

**RECORD OF INTERVIEW - KRYSTAL F**

*OP GRAND*

EXHIBIT No. 332  
*[Signature]* CLERK

**TAPE NO:** 1 (of 2)

**DATE:** 25.01.06

**PLACE:** CMC

**TIME COMMENCED:** 10:50

**TIME CONCLUDED:** 11:46

**INTERVIEWEE:** KRYSTAL RZESZKOWSKI

**INTERVIEWER/S:  
ALSO PRESENT:** DETECTIVE INSPECTOR KEN BEMI  
CIVILIAN INVESTIGATOR CRAIG HAWKINS

**LEGAL OFFICER:** DANIEL BOYLE

**RE:** OPERATION GRAND

**FILE NUMBER:** MI-05-2482

Complainant: OPERATION GRAND  
Subject(s): OPERATION GRAND  
Investigator: DETECTIVE INSPECTOR KEN BEMI  
Statement Of: KRYSTAL RZESZKOWSKI  
Legal Officer: DANIEL BOYLE  
File Number: MI-05-2482  
Directory :

COPY TAPE 1 OF 2 - RECORD OF INTERVIEW BETWEEN DETECTIVE INSPECTOR KEN BEMI OF THE CRIME AND MISCONDUCT COMMISSION AND KRYSZAL RZESZKOWSKI. HELD AT THE CRIME AND MISCONDUCT COMMISSION ON WEDNESDAY 25 JANUARY 2006. ALSO PRESENT CIVILIAN INVESTIGATOR CRAIG HAWKINS OF THE CRIME AND MISCONDUCT COMMISSION.

LEGAL OFFICER: DANIEL BOYLE

RE: OPERATION GRAND

KB = Detective Inspector Ken Bemi (CMC)  
KR = Krystal Rzeszkowski  
CH = Civilian Investigator Craig Hawkins (CMC)  
ND = Nieve O'Donoghue (Solicitor)

1 KB This is the right time. The time now is 11:04 am on Wednesday the 25<sup>th</sup> day of January  
2 2006. I am present in an interview room at the Crime and Misconduct Commission in  
3 Brisbane and I am about to conduct an audio recorded interview with a person whom I  
4 know to be Krystal Rzeszkowski in relation to a matter that the Crime and Misconduct  
5 Commission is currently undertaking in relation to the Gold Coast City Council Inquiry  
6 and in particular a rates discount issue and for the purposes of voice identification I'll ask  
7 every person present here starting with myself to state their full and correct name. My  
8 full name is Kenneth William Bemi. I am a Detective Inspector of Police currently  
9 performing duties at the Crime and Misconduct Commission in Brisbane.  
10  
11 CH My full name is Michael Craig Hawkins. I'm a civilian investigator attached to the  
12 Crime and Misconduct Commission at Brisbane.  
13  
14 KB Your full name thanks.  
15  
16 KR Krystal Rzeszkowski.  
17  
18 KB Mr O'Donoghue  
19  
20 ND Nieve O'Donoghue, Solicitor.  
21  
22 KB And you're representing Ms Rzeszkowski?  
23  
24 ND I represent Krystal.  
25  
26 KB Right. Just for the record Mr O'Donoghue I just will state that ahh normally the Crime  
27 and Misconduct Commission would take objection to you representing Ms Rzeszkowski  
28 in this particular matter due to the fact that you'd previously represented a Mr Lloyd Ross  
29 last week in relation to this matter. However ahh are you prepared to give an undertaking

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30 on this tape here today that the matter discussed with your client ahh won't be  
31 communicated with any unauthorised person?  
32  
33 ND Yes I give that undertaking.  
34  
35 KB Thank you. Can I just get your full name Krystal please?  
36  
37 KR Krystal Lee Rzeszkowski.  
38  
39 KB And your date of birth?  
40  
41 KR 26<sup>th</sup> May 1983  
42  
43 KB And your current address?  
44  
45 KR 50 Stanfield Drive, Upper Coomera.  
46  
47 KB And whereabouts were you born?  
48  
49 KR In Adelaide, South Australia.  
50  
51 KB And what education ahh level did you achieve?  
52  
53 KR Umm finished Year 12 in 2000 and I'm currently at Griffith University.  
54  
55 KB And what are you studying there?  
56  
57 KR A double degree. Bachelor of Hotel Management and a Bachelor of Business.  
58  
59 KB Alright and today you've agreed to be interviewed on audio tape of your own free will?  
60  
61 KR Yes  
62  
63 KB And you've sought counsel with Mr O'Donoghue here in relation to this interview?  
64  
65 KR Yes  
66  
67 KB Now as I've outlined previously what I intend to do is to interview you today in relation  
68 to a matter concerning a rates discount issue involving the Gold Coast City Council.  
69 Specifically I would like to ask you a number of questions concerning electronic  
70 correspondence in the format of an email that you may have received but before I move  
71 on to that matter if I can just get a little bit of background about yourself. Can you tell me  
72 what your current occupation is?  
73

