JOHN ROBERT CORKILL

First Respondent  
CONSTRUCTION, FORESTRY  
MINING & ENERGY UNION ~ ('the CFMEU')

Application for the cancellation of the registration of the Construction Forestry Mining and Energy Union

---

I am the Applicant in this matter.

On 7 March 1996 Mr Justice Wilcox awarded costs against me on a limited basis only.

I have the following objections to the Bill of Costs filed with the Court on 30 May 1996, by Mr Masselos on behalf of the CFMEU.

The Bill includes costs not ordered against me by His Honour. Wilcox J expressly declined to order the costs of Mr Hillier against me, when requested to do so by Mr Nolan. I recall His Honour expressly stating that the costs awarded were "for the Union's costs for that day's hearing".

Since paragraph 3 of Mr Masselos's advice in his Bill of Costs states this, I am at a loss to know why Mr Masselos has included costs which pre-date the formal joining of the Union on 18 January 1996 or Mr Masselos serving on me of a Notice of Appearance on behalf of the CFMEU on 19 February 1996. It was 21 February 1996 when Mr Masselos filed his Notice of Motion to have the matter dismissed, and it was this motion which was heard and agreed to by His Honour on 7 March 1996.

Costs associated with earlier hearings on 2nd February were not the Union's, since Mr Nolan insisted in his appearance before Wilcox CJ on that day that he was not instructed by the Union. This refusal by Mr Nolan to seek instructions from the Union, despite the direct request of HH, led to a further hearing being required on 7 March, by which time the CFMEU had filed a Notice of Motion to dismiss the matter.

Mr Masselos claims to have been instructed by the CFMEU from 24 January 1996 and to have attended Court on 2 February, yet he did not approach the Bench when His Honour sought to resolve the matter on that day and specifically sought an appearance by the CFMEU. Even more strangely, the Bill of Costs includes Mr Nolan's fees for his appearance on 2 February, the very day he told HH that he was not instructed by the CFMEU but by Mr Hillier.

I object to being billed for all the costs claimed by Mr Masselos on the basis that most of these are not costs incurred by the Union, but by Mr Hillier, or they are not costs associated with that day's (7 March) hearing.

I also object to the claim of some \$300.00 for general care & conduct. I do not understand what these costs represent, but Mr Masselos repeatedly misspells my surname despite me writing and requesting he note the correction. I was billed by Mr Masselos, for his time to read & file my letter (which I also object to), then further errors occur!

I especially object to the claiming of costs incurred after the hearing and the award of costs for that day's hearing. There could be no end to this!

*J.R. Corkill*  
JR Corkill  
Applicant

26/7/96

The Applicant's address for service is:  
The Applicant's address is:

149 Keen Street, Lismore. 2480 or per fax 066 222 676  
1 Oliver Place, Lismore. 2480.



To IRCA 02 239 8330  $\frac{fx}{no}$

11-57am EST

per JRC



---

**John R Corkill**  
Public Interest Advocate,  
Environmental Educator, Planner, Policy Adviser

---

*1 Oliver Place, Lismore. 2480. Phone 066 21 6824 h 066 22 4737 w.*

## FAX MESSAGE

TO: Mr Martin Hagan

Date: 26/7/1996

AT: The Industrial Relations Court of Australia;  
NSW District Registry

Fax No. 02 239 8330

No. of Pages incl. this: one [ 1 ]

---

Dear Mr Hagan,

RE Corkill vs CFMEU - No. NI 95/4744

Thank you for your assistance in my telephone inquiry on 7 July.

Please find following my objections to the Bill of Costs served on me by Mr Masselos on behalf of the CFMEU.

Yours sincerely,

*J.R. Corkill.*

If this fax is imperfect please phone the sender on 066 224 737

---



\$ 2740



**INDUSTRIAL RELATIONS  
COURT OF AUSTRALIA**

9 July, 1996

Level 5, 75-85 Elizabeth Street  
Sydney NSW 2000  
Tel (02) 239 8333  
Fax (02) 239 8330  
DX 644 Sydney

Our Ref: MH96/246

Mr. John R Corkill  
144 Keen Street  
LISMORE NSW 2400  
By facsimile: 066 222 676

Steve Massellos and Co.  
Solicitors  
DX 305 SYDNEY  
By facsimile: 261.1667

**Re: NI95/4744 Corkill -v- CFMEU  
Taxation of Bill of Costs**

I refer to the Respondent's Bill of Costs, which was filed at this Court on 30 May 1996. I further refer to my telephone conversation with Messrs Corkill and Massellos on 8 July 1996.

