

**Alan Smith**

---

**From:** "Richard Atherton" <Trust@iama.org.au>  
**To:** "Alan Smith" <capecove12@bigpond.com>  
**Sent:** Wednesday, 21 October 2009 9:16 AM  
**Subject:** RE: Registered Documents  
Thank you Mr Smith.

Regards,

Richard

**From:** Alan Smith [mailto:capecove12@bigpond.com]  
**Sent:** Wednesday, 21 October 2009 9:13 AM  
**To:** Richard Atherton  
**Subject:** Re: Registered Documents

Dear Mr Atherton

I confirm that my two submissions dated 28 and 29 September 2009, and the accompanying 8 page letter to Mr Paul Crowley on 29th September 2009 is my final submission to the IAMA Ethics and Professional Affairs Committee. My letter of 5th October 2009 to Mr Paul Crowley was sent only to clarify that while I suspected facsimiles were intercepted by a third party during my arbitration, I only have documented evidence showing documents were being intercepted i.e. after leaving my business and residence for the dates between 1998 and 2001. I apologise if my 5 October letter confused the IAMA.

I again thank the IAMA for investigating my matters.

Sincerely  
Alan Smith

----- Original Message -----

**From:** Richard Atherton  
**To:** Alan Smith  
**Sent:** Tuesday, October 20, 2009 5:55 PM  
**Subject:** RE: Registered Documents

Dear Mr Smith,

Further to our correspondence below; please can you confirm that these documents are final submissions in regard to your complaint.

Regards,

Richard

**From:** Alan Smith [mailto:capecove12@bigpond.com]  
**Sent:** Tuesday, 20 October 2009 10:44 AM  
**To:** Richard Atherton  
**Subject:** Re: Registered Documents

Dear Mr Atherton

Thank you for your prompt response

Kind regards  
Alan Smith

| ----- Original Message -----

4

**Alan Smith**

---

**From:** "Alan Smith" <capecove12@bigpond.com>  
**To:** "Richard Atherton" <Trust@iama.org.au>  
**Sent:** Wednesday, 21 October 2009 9:12 AM  
**Subject:** Re: Registered Documents  
Dear Mr Atherton

I confirm that my two submissions dated 28 and 29 September 2009, and the accompanying 8 page letter to Mr Paul Crowley on 29th September 2009 is my final submission to the IAMA Ethics and Professional Affairs Committee. My letter of 5th October 2009 to Mr Paul Crowley was sent only to clarify that while I suspected facsimiles were intercepted by a third party during my arbitration, I only have documented evidence showing documents were being intercepted i.e. after leaving my business and residence for the dates between 1998 and 2001. I apologise if my 5 October letter confused the IAMA.

I again thank the IAMA for investigating my matters.

Sincerely  
Alan Smith

----- Original Message -----

**From:** Richard Atherton  
**To:** Alan Smith  
**Sent:** Tuesday, October 20, 2009 5:55 PM  
**Subject:** RE: Registered Documents

Dear Mr Smith,

Further to our correspondence below; please can you confirm that these documents are final submissions in regard to your complaint.

Regards,

Richard

---

**From:** Alan Smith [mailto:capecove12@bigpond.com]  
**Sent:** Tuesday, 20 October 2009 10:44 AM  
**To:** Richard Atherton  
**Subject:** Re: Registered Documents

Dear Mr Atherton

Thank you for your prompt response

Kind regards  
Alan Smith

----- Original Message -----

**From:** Richard Atherton  
**To:** capesealcove  
**Sent:** Tuesday, October 20, 2009 9:49 AM  
**Subject:** RE: Registered Documents

Dear Mr Smith,

I can confirm that all the documentation has been received into the IAMA office and passed to Mr Crowley.

Regards,



**Alan Smith**

---

**From:** "Richard Atherton" <Trust@iama.org.au>  
**To:** "Alan Smith" <capecove12@bigpond.com>  
**Sent:** Wednesday, 21 October 2009 12:50 PM  
**Subject:** RE: Alan Smith - Document issue

Dear Mr Smith,

Presently, IAMA does not require this further documentation to be sent. However, the investigating persons will be notified of these documents and may request them at a later date.