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74 KR Umm yep I'm an assistant for RPM Nationwide Services Pty Ltd.  
75  
76 KB And what duties do you perform there?  
77  
78 KR I'm just ahh secretarial work.  
79  
80 KB And who's your supervisor?  
81  
82 KR Poppy Chokas (phonetic)  
83  
84 KB And do you know a person by the name of Mr Lloyd Ross?  
85  
86 KR Yes I do.  
87  
88 KB Is he attached to that company you're working for now?  
89  
90 KR Yes he works there.  
91  
92 KB And what position does he hold there?  
93  
94 KR Umm he's a consultant.  
95  
96 KB How long have you worked for your current company?  
97  
98 KR Umm a couple of years now.  
99  
100 KB Did you previously work for a company called the Falcon Group?  
101  
102 KR Yes  
103  
104 KB Can you tell me what your duties were at the Falcon Group?  
105  
106 KR Umm roughly the same. I was an assistant secretary doing secretarial work, phones etc.  
107  
108 KB And can you tell me who your supervisor was there?  
109  
110 KR Lloyd Ross.  
111  
112 KB How long did you work for the Falcon Group?  
113  
114 KR Umm just over a year or so. Yeah about a year and six months.  
115  
116 KB Can you tell me where the Falcon Group was located?  
117

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Directory :

118 KR In Surfers Paradise.  
119  
120 KB Whereabouts?  
121  
122 KR 50 Cavill Avenue.  
123  
124 KB And that's in a high rise office complex?  
125  
126 KR Yep yep  
127  
128 KB What level was that?  
129  
130 KR 18  
131  
132 KB Did it ever relocate from level 18?  
133  
134 KR Not that I'm aware of.  
135  
136 KB Do you know either the Sunland Group or a company called Carnriver?  
137  
138 KR No  
139  
140 KB Have you ever heard of those?  
141  
142 KR I have yes.  
143  
144 KB Both of those?  
145  
146 KR Yep  
147  
148 KB Do you know what they do at all?  
149  
150 KR Umm ohh I think Sunland do development or something.  
151  
152 KB Yes  
153  
154 KR Yep  
155  
156 KB Carnriver?  
157  
158 KR No  
159  
160 KB How did you know about Sunland or Carnriver?  
161

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Directory :

162 KR Umm just Sunland I heard that they work in the building.  
163  
164 KB Yeah  
165  
166 KR And obviously on the directory it's got Sunland Group. Umm and Carnriver I didn't  
167 know about them until this letter and Carly obviously told me that they were part of  
168 Sunland.  
169  
170 KB So was it the case that at some stage either Carnriver or Sunland Group occupied your  
171 same level as the Falcon Group?  
172  
173 KR I think so yeah.  
174  
175 KB Or you're not sure on that?  
176  
177 KR Well I'm not sure. They weren't there when I was working there so.  
178  
179 KB So they may have relocated before you started working there at the Falcon Group?  
180  
181 KR Yeah yeah  
182  
183 KB Now can you tell me have you had any contact with any person either from the Sunland  
184 Group or Carnriver?  
185  
186 KR Only Carly.  
187  
188 KB And who was Carly?  
189  
190 KR Umm she said she was their secretary there or something like that along those lines.  
191  
192 KB The secretary of what company?  
193  
194 KR Ohh I can't remember.  
195  
196 KB Alright. Could it have been Sunland?  
197  
198 KR Could have been yeah.  
199  
200 KB Or Carnriver?  
201  
202 KR Yeah could have been one of the two.  
203  
204 KB Either/or  
205