I confirm that both parties have agreed to conduct the taxation of the Bill of Costs by way of written submissions. Consequently, I direct that the Respondent to the Bill of Costs, Mr. Corkill, file and serve his written objections to the Bill of Costs by Monday, 29 July 1996. The solicitor for Applicant to the Bill of Costs, Mr. Massellos, is to file and serve any reply to the Respondent's objections to the Bill of Costs by Friday, 9 August 1996. I will then tax the Bill of Costs on Monday, 12 August 1996 and issue a notification as to my decision.

I note from my conversation with Mr. Massellos, that he will have the relevant orders of the Chief Justice entered prior to the date of the taxation.

  
Martyn Hagan  
District Registrar

Direct line: 239 8369

draft

In the INDUSTRIAL RELATIONS COURT of AUSTRALIA,  
NEW SOUTH WALES DISTRICT REGISTRY

NI 95/4744

## OBJECTIONS to BILL of COSTS

Applicant  
JOHN ROBERT CORKILL

First Respondent  
CONSTRUCTION, FORESTRY  
MINING & ENERGY UNION ~ ('the CFMEU')

Application for the cancellation of the registration of the Construction Forestry Mining and Energy Union

---

I am the Applicant in this matter.

On 7 March 1996 Mr Justice Wilcox awarded costs against me on a limited basis only.

I have the following objections to the Bill of Costs filed with the Court on 30 May 1996, by Mr Masselos on behalf of the CFMEU.

The Bill includes costs not ordered against me by His Honour. Wilcox J expressly declined to order the costs of Mr Hillier against me when requested to do so by Mr Nolan. His Honour expressly stated that the costs awarded were the Union's costs for that day's hearing.

Since paragraph 3 of Mr Masselos's advice in his Bill of Costs states this fact, I am at a loss to know why Mr Masselos has included costs which pre-date the formal joining of the Union on 18 January 1996 or Mr Masselos serving on me of a Notice of Appearance on behalf of the CFMEU on 19 February 1996. It was 21 February 1996 when Mr Masselos filed his Notice of Motion to have the matter dismissed, and it was this motion which was heard and agreed to by His Honour on 7 March 1996.

Costs associated with earlier hearings on 2nd February were not the Union's, since Mr Nolan insisted in his appearance before Wilcox CJ on that day that he was not instructed by the Union. This refusal by Mr Nolan to seek instructions from the Union, led to a further hearing being required on 7 March, by which time the CFMEU had filed a Notice of Motion to dismiss the matter.

Mr Masselos claims to have been instructed by the CFMEU from 24 January 1996 and to have attended Court on 2 February, yet he did not approach the Bench when His Honour sought to resolve the matter on that day and specifically sought an appearance by the CFMEU. Even more strangely, the Bill of Costs includes Mr Nolan's fees for his appearance on 2 February, the very day he told HH that he was not instructed by the CFMEU but by Mr Hillier.

*since this was the date of the CFMEU's Notice of Motion*  
I believe only those costs from 21 February 1996 to be covered by HH award of costs for that day's ( 7 March ) hearing. I have marked with a ( + ) on the attached pages, those costs I accept are recoverable from me under HH order. They total \$ 1,377.00.

All other costs claimed by Mr Masselos I object to on the basis that they are not costs incurred by the Union, or are not costs associated with that day's (7 March) hearing.

*I object to the claim of general care + conduct (\$300)*

I especially object to the claiming of costs incurred after the hearing and the award of costs for that day's hearing. There could be no end to this!

JR Corkill  
Applicant

The Applicant's address for service is:  
The Applicant's address is:

149 Keen Street, Lismore. 2480 or per fax 066 222 676  
1 Oliver Place, Lismore. 2480.



**INDUSTRIAL RELATIONS  
COURT OF AUSTRALIA**

9 July, 1996

Level 5, 75-85 Elizabeth Street  
Sydney NSW 2000  
Tel (02) 239 8333  
Fax (02) 239 8330  
DX 644 Sydney

Our Ref: MH96/246

Mr. John R Corkill  
144 Keen Street  
LISMORE NSW 2400  
By facsimile: 066 222 676


Steve Massellos and Co.  
Solicitors  
DX 305 SYDNEY  
By facsimile: 261.1667

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Martyn Hagan  
District Registrar