Regards,

Richard

**From:** Alan Smith [mailto:capecove12@bigpond.com]  
**Sent:** Wednesday, 21 October 2009 12:16 PM  
**To:** Richard Atherton  
**Subject:** Alan Smith - Document issue

Dear Mr Atherton,

Since I confirmed that my submission to the IAMA is now complete I have been advised that I should also have clearly explained that I have a large file of documents that confirm that, between 1998 and 2001, at least fifty-two Telstra/arbitration related faxed documents were intercepted by a third party after the faxes had been sent from either my residence or my business premises. Since these faxes were not sent during my actual arbitration, this material has not been included in my submission to the IAMA.

If you refer back to *pages 137 and 138* in my Administration Appeals Tribunal (AAT) Statement of Facts and Contentions, a copy of which was provided to the IAMA on 20<sup>th</sup> July 2009, you will see that, two professional technical consultants have stated that, in their opinion, (the faxed material provided to them) confirmed they were intercepted and then redirected to their intended destination.

If Mr Paul Crowley believes this file would be of assistance during the IAMA investigation, (the intercepted faxes are all related to my Telstra/arbitration matters, please let me know and I will arrange to send it to the IAMA. I must confirm again though, that the evidence in this file only confirms the interception of faxes that were sent after the end of my arbitration.

As I stated earlier today, my IAMA claim is now complete.

Sincerely,  
Alan Smith

4  
21/10/2009

**From:** Richard Atherton  
**To:** capesealcove  
**Sent:** Tuesday, October 20, 2009 9:49 AM  
**Subject:** RE: Registered Documents

Dear Mr Smith,

I can confirm that all the documentation has been received into the IAMA office and passed to Mr Crowley.

Regards,

Richard

**From:** capesealcove [mailto:capecove12@bigpond.com]  
**Sent:** Monday, 19 October 2009 3:47 PM  
**To:** Richard Atherton  
**Subject:** Registered Documents

Attention Mr Paul Crowley  
Chief Executive Officer  
Institute of Arbitrators  
Melbourne

Dear Mr Crowley

Please find attached confirmation that I registered a parcel on 5 October 2009 which was not received by your office and/or the Law Courts Post Shop until 13 October 2009. I am concerned that perhaps your office might not have received the documentation I sent and would appreciate confirmation what your office actually received. Your office should have received the following three documents:

1. An 8 page letter to you titled: *Final Submission to Mr Paul Crowley dated 29th September 2009*;
2. A bound submission dated 28th September 2009 with accompanying **Exhibits**
3. A bound submission dated 29th September 2009 with accompanying **Attachments**

I appologise for any inconvenience this extra work will cause your office staff but I am sure you will understand my concerns.

An email concerning this matter will allievate my concerns.

Thank you  
Alan Smith

45  
27/11/2009





**Alan Smith**

---

**From:** "Richard Atherton" <Trust@iama.org.au>  
**To:** "capesealcove" <capecove12@bigpond.com>  
**Sent:** Friday, 27 November 2009 2:00 PM  
**Subject:** RE: Mr Paul Crowley 23 November 2009 - Letter  
Dear Mr Smith,

Your email has been forwarded to Mr Crowley.

Regards,

Richard

---

**From:** capesealcove [mailto:capecove12@bigpond.com]  
**Sent:** Friday, 27 November 2009 6:50 AM  
**To:** Richard Atherton  
**Subject:** Mr Paul Crowley 23 November 2009 - Letter

Dear Mr Atherton

On Wednesday 25 November 2009, I mailed the attached letter dated 23 November 2009 (and 4 attachments) from Mt Gambier in South Australia to Mr Paul Crowley, via overnight mail. I now realise that I failed to make it clear at the end of the letter that, if it would be helpful to the IAMA Ethics and Professional Affairs Committee as they assess my current claims, I could provide the original facsimile transmission (and attachments) that Mr Michael Shand QC sent to Dr Hughes at Lander & Rogers on 15 June 1990, regarding the letter Mr Shand suggested that Graham Schorer send to Telstra's Mr Ward. I can also supply the original letter dated 19 September 1990 to Graham Schorer from Dr Hughes at Lander & Rogers.

I would be grateful if you would please pass this message on to Mr Crowley.

Kind regards  
Alan Smith

*he*

27/11/2009