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206 KR Yeah  
207  
208 KB And can you tell me the nature of that contact with Carly?  
209  
210 KR Ahh she asked me - she said that a letter had been - 'cos it had been redirected in the  
211 mail and it had taken a while to get there that umm she didn't get it in time to pay  
212 obviously their rates on time and didn't get a discount and umm so she asked me if I  
213 would ask Lloyd to sign a letter to say that that mail had obviously come through our  
214 office and that it had taken a while to get back to them.  
215  
216 KB How did she have that conversation with you?  
217  
218 KR I think, I think it was over the phone and then she emailed me that letter attached.  
219  
220 KB Can you recall what date that may have been you had that telephone conversation with  
221 her?  
222  
223 KR I can't remember to be honest.  
224  
225 KB And you said it was Carly?  
226  
227 KR Yeah  
228  
229 KB Can you remember her last name?  
230  
231 KR Lancaster  
232  
233 KB Alright. Did you previously know Carly Lancaster?  
234  
235 KR No  
236  
237 KB Had you previously had any communication with Carly Lancaster?  
238  
239 KR No  
240  
241 KB Just before we move on to the actual email and the letter which I will show you. Can you  
242 recall ever either receiving a letter that was addressed to Carnriver or can you recall  
243 seeing it in any location at all?  
244  
245 KR Mail?  
246  
247 KB Mail  
248  
249 KR Yeah yeah

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250  
251 KB Alright. Can you tell me the circumstances of you seeing a letter I presume from – that  
252 was addressed to Carnriver is that right?  
253  
254 KR Yep yep umm well when I collect the mail obviously it's in a mailbox on the basement of  
255 our building and I just bring it all up to level 18 and then I go through the mail and umm  
256 there's been a few letters that came through from Carnriver and I didn't – had no idea  
257 who they were so I just returned to sender wrong address back in the mail.  
258  
259 KB Did you open any of those letters at all?  
260  
261 KR Umm I think I have yeah. When I get busy at work you go through all the mail and I just  
262 out of instinct just open all of them and then some of them I go ohh it's wrong address so  
263 and not to us so I'd put it back in and same thing back in the mail.  
264  
265 KB So you would have opened some of these letters.  
266  
267 KR Yeah  
268  
269 KB And then reseal it I take it?  
270  
271 KR Yeah yep  
272  
273 KB How many letters do you think you would have received in the Falcon Group mailbox I  
274 take it...  
275  
276 KR Ohh I have no idea.  
277  
278 KB ...that, that were addressed to Carnriver?  
279  
280 KR I couldn't say (laughing).  
281  
282 KB In any event can you recall receiving a letter that was addressed to Carnriver that  
283 contained a rates notice for Carnriver or Sunland?  
284  
285 KR [ui] I must have but I can't recall now ha huh.  
286  
287 KB Can you have a think about it. This is fairly important.  
288  
289 KR Yep  
290  
291 KB Umm can you recall receiving any rates notice that didn't belong to the Falcon Group?  
292

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293 KR Umm ahh it's hard to remember. [pause] I recall mail that had the Gold Coast City  
294 Council emblem on it but I can't remember whether I opened a letter that had the rates  
295 notice in there. But that's now I mean that was so long ago I must have to accept that  
296 letter and have Lloyd sign it. So I'd say I would have.  
297  
298 KB Can you recall when you would have received that letter? It was an envelope I take it  
299 addressed to Carnriver is that right?  
300  
301 KR Yep  
302  
303 KB Can you recall the address that was on it?  
304  
305 KR Ahh level 18/50 Cavill Avenue, Surfers Paradise.  
306  
307 KB And it was Carnriver Pty Ltd?  
308  
309 KR Yeah yep  
310  
311 KB Can you recall when that would have been?  
312  
313 KR Ohh no sorry.  
314  
315 KB And I'm referring in particular to the rates notice.  
316  
317 KR Yep yeah no  
318  
319 KB Was it last year?  
320  
321 KR Umm no  
322  
323 KB The year before, 2004?  
324  
325 KR I'd say so yeah.  
326  
327 KB Can you recall if it was at the beginning of 2004 or half way through it?  
328  
329 KR Ohh I have no idea to be honest.  
330  
331 KB I'm just trying to get the time perspective that's...  
332  
333 KR It's just hard to remember.  
334  
335 KB Ohh I appreciate that. But in any event you think in all probability yes there was a letter  
336 addressed to Carnriver?

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337  
338 KR Yep  
339  
340 KB You probably opened it and that's how you knew about this rates matter?  
341  
342 KR Mm mm  
343  
344 KB Alright. So after you would have opened this letter addressed to Carnriver I take it you  
345 saw a rates notice to the best of your recollection?  
346  
347 KR Yeah I must have.  
348  
349 KB Alright. Can you tell me what action you took then?  
350  
351 KR Umm I suppose I resealed the letter and put it back in the mail assuming that if I put  
352 return to sender they'd send it to the right address once it got back to the Council.  
353  
354 KB And at that stage was Carnriver located on level 18 where the Falcon Group was located?  
355  
356 KR Not that I'm aware of no.  
357  
358 KB Did you seek any advice from any person as to how to deal with this incorrectly  
359 addressed correspondence containing the rates notice?  
360  
361 KR No - I asked around if anyone knew who Carnriver was and no-one advised me of who  
362 they were so I just put it back in the mail like I did with other letters.  
363  
364 KB Can you tell me what person or persons you asked?  
365  
366 KR Ohh I can't remember. Just whoever was in the office at the time.  
367  
368 KB So it was in - people within your office?  
369  
370 KR Yeah  
371  
372 KB Alright. Can you recall speaking to Mr Ross at all about that rates notice?  
373  
374 KR No  
375  
376 KB Is it possible that you did in fact speak to Mr Ross?  
377  
378 KR Umm that could have been possible but I doubt it.  
379