Direct line: 239 8369



**INDUSTRIAL RELATIONS  
COURT OF AUSTRALIA**

9 July, 1996

Level 5, 75-85 Elizabeth Street  
Sydney NSW 2000  
Tel (02) 239 8333  
Fax (02) 239 8330  
DX 644 Sydney

*FAKED 10/7/96 J.*

Our Ref: MH96/246

Mr. John R Corkill  
144 Keen Street  
LISMORE NSW 2400  
By facsimile: 066 222 676

Steve Massellos and Co.  
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I note from my conversation with Mr. Massellos, that he will have the relevant orders of the Chief Justice entered prior to the date of the taxation.

Martyn Hagan  
District Registrar

Direct line: 239 8369

11:00am 7/7/96

## File Notes

Phoned Martin Hagan (sp?) @ Industrial Relations Court  
in response to his phone message. 02 239 8369

Hagan advised that Messelos had lodged the bill of costs in  
the Union case and was pressing for an early taxation of  
the bill, claiming that there wouldn't be objections to the bill.

I said I didn't agree. HH had ordered costs in a limited way and  
had specifically refused <sup>to award</sup> Mr Mulliers costs against me. I considered  
the bill to be the whole of the costs which I objected to  
as being beyond HH order. (Wits about you!)

Mr Hagan was seeking my agreement to a process + timetable  
for the Court's consideration of the bill of costs + its taxation.

We agreed that he would receive submissions from me  
in writing + where there was need, could convene either phone  
or video conference for a hearing, to prevent the  
need to travel to Sydney for a 1/2 hour appearance.

My written submissions ~~were~~ required by 3 weeks  
and depending on my speed the matter could soon  
be solved since Messelos was pressing for an <sup>quick</sup> ~~immediate~~  
result.



and 2 Broken seats in girls toilet

\$437.00

**STEVE MASSELOS & CO**

SOLICITORS

STEVE G. MASSELOS. LL.B

OUR REF: **Mr Masselos/vc/5922**  
YOUR REF:

11 June 1996

SECOND FLOOR  
114-120 CASTLEREAGH STREET  
SYDNEY, N.S.W 2000

ALL CORRESPONDENCE TO:  
PO BOX A988  
SYDNEY SOUTH. NSW. 2000.

TELEPHONE 264 7022      DX 305      FAX 261 1667

TOLL FREE TELEPHONE 1 800 645 099      TOLL FREE FAX 1 800 063 179

**CERTIFIED MAIL**

Mr J. Corkill,  
149 Keen Street,  
LISMORE. NSW. 2480.

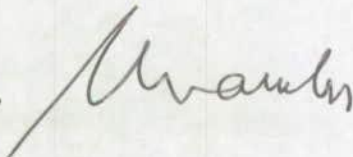
Dear Sir,

Re: Industrial Relations Court of Australia  
NI 95/4744  
CONSTRUCTION FORESTRY MINING & ENERGY UNION  
& GAVIN HILLIER ats. JOHN ROBERT CORKILL

Please find enclosed Bill of Costs of Respondent by way of service upon you.

Yours faithfully,  
**STEVE MASSELOS & CO.,**

Per:  
Encl/s.





IN THE INDUSTRIAL RELATIONS COURT  
OF AUSTRALIA  
NEW SOUTH WALES DISTRICT REGISTRY

No. NI 95/4744

BETWEEN:

JOHN R. CORKHILL  
Applicant

AND

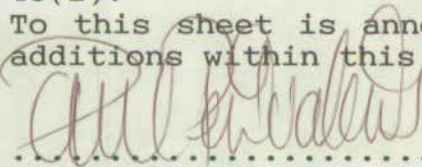
CONSTRUCTION FORESTRY MINING AND  
ENERGY UNION  
Respondent

INDUSTRIAL RELATION  
COURT OF AUSTRALIA  
30 MAY 1996  
FILED  
NSW DISTRICT REGISTRY

**BILL OF COSTS OF RESPONDENT**

CERTIFICATE PURSUANT TO FEDERAL COURT RULES ORDER 62 RULE  
40(2):

To this sheet is annexed a calculator printout verifying the  
additions within this bill of costs.

