

ANNEXURE E

List of Exhibits

List Of Exhibits

Exhibit No	Description of Exhibit
1	Letter dated 3 March 2004 from Allens Arthur Robinson to the Commission including 9 volumes of enclosures
2	Letter dated 5 March 2004 from Allens Arthur Robinson to the Commissioner including 4 volumes of enclosures
3	Letter dated 5 March 2004 from Clayton Utz to the Commission including 3 volumes of enclosures
4	James Hardie Coy Financial Data for the financial years ending 31 March 1998 through to and including 2000, extracted from the annual accounts of Amaca Pty Ltd
5	Statement of Dennis John Cooper dated 26 March 2004
6	Supplementary Statement of Dennis John Cooper dated 5 April 2004
7	Eight (8) volumes labelled MRCF Tab 1–20, 21–58, MRCF 2, MRCF3, MRCF 4, MRCF 5, MRCF 6, MRCF 7 (Subject to a non-publication direction – 8 April 2004)
8	Document entitled “The Medical Research and Compensation Foundation (MRCF) Modelling Results and Investment Strategy Recommendations” dated 2 August 2001 (MRCF8)
9	Letter dated 17 February 2004 from Stephen Britt (Towers Perrin) to Dennis Cooper as the managing director of Amaca Pty Ltd; subject: Amaca: Investment Advice in light of changed property settlement date (MRCF 9)
10	Document entitled “James Hardie Legal Department – Asbestos Team; Asbestos Liabilities Management Plan YEM01 to 03” (original of Exhibit 7, MRCF1 Tab 1–20, behind Tab 5. Includes handwritten notes of Dennis Cooper)
11	Letter dated 13 February 2001, from David Minty and Karl Marshall (Trowbridge Consulting) addressed to Roy Williams of Allen Allen & Hemsley; (original of Exhibit 7, MRCF 2 Tab 1–20 behind Tab 16) subject: James Hardie Industries Limited – Asbestos Litigation
12	Letter dated February 2001 from Anthony Bancroft and Larissa Hunter of Malleson Stephen Jacques to the Proposed Directors of Newco Pty Limited; subject: Directors Duties – Asbestos Medical Research and Compensation Foundation, containing handwritten comments of Dennis Cooper (missing pages 243–251 of Exhibit 7, Folder MRCF 1 Tabs 1–20)
13	Statement of Sir Llewellyn Edwards dated 30 March 2004
14	Supplementary statement of Sir Llewellyn Edwards dated 7 April 2004
15	Copy of Handwritten Day book entries of Sir Llewellyn Edwards, 20 December 2000 to 5 March 2001 (MRCF10)
16	James Hardie Board Papers (Between Meetings) December 2000 (MRCF11)

**Exhibit
No**

Description of Exhibit

- 17 Statement of Peter James Shafron dated 5 April 2004 (**Subject to a non-publication direction – 17 May 2004**)
- 18 Graph labelled, ‘New Meso Claims Based on J H Board Papers Document 000558’, based on figures taken from the board paper in Exhibit 2, Volume 3, Tab 10
- 19 Media release of Medical Research and Compensation Foundation entitled ‘New Foundation to Compensate Asbestos Disease Sufferers’
- 20 James Hardie Board Papers November 1999
- 21 James Hardie Board Papers December 1999 (Between Meetings)
- 22 Document entitled ‘James Hardie Industries Limited agenda for the Audit Committee meeting to be held at 1.00pm in the Board Room, 9th Floor, 65 York Street, Sydney on Wednesday 16 February 2000’. James Hardie Board Papers, February 2000’
- 23 James Hardie Board Papers, April 2000, including Document prepared by Allen Allen & Hemsley entitled ‘Project Green Advice on Structure and Separation Issues’
- 24 James Hardie Board Papers, August 2000
- 25 James Hardie Board Papers (Between Meetings) October 2000
- 26 Statement of Ian F Hutchinson dated 26 March 2004
- 27 Supplementary statement of Ian Hutchinson dated 26 March 2004. (Page 288 of the transcript indicates that this statement was actually signed on 8 April 2004)
- 28 Medical Research and Compensation Foundation document with footnote date of 12 February 2003 [MRCF H1]
- 29 Statement of Michael John Gill dated 2 April 2004
- 30 Document entitled ‘Medical Research and Compensation Trust Pty Ltd, James Hardie & Coy Pty Limited, Jsekarb Pty Limited Agenda of meeting of Proposed Directors to be held at PwC, Zurich Room, Level 10, 201 Sussex Street, Sydney on Monday 15 January 2001 at 12:15 pm’
- 31 Michael Gill’s copy of James Hardie PowerPoint presentation prepared by Phillip Morley
- 32 Document dated 15 January 2001 entitled ‘Agenda Items’ prepared by Michael Gill
- 33 Email, 22 January 2001, from Michael Gill to Peter Jollie and Ms Susan Stevenson; subject: Asbestos Liabilities – Trowbridge Presentation
- 34 Copy of Michael Gill’s handwritten notes of matters of interest in the agenda items for the meeting on the 15 January 2001 [MJG43–47]