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380 KB In all likelihood and I realise this is to the best of your recollection – whom do you think  
381 you would have spoken to if you didn't speak to Mr Ross?  
382  
383 KR Ohh one of the other secretaries there.  
384  
385 KB And whom may that have been?  
386  
387 KR Umm maybe Esther or or I can't remember who else would have been there at the time.  
388  
389 KB Do you know Esther's last name?  
390  
391 KR Dinh  
392  
393 KB And Mr Ross what role did he have at the Falcon Group at that time that you would have  
394 had a look at this letter containing the rates notice?  
395  
396 KR He was the director.  
397  
398 KB Of the Falcon Group?  
399  
400 KR Yep  
401  
402 KB So it wasn't the case you don't think that you went to Mr Ross and asked him I received  
403 this rates notice it's addressed to Carnriver what do I do with it?  
404  
405 KR Yeah no I don't, don't remember speaking to him about it.  
406  
407 KB So you may have had a conversation with one of the other secretaries. How many  
408 secretaries worked in the Falcon Group by the way?  
409  
410 KR Ohh a couple (ahh huh) that's about it.  
411  
412 KB A couple meaning two?  
413  
414 KR Yeah two or three.  
415  
416 KB Two or three apart from yourself?  
417  
418 KR Umm ohh no including myself.  
419  
420 KB Alright so you wrote across this envelope I take it return to sender is that right?  
421  
422 KR Yep  
423

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424 KB Did it ever dawn on you to make inquiries to see if Carnriver was still within that  
425 building at all?  
426  
427 KR Umm ohh at the time probably but I just thought the best thing to do would be just to put  
428 it back in the mail. I didn't really want to get involved in holding anyone's mail or  
429 anything like that so I thought it's best off just to...  
430  
431 KB Well let me put it to you this way. At the time of receiving the rates notice were you  
432 aware where Carnriver was located?  
433  
434 KR No not that I can recall (huh)  
435  
436 KB How did you write return to sender? Whereabouts did you write that?  
437  
438 KR Ohh I suppose I just cross out the address and just wherever on the envelope.  
439  
440 KB And the address as you've mentioned would have been level 18/50 Cavill Avenue,  
441 Surfers Paradise?  
442  
443 KR Yeah  
444  
445 KB Can you tell me what you did with it after you wrote return to sender across the envelope?  
446  
447 KR Umm probably put it back in the mail or it might have sat there with my other mail while  
448 I did some other stuff. I can't remember.  
449  
450 KB How long do you think it may have sat there for?  
451  
452 KR Ohh I don't know ha ha (laughing).  
453  
454 KB Yeah - are we talking weeks, months?  
455  
456 KR Ohh not months not weeks.  
457  
458 KB Days?  
459  
460 KR Maybe yeah a few days maybe.  
461  
462 KB Can you tell me what was the policy if any at the Falcon Group in relation to dealing with  
463 incorrectly addressed correspondence as in receiving mail?  
464  
465 KR There wasn't really a policy or anything.  
466

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467 KB Do you have or did you have any correspondence register at all that details incoming or  
468 outgoing mail when it's received and who it's directed to?  
469  
470 KR Sorry what do you mean?  
471  
472 KB A – well a mail register I guess for want of a better term.  
473  
474 KR Ohh okay  
475  
476 KB In other words you'd list ahh who you received mail from or correspondence from and  
477 when it went out. You know the date etc and who it went to.  
478  
479 KR Ohh yeah no umm I know after awhile of receiving letters that weren't addressed to the  
480 right – well to us as a company I used to – there's a anonymous like part in our mailbox  
481 downstairs and after receiving a few letters from them and putting return to sender I just  
482 decided to put them in the anonymous and sort 'em out down at the mailbox instead of  
483 taking them all up to level 18 and then I started to do that.  
484  
485 KB Alright so some of the incorrectly addressed ones you left?  
486  
487 KR Yeah on the anonymous pile so when other people checked their mail.  
488  
489 KB That's in, in the basement there?  
490  
491 KR Yeah yeah  
492  
493 KB But the rates discount you took that up to your office I take it?  
494  
495 KR Ohh well yeah I'd say so.  
496  
497 KB Yeah. Do you think that was a fairly urgent matter just in your opinion you know a rates  
498 notice being addressed to a company that wasn't in fact yourself?  
499  
500 KR Umm probably yes.  
501  
502 KB Was it the case that you made a phone call to someone from Carnriver after receiving the  
503 rates notice or Sunland?  
504  
505 KR No  
506  
507 KB And I guess I should ahh clarify are you aware that Carnriver is affiliated with the  
508 Sunland Group at all?  
509  
510 KR I am now yeah.