  
.....  
S Masselos  
Solicitor by his employed Solicitor

Dated:

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STEVE MASSELOS & CO  
Solicitors  
George Bosch Chambers  
114-120 Castlereagh Street  
SYDNEY NSW 2000

Telephone 264 7022  
Facsimile 261 1667  
Reference SGM/VC  
P O Box A988 Sydney South  
DX 305 SYDNEY

Date	Item	Description	Amount
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1. In this matter the solicitors received instructions to act for the Construction Forestry Mining and Energy Union, the First Respondent to oppose an application by the Applicant to de-register the Union, and other orders.

2. The Application made by the Applicant, a "public interest" advocate, was based on complaints as to threats alleged to have been made by CFMEU officials to commit acts of violence on members of the public exercising their rights by protesting in forest disputes.

3. The Application as initially filed on 6 December, 1995 had sought the Orders against Mr Hillier, but the Application was subsequently amended in accordance with Directions made 20 December, 1995 to add the Union as First Respondent. In accordance with the costs orders of 7 March, 1996, costs in this Bill relate only to the costs of the Construction Forestry Mining and Energy Union, and not to the costs of Gavin Hillier.

4. On receipt of the Amended Application joining the Union as First Respondent on 24/1/96, and perusal of that application together with the other documents served by the Applicant with the Amended Application, including a detailed and lengthy affidavit by the Applicant, the solicitor prepared a Motion and affidavit in support on 21/2/96 seeking orders that the application be dismissed and that the Respondent's legal costs be paid by the Applicant. The Motion was based on the Respondent's contention that the application disclosed no basis under s.294 of the Industrial Relations Act 1988 for the de-registration of the CFMEU.

5. The respondent's motion was heard on 7/3/96, when Wilcox CJ ordered that the Motion be dismissed and the Applicant pay the costs of the Construction Forestry Mining and Energy Union.

6. The solicitor with the conduct of the matter was Mr Masselos, the principal of the firm.



Date	Item	Description	Amount
		Work done from 1/8/95	
1	24/01/96	1 Instructions to <u>oppose</u> application to de-register Union on behalf of Construction Forestry Mining & Energy Union	136.00
2	.	25 Receiving and filing incoming letter via facsimile	5.00
3	.	17 Perusal of letter from Applicant serving Amended Application, affidavit in reply to affidavit of Mr Greenhill sworn 12/12/95 and preliminary outline of legal submissions, and noting matter listed for 2/2/96	11.00
4	.	17 Perusal of Amended Application dated 18/1/96	11.00
5	.	17 Perusal of Affidavit of J R Corkhill sworn 18/1/96 - 6 folios	12.00
6	.	17 Perusal of Preliminary outline of Legal Submissions of Applicant	11.00
7	.	5 Instructions for brief to counsel to advise and appear	74.00
8	25/01/96	24 Facsimile to Construction Forestry Mining and Energy Union enclosing copies of letter from Applicant received 24/1/96 and attached documents (excluding bulky affidavit of 27/1/96)	41.00
9	.	24 Facsimile to counsel of above documents	41.00
10	.	25 Receiving and filing incoming letter by facsimile	5.00
11	.	17 Perusal of above letter from Industrial Relations Court of Australia advising matter listed for trial on 2/2/96	11.00
Subtotal			358.00

Date	Item	Description	Amount
12	29/01/96	17 Perusal of affidavit of J R Corkhill sworn 27/1/96 - 61 folios	122.00
13	.	17 Perusal of annexures to above affidavit - 60 pages - in excess of but 75 folios claimed	150.00
14	.	20 Short letter to Construction Forestry Mining and Energy Union enclosing copy affidavit of Affidavit of Applicant sworn 27/1/96	9.00
15	.	16 Copying - 79 pages - enclosure	79.00
16	.	20 Short letter to counsel enclosing copy of above affidavit	9.00
17	.	16 Copying - 79 pages - enclosure	79.00
18	.	20 Short letter to counsel enclosing copy letter from Industrial Relations Court of Australia of 25/1/96	9.00
19	.	16 Copying - 1 page - enclosure	1.00
20	.	20 Short letter to Construction Forestry Mining and Energy Union enclosing copy letter from Industrial Relations Court of Australia of 25/1/96	9.00
21	.	16 Copying - 1 page - enclosure	1.00
22	02/02/96	37 Attending instructing counsel at Court Coram Wilcox CJ. - on discussions following which matter stood over for telephone directions 20/2/96 - 3 hours	432.00
23	.	17 Perusal of Respondent's Outline of Submissions (drafted by counsel) - 15 folios	30.00
Subtotal			930.00



