

Freemans

Sunshine Coast

Gary Ellacott
Earle Plummer AAILA J.P.
Rod Pullinger AAILA J.P.

PLUMMER AND PULLINGER,
Insurance Loss Adjusters,
Suite 1A Bryants House
26 Duporth Avenue
Maroochydore, Qld. 4558.

Member of the Australian
Institute of Loss Adjusters Ltd.

Your Ref:

Our Ref: N/C001 G. Ellacott/JS

Telephone: (074) 43 4022

Fax: (074) 43 4234

16 September, 1994

[REDACTED]
[REDACTED]
GPO Box 1533N
MELBOURNE VIC 3001

By Facsimile: (03) 614 8730

ATTENTION: [REDACTED]

Dear [REDACTED]

**ARBITRATION - TELECOM - ALLAN SMITH -
CAPE BRIDGEWATER HOLIDAY CAMP**

L69153

Please accept the enclosed as Allan Smith's reply to the Telecom Interrogatories in respect to our Client's submissions to yourself in the Fast Track Arbitration procedure.

You will note that various answers in relation to the supply of documents in Schedule Two refer to documentation that is to be supplied direct to the Arbitrator. Our Client has furnished us with a significant amount of material that is to be forwarded to yourself and the same will be onforwarded by mail on Tuesday the 20 September 1994.

In respect to some of the material requested by Telecom, Mr Smith has been unable to locate the appropriate document. Mr Smith recognises that if the document is unable to be found then you will continue your procedure to assessment without that particular document. Mr Smith would then rely on your understanding that not every document over the past six years has been able to be located. I am sure that we are all aware of Telecom's inability to supply a wealth of documents to the COT cases.

In respect to Schedule Two, Number 6, Documents relating to the fault history of CBHC's telephone service and the request by Telecom for the supply of copies of Mr Smith's diaries which contain contemporaneous notes, we would advise that Mr Smith has some very real concerns about the supply of such diaries without deletion to Telecom. Mr Smith's reasons have been related to ourselves and we would share the concerns held by Mr Smith that Telecom could not guarantee the security of the contents of these diaries.

91

just about three states? 0175 tried three times before making a contact. 60 Minutes Team over three quarters of an hour, then only via 1100. These can be found in 2001-2158 reference.

Re: Reference 2001-2158.

Sister Donniellon, Lorreto College
 Robert Palmer, Heywood Primary School
 Gladys Crittenden, Haddon Community House
 Cathy Lindsey, Haddon Community House
 Tony Speed, Hamilton Secondary College
 Mikan Media, North Balwyn
 Vander Savill, Heywood Museum
 Sydney Ostrow & Associates, Business Consultants
 Julian Cress, 60 Minutes TV Program
 Robert Walker, 1/44 Munro Street, Macleod, Vic.
 Connie Hancock, 256 Albert Street, South Melbourne
 Brenda White, Wallacdale, 1100 put her through
 British Tourists, 17 July 1992, three States, 1100 put them through
 Peter Turner, Australian Social Centre, Camberwell
 Jim Constandinidis, Cheltenham, Victoria
 Portland Heating, drove out to camp to make contact
 Jim Humphries, Mt Gambier
 Tina Velthuyzen, Statutory Declaration 1100
 Phillis McDonough & Associates, Loss Adjusters

Telecom have letters from 1992, still not received under Freedom of Information.

22. In relation to page 47:

The Claimant has stated that the incident with Mr Anderson "highlights the demeanour and attitude of Telecom in respect to investigating my ongoing problems."

- (a) State what demeanour and attitude of Telecom is said to be displayed by the reported incident.

L69177

Answer Question 22:

- (a) I refer you to Page 34 where I state that the management of Telecom had no desire to

2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2073, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2091, 2092, 2094, 2095.

11. In relation to pages 16 and 17:

The Claimant states that he "attached correspondence" from clients and other business operators in the Cape Bridgewater area which show that they also suffered severe fault conditions with their service from Telecom.

- (a) Provide details of the location in the Claim Documents of the "attached correspondence" from clients and other business operators in the Cape Bridgewater area which show that they also suffered severe fault conditions with their service from Telecom.

Answer Question 11:

- (a) 2093, 2108-2118 inclusive, 2075 and 2073.

12. In relation to page 17:

The Claimant has stated that Telecom failed to maintain Leopard records or any other fault records over a long period of time.

- (a) State the basis upon which it is alleged that Telecom failed to maintain Leopard records or any other fault records over a long period of time.
- (b) State what documentation, if any, has been submitted by the Claimant to support the allegation that Telecom has failed to maintain Leopard records or any other fault records over a long period of time

- (a) State precisely for what periods, if any, the alleged problems with the Claimant's telephone service abated between February 1988 and August 1994.

Answer Question 9:

- (a) Abated is a statement used to say, that there were times when in and around June and July of 1993 that I believed the phones were better than they had been. That however was only for a two month period. I did at one time talk to Ian Campbell, through stress, I was walking out of this business, things were so bad with the customer complaints, I thought this was the only option. Except a trivial payout. Pay off debts and start somewhere else. Telecom have only to look at the reports of the RCM in April 1994. Can they honestly say they gave me a service that they themselves would have excepted in a commercial environment. Just have a look at that RCM. A disgrace to even argue the customer was wrong.

10. In relation to page 13:

The Claimant has stated that persons employed by the Claimant, local businesses, prospective clients, returning clients, friends and associates have all witnessed and experienced the problems the Claimant has allegedly had with his telephone service.

- (a) Provide specific details of what documentation, if any, has been submitted by the Claimant to support the allegation that persons employed by the Claimant, local businesses, prospective clients, returning clients, friends and associates have all witnessed and experienced the problems that the Claimant has allegedly had with his telephone service.

Answer Question 10:

L69165

- (a) In my letter of claim, reference 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2038, 2039, 2040, 2041, 2042, 2043,

91