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511  
512 KB Yeah but at that time?  
513  
514 KR No no.  
515  
516 KB Alright so this letter may have sat on your desk or in the out tray...  
517  
518 KR Yep  
519  
520 KB ...for maybe a couple of days?  
521  
522 KR Yep  
523  
524 KB Do you know what happened to it after that?  
525  
526 KR Ahh no I'm assuming it went to the mailbox and with me putting return to sender on  
527 there I'd say it would have gone back to Council and then they would have obviously  
528 tried to find whose - well have the right address for Carriver and send it back to them.  
529  
530 KB So who...  
531  
532 KR That's what I'm assuming would have happened.  
533  
534 KB Sure. Who physically would have removed the mail that you had in - if I can use the  
535 word out tray as such or the mail tray?  
536  
537 KR Ohh whoever, it's just whoever goes out and they say ohh I'm going past a mailbox so I'll  
538 take all the mail with me.  
539  
540 KB So where would that ahh letter have been deposited in to that you've wrote ahh return to  
541 sender?  
542  
543 KR Umm there's a mailbox across the street where the bus stop is or there's one down the  
544 road at the post office.  
545  
546 KB So it wouldn't have gone anywhere within the internal mail for that building at all at 50  
547 Cavill Avenue?  
548  
549 KR Ohh I don't know it could have huhh  
550  
551 KB Right - but you haven't got knowledge of that?  
552  
553 KR No  
554

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555 KB Did you hear anymore in relation to that letter after you put return to sender on it?  
556  
557 KR No not until Carly rang me.  
558  
559 KB It didn't come back again to you?  
560  
561 KR No no  
562  
563 KB So you mentioned before that Carly, Carly Lancaster from Sunland...  
564  
565 KR Yes  
566  
567 KB ...contacted you. You're not sure when?  
568  
569 KR No  
570  
571 KB And she subsequently sent you an email?  
572  
573 KR Yep  
574  
575 KB And can you recall what was the contents of that email?  
576  
577 KR Umm basically the attached letter and just a thank you.  
578  
579 KB Did she say anything further during this conversation with you?  
580  
581 KR On the phone?  
582  
583 KB On the phone, prior to receiving this email.  
584  
585 KR Ohh I can't remember to be honest.  
586  
587 KB Can I show you this?  
588  
589 KR Yep  
590  
591 KB It's a copy of an email and also attached to it is a letter...  
592  
593 KR Yep  
594  
595 KB ...in relation to a rates notice and at the end of it it's got a signature block there Lloyd  
596 Ross, Managing Director, Falcon Group Pty Ltd.  
597  
598 KR Mm mm

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599  
600 KB Is that the email correspondence that you're referring to...  
601  
602 KR Yep  
603  
604 KB ...when you said that you received email from Carly Lancaster?  
605  
606 KR Yep  
607  
608 KB You sure of that?  
609  
610 KR Yep  
611  
612 KB And you've had the opportunity to obviously view a copy prior today?  
613  
614 KR no audible response  
615  
616 KB So you received this email and the date there on the email is Thursday 23<sup>rd</sup> September  
617 2004.  
618  
619 KR Mm mm  
620  
621 KB Now in fact it was sent at 8:57 am and it's addressed to yourself Krystal.  
622  
623 KR Yep  
624  
625 KB Krystal with a "K"  
626  
627 KR no audible response  
628  
629 KB *"Thank you so much for your time we greatly appreciate it."* So obviously it would  
630 make sense that you had the conversation with Carly prior to receiving this email. She  
631 sent you the email as a result of conversation.  
632  
633 KR Yep  
634  
635 KB Did she indicate to you during the conversation that there'd be a draft letter attached to  
636 it in support of the Carnriver company not receiving the rates notice?  
637  
638 KR Yeah she must have.  
639  
640 KB You've read the content of that letter?  
641  
642 KR Umm yeah briefly.