	Date	Item	Description	Amount	
24	14/02/96	2	Instructions to make interlocutory application by Motion to dismiss proceedings	60.00	
25	.	21	Letter to counsel requesting availability to participate in telephone directions fixed for 20/2/96 and re: Motion to dismiss	14.00	
26	19/02/96	8	Preparing Notice of Appearance including copies filing and service on Applicant (by certified mail and facsimile)	75.00	+
27	.	21	Letter to counsel enclosing copies of Notice of Appearance and letter to Applicant	14.00	+
28	.	16	Copying - 2 pages - enclosures	2.00	+
29	21/02/96	9	Preparing Notice of Motion to dismiss application including copies to file and serve and attending to file	60.00	+
30	.	14	Drawing Affidavit in Support of Notice of Motion - 2 folios	12.00	+
31	.	15	Engrossing above affidavit	4.00	+
32	.	31	Attendance by S Masselos solicitor to affirm above affidavit	39.00	+
33	.	16	Copying - 1 page - service copy of affidavit	1.00	+
34	.	27	Service of Motion and Affidavit on Applicant (by certified post)	11.00	+
35	.	21	Letter to counsel enclosing copies of Notice of Motion and Affidavit	14.00	+
36	.	16	Copying - 2 pages - enclosures	2.00	+
37	07/03/96	37	Attendance at Court Coram Wilcox CJ. on hearing of Motion with counsel: 2.15 - 4.05pm: - 2 hours	288.00	+

Subtotal

596.00

74.00

522.00

Date	Item	Description	Amount
38	08/03/86	25 Receiving and filing incoming letter	5.00
39	.	17 Perusal of letter from counsel with memorandum of fees	11.00
40	.	20 Short letter to client enclosing counsel's memorandum of fees and seeking cheque for payment	9.00
41	11/04/96	14 Drawing bill of costs - 14 folios @ \$6.00 per folio	84.00
42	.	15 Engrossing bill of costs - 14 folios @ \$2.00 per folio	28.00
43	.	16 Copying - 14 pages - bill of costs for service @ \$1.00 per page	14.00
44	.	30 Attendance to file bill of Costs at Registry	22.00
45	.	27 Service of bill of costs	11.00
46	.	25 Receiving and filing incoming letter	5.00
47	.	17 Perusal of letter from Applicant serving objections	11.00
48	.	17 Perusal of objections - 10 folios (estimate)	20.00
49	.	25 Receiving and filing incoming letter	5.00
50	.	17 Perusal of letter from Registry advising of appointment for taxation hearing	11.00
51	.	39 Attendance on taxation by solicitor - 1 hour	88.00
52	.	10 Drawing engrossing and copying Certificate of Taxation including filing and service	48.00
Subtotal			372.00
53	.	41 General care and conduct: - see narrative at page 2 of Bill	300.00

Date	Item	Description	Amount
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### DISBURSEMENTS

#### Counsel's fees: J Nolan

1	01/02/96	Preparation and draft submissions (3 hours)	660.00
2	02/02/96	Hearing - AIRCt - Wilcox CJ. - notice of Motion (half day)	800.00
3	20/02/96	Telephone Directions Hearing - Wilcox CJ	80.00
4	07/03/96	Hearing - AIRCt - Wilcox CJ - motion to dismiss application (half day)	800.00
Subtotal			2,340.00

#### Miscellaneous

5	25/01/96	Facsimile to client (6 pages)	6.00	+
6	.	Facsimile to counsel (6 pages)	6.00	+
7	.	Receiving facsimile from Court - 2 pages	2.00	+
8	19/02/96	Facsimile of Notice of Appearance to Applicant in Lismore (2 pages)	2.00	+
9	.	Certified Mail to Applicant in Lismore	3.00	+
10	21/02/96	Facsimile of Notice of Motion and affidavit to Applicant in Lismore (3 pages)	3.00	+
11	.	Certified Mail to Applicant in Lismore	3.00	+
12	.	Sundry expenses including telephone, stationery and postage	30.00	+
Subtotal			55.00	



Date	Item	Description	Amount
SUMMARY			
<u>Work done from 1/8/95</u>			
Page 3			358.00
Page 4			930.00
Page 5			372.00
Page 5	General care and conduct		300.00
			-----
			1,960.00
	Add disbursements:		2,395.00
			-----
	Total costs and disbursements:		4,355.00
			-----

522  
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