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643  
644 KB Did you have any input into the content of that letter at all...  
645  
646 KR No  
647  
648 KB ...when you had the conversation with Carly?  
649  
650 KR Nuh  
651  
652 KB Do you know how Carly formulated the content of that letter?  
653  
654 KR No I have no idea.  
655  
656 KB Do you know if she had a conversation with Mr Ross at all in relation to the content of  
657 that letter?  
658  
659 KR No  
660  
661 KB Prior to you receiving the email.  
662  
663 KR Yeah no.  
664  
665 KB I just note ahh on the email as I've outlined it's - it contains the date 23<sup>rd</sup> September 2004  
666 and I note the letter that ahh was attached to it and I should clarify that this was the ahh  
667 correspondence that ahh was previously ahh produced to myself ahh by ahh Mr  
668 O'Donoghue ahh last week. Now I've just noticed on that letter there's a date of the 21<sup>st</sup>  
669 September 2004 which raises the question well if the email was dated the 23<sup>rd</sup> September  
670 2004 can you offer me any explanation why the letter contains the date of the 21<sup>st</sup>  
671 September 2004?  
672  
673 KR I have no idea.  
674  
675 KB Did you change the date at all on that letter?  
676  
677 KR I don't think so no.  
678  
679 KB Can you tell me what happened to the Falcon Group?  
680  
681 KR Umm I'm not sure to be honest.  
682  
683 ND Ken before we...  
684  
685 KB Yeah  
686

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687 ND ...before we leave that. I've asked Carly to check and re-check...  
688  
689 KB Sure  
690  
691 ND ...and she's done that.  
692  
693 KB Ohh okay  
694  
695 ND And ahh following up on that...  
696  
697 KB On on the date?  
698  
699 ND Ahh on the communication from Carly and ahh I'll get Krystal to identify this but but she  
700 sent me an email yesterday which turns up a further email communication from Carly.  
701  
702 KB Alright  
703  
704 ND So if if you would like to ahh just run your eye over that.  
705  
706 KB Thank you.  
707  
708 ND Umm and umm you'll notice that umm the further - there are two further  
709 communications.  
710  
711 KB I notice that. The first one was at 8:57 am that's the one I've referred to. This one that  
712 you've ahh tabled ahh is dated Thursday the 21<sup>st</sup> September 2004 at 11:46 am.  
713  
714 ND No down the bottom of the page. Yep. 11:38  
715  
716 KB Sorry that's my apologies 11:38 am  
717  
718 ND And then 11:46. So it would appear fairly clear from that that on that same day there  
719 were umm the communication that we've been speaking about with the draft letter  
720 followed by umm an email from Krystal saying that I have the letter ready for you and  
721 then...  
722  
723 KB I see  
724  
725 ND ...acknowledgement by Krystal to say I'll be there in two minutes.  
726  
727 KB Alright so would that suggest that in between the times of receiving these emails did you  
728 have some verbal conversation with with ahh Carly at all?  
729  
730 KR Not that I can recollect no.

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731  
732 KB Is it possible do you think?  
733  
734 KR Umm I don't think so no.  
735  
736 KB Alright so last correspondence that was – sorry – on the 23<sup>rd</sup> September 2004 at 8:57 can  
737 you just start from that one again.  
738  
739 ND Yep  
740  
741 KR Yep  
742  
743 KB Umm it's from Carly and it's addressed to you. *"Thank you so much for your time we*  
744 *greatly appreciate it."* So I think we established there would have been some verbal  
745 communication before then.  
746  
747 KR Yep yep  
748  
749 KB Okay. The next correspondence that's sent in relation to this matter is from yourself yes  
750 to Carly Lancaster and that's at 11:38 on that same date.  
751  
752 ND Yep  
753  
754 KB And the content of that email reads *"Hi Carly – I have the letter ready for you.*  
755 *Whenever you're ready could you possibly pick it up I am so busy today."* Alright, so  
756 you don't think there was any verbal communication between that?  
757  
758 KR No  
759  
760 KB Right. The next correspondence that follows after that is from Carly to yourself and  
761 that's on the same date the 23<sup>rd</sup> September 2004 at 11:46 am. And Carly says *"Know*  
762 *what you mean. I'll be there in two minutes. Thanks again for all your time"*. And that  
763 was the extent of the electronic correspondence by the looks of it so obviously you had a  
764 number of contacts with Carly via the email.  
765  
766 KR Yep  
767  
768 KB On that same date the 23<sup>rd</sup> September 2004. I thank you for tabling that.  
769  
770 ND Yep. Well I had asked Carly last week and only the original one that we brought in had  
771 turned up.  
772  
773 KB I see.  
774

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775 ND I asked her again – to check again, again, again, and again.  
776  
777 KB And you came up with the the documentation.  
778  
779 ND Yeah  
780  
781 KB Alright. So thanks for the timeliness of that. Now if I can just go back to the query I had  
782 about the date bearing in mind this electronic correspondence doesn't really clarify the  
783 date issue on the letter.  
784  
785 ND Still a mystery isn't it.  
786  
787 KB So to show you what I mean the letter's dated the 21<sup>st</sup> September 2004.  
788  
789 KR Yes  
790  
791 KB Okay and I think ahh before we actually ahh ahh before you actually produced the  
792 documentation my question was can you tell me what happened to the Falcon Group?  
793 How did – what eventually happened to it.  
794  
795 KR Umm  
796  
797 KB Just you're your knowledge of it.  
798  
799 KR I'm not sure. To my knowledge it liquidated.  
800  
801 KB Alright. Do you know when it – if I can use your terminology liquidated?  
802  
803 KR Umm not really sure I think around September/October.  
804  
805 KB Did Mr Ross remain managing director all that time?  
806  
807 KR Sorry?  
808  
809 KB Did Mr Ross remain managing director up until the time it liquidated to the best of your  
810 knowledge?  
811  
812 KR I think so yeah.  
813  
814 KB Did you know a person by the name of George McMillan at all?  
815  
816 KR No  
817

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818 KB Can you recall him taking over as managing director at some point in time before the  
819 company was wound up?  
820  
821 KR No no idea.  
822  
823 KB You never met him? Never saw him at the office?  
824  
825 KR Nuh  
826  
827 KB Alright so in any event we have a letter here that's dated the 21<sup>st</sup> September and the email  
828 was received on the 23<sup>rd</sup> September and you stated before you didn't change the date on  
829 that letter.  
830  
831 KR No  
832  
833 KB So when you received this draft letter there was further conversation as we have seen with  
834 Carly from the Sunland Group. Can you tell me what you did in relation to this letter?  
835  
836 KR I printed it out.  
837  
838 KB Yes  
839  
840 KR And then I showed Lloyd.  
841  
842 KB You showed Lloyd, Lloyd Ross?  
843  
844 KR Yep  
845  
846 KB And can you tell me the conversation you can recall having with Lloyd Ross?  
847  
848 KR Umm it was pretty brief. I just basically showed him the letter and said that the mail had  
849 got mixed up here and it was redirected and obviously by the time it got there they didn't  
850 have time to pay their rates on time or whatever so I said Carly's asked me if you could  
851 you know kindly sign it confirm that for them and umm and he signed it.  
852  
853 KB So I take it you would have informed ahh Mr Ross about the email on the same day you  
854 received it?  
855  
856 KR Yep  
857  
858 KB And you can't recall if he was still managing director of the company on that date?  
859  
860 KR Ohh I'd say so (laughing). I don't know.  
861

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862 KB Can you recall – or do you believe the Falcon Group was still operating as the Falcon  
863 Group on the 23<sup>rd</sup> September 2004?  
864  
865 KR Yeah yeah  
866  
867 KB How long after that did it go into liquidation can you recall?  
868  
869 KR I have no idea huh.  
870  
871 KB Alright. So it wasn't a case that ahh you were aware that in fact by the 23<sup>rd</sup> September  
872 2004 the Falcon Group wasn't actually operating as the Falcon Group as such because it  
873 was actually put into administration.  
874  
875 KR Ohh okay well [ui] don't know.  
876  
877 KB And it was put into administration – I can inform you of this...  
878  
879 KR Yep  
880  
881 KB ...in case it ahh refreshes your memory – it was actually placed into administration on the  
882 ahh I believe it was the 21<sup>st</sup> September 2004 – 20<sup>th</sup> - just bear with me. **[sound of paper**  
883 **shuffling]** The 20<sup>th</sup> September 2004 that's when the administrators were appointed.  
884  
885 KR Ohh okay  
886  
887 KB Right. You weren't aware of that?  
888  
889 KR No  
890  
891 KB So can you see the nature of my inquiry with this letter?  
892  
893 KR Yeah  
894  
895 KB Like you receive the email on the 21<sup>st</sup> – sorry the 23<sup>rd</sup> – the letter's dated the 21<sup>st</sup>  
896 September umm and ahh you can't offer any explanation for the dates?  
897  
898 KR No sorry.  
899  
900 KB Alright but anyhow you had this conversation with Mr Ross. You informed him about  
901 ahh the letter that you had received the rates notice I take it?  
902  
903 KR Yep  
904  
905 KB Was that the first time you would have known about that?

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906  
907 KR He would have known about it?  
908  
909 KB About receiving the rates notice?  
910  
911 KR Yeah  
912  
913 [sound of sneezing distorting dialogue]  
914  
915 KB You receiving the rates notice?  
916  
917 KR Yep  
918  
919 KB And ahh you outlined to him that Carnriver wanted him to sign a letter in support of the  
920 rates issue?  
921  
922 KR Yep  
923  
924 KB And his conversation to that was?  
925  
926 KR Ohh I can't remember. Just signed it and that was it.  
927  
928 KB He agreed to do it?  
929  
930 KR Yeah  
931  
932 KB When you say you printed out the letter how did you print it out?  
933  
934 KR Umm just put paper in the printer and printed it.  
935  
936 KB Did you have to transfer the contents to a Falcon Group letterhead at all?  
937  
938 KR Umm I can't remember which way I did it. There's two ways. We've got Falcon Group  
939 or we had Falcon Group...  
940  
941 KB Already in the printer?  
942  
943 KR Yeah or there was template in the computer but I suppose I would have just put paper in  
944 the printer and printed it out.  
945  
946 KB So you wouldn't have scanned the document as such?  
947  
948 KR No I don't think so.  
949

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950 KB Alright so before you took the letter to Mr Ross would it have been on the Falcon Group  
951 letterhead?  
952  
953 KR Yep  
954  
955 KB So you wouldn't have just taken or shown him the draft you would have shown him the  
956 letter printed out on the Falcon Group letterhead?  
957  
958 KR Yeah  
959  
960 KB If I can show you two letters what's on the Falcon Group letterhead. One's dated the 20<sup>th</sup>  
961 September 2004. If I can show you that one first.  
962  
963 KR Mm mm  
964  
965 KB Would that have been one of the letters or the letter that you printed out on the computer  
966 and you see that's a Falcon Group letterhead there?  
967  
968 KR Yep umm I can't remember. To my recollection I only printed one letter so.  
969  
970 KB Well this may assist you. There's another letter on the Falcon Group letterhead. The  
971 contents are the same. It's dated the 21<sup>st</sup> September 2004. The only thing that's not the  
972 same if you'd like to have a look – you might like to have a look at this Mr O'Donoghue  
973 too – is on the letter dated the ahh 21<sup>st</sup> September 2004 it's actually got Lloyd Ross.  
974  
975 KR Yep  
976  
977 KB Whereas the letter dated the 20<sup>th</sup> September 2004 whilst it's got his signature ...  
978  
979 KR Yep  
980  
981 KB ...above managing director of the Falcon Group Pty Ltd.  
982  
983 KR Mm mm  
984  
985 KB If I can just get you to have a look at that letter dated the 21<sup>st</sup> September 2004?  
986  
987 KR Mm mm  
988  
989 KB Alright. Which one would you have printed out? Any idea?  
990  
991 KR Umm  
992  
993 KB The difference are the dates obviously. One's got the 20<sup>th</sup>. One's got the 21<sup>st</sup>.

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994  
995 KR Yep. One looks more like the one I printed.  
996  
997 KB Is there any reason you say that?  
998  
999 KR Ohh just from the recollection of the email that the set up of the actual letter.  
1000  
1001 KB So the draft letter attached to the email was dated the 21<sup>st</sup>?  
1002  
1003 KR Yep  
1004  
1005 KB As is the -- one the letters on the Falcon Group letterhead dated the 21<sup>st</sup> that's what you're  
1006 basing it on I take it?  
1007  
1008 KR Yeah yeah  
1009  
1010 KB And you said you didn't change any of the dates on the [ui] or letters?  
1011  
1012 KR Nuh  
1013  
1014 KB Well the next question that arises from that is who would have changed the date on the  
1015 letter dated -- on the Falcon Group letterhead dated the 20<sup>th</sup> September 2004?  
1016  
1017 KR Yep  
1018  
1019 KB Any idea?  
1020  
1021 KR I couldn't tell you nuh.  
1022  
1023 KB Did you see Mr Ross do that at all?  
1024  
1025 KR No  
1026  
1027 KB Did he have any conversation with you in relation to changing that date on the letter?  
1028  
1029 KR No  
1030  
1031 KB Do you know if he had a conversation with any person in relation to changing the date or  
1032 dates on that letter?  
1033  
1034 KR Nuh not that I'm aware of no.  
1035  
1036 KB If you have a look at that letter dated the 20<sup>th</sup> September 2004...  
1037

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