**Exhibit
No**

Description of Exhibit

-
- 35** Letter dated 16 February 2001 from Tony Park of A.J. Park Consulting Pty Ltd to Michael Gill (Phillips Fox) with annexures:
- 1) James Hardie Media Release dated 16 February 2001
 - 2) MRCF Media Release
 - 3) Document entitled 'James Hardie Industries Limited key messages'
- 36** Statement of Peter Edward John Jollie dated 26 March 2004
- 37** Supplementary statement of Peter Edward John Jollie dated 14 April 2004
- 38** Email, 5 January 2001, from Peter Shafron to Peter Macdonald and Phillip Morley; subject: Peter Jollie
- 39** Document, table labelled 'Forecast of JH Coy and Jsekarb combined assets and cash flows', footnote date of 13 February 2001 (E121, PJM1 Tab 108)
- 40** Email, 13 February 2001, from Stephen Harman to Phillip Morley and Norah Seddon; subject: Latest version of model
- 41** Statement of Ewen Leith Waterman dated 8 April 2004, with supporting documents – 1 volume
- 42** Statement of Donald Ewen Cameron dated 29 March 2004, with supporting documents – 1 volume
- 43** Internal memorandum with attachments dated 15 February 2001 from Peter Shafron to Phillip Morley and Don Cameron; subject: Coy Indemnity to JHIL
- 44** Bundle of 11 Letters:
1. Letter dated 11 August 2003 from Nancy Milne of Clayton Utz to Alan Kneeshaw of James Hardie
 2. Letter dated 11 August 2003 from Nancy Milne to Phillip Morley
 3. Letter dated 11 August 2003 from Nancy Milne to D Cameron
 4. Letter dated 2 September 2003 from D E Cameron to Nancy Milne
 5. Letter dated 2 September 2003 from Phillip Morley to Nancy Milne
 6. Letter dated 2 September 2003 from Alan Kneeshaw to Nancy Milne
 7. Letter 26 September 2003 from Nancy Milne to D E Cameron; subject: Medical Research & Compensation Foundation – separation arrangements involving Amaca Pty Limited ("Amaca") and Amaba Pty Limited ("Amaba")
 8. Letter 26 September 2003 from Nancy Milne to Alan Kneeshaw; subject: Medical Research & Compensation Foundation – separation arrangements involving Amaca Pty Limited ("Amaca") and Amaba Pty Limited ("Amaba")

**Exhibit
No**

Description of Exhibit

-
9. Letter dated 26 September 2003 from Nancy Milne to Phillip Morley; subject: Medical Research & Compensation Foundation – separation arrangements involving Amaca Pty Limited (“Amaca”) and Amaba Pty Limited (“Amaba”)
10. Letter dated 15 October 2003 from Nancy Milne to D E Cameron, copy to Michael Ball; subject: Medical Research & Compensation Foundation – separation arrangements involving Amaca Pty Limited (“Amaca”) and Amaba Pty Limited (“Amaba”)
11. Letter 5 November 2003 from Michael Ball to Clayton Utz; subject: Medical Research and Compensation
- 45** Facsimile, 21 December 2001 from Wayne Attrill to Tony Bancroft of Mallesons Stephen Jaques; subject: Project Green – advice for directors; attaching a copy of R.I Barrett’s advices of 11 February 1999 and 26 October 1999 and supporting material
- 46** Financial statements of ABN 60 000 009 263 Pty Limited (formerly James Hardie Industries Limited) dated 31 March 2002
- 47** Document entitled ‘Changes to Effective Definitions and Clauses to 31 March 2003 Deed of Covenant Indemnity and access on the 3 February 2004 Deed of Rectification’
- 48** Email, 27 November 2003, from Don Cameron to Peter Shafron copied to Phil Morley and Peter Macdonald; subject: Indemnity rectification attaching letter dated 21 November 2003 from Peter Macdonald to Don Cameron; subject: Deed of Covenant, Indemnity & Access
- 49** Email, 12 January 2004, from Alessandra Saltos to Don Cameron and J Macphillamy, copied to Andrew Stevenson; subject: JHI NV Deed of Covenant, Indemnity and Access
- 50** Statement of David Julian Minty dated 30 March 2004, with supporting documents – 1 volume
- 51** Second Statement of David Julian Minty dated 21 April 2004
- 52** Reserve Bank of Australia table entitled ‘FO2 Capital Market Yields – Government Bonds, January 1997 to July 2001’, being a schedule of interest rates sourced from the Reserve Bank of Australia web site
- 53** Bar Graph entitled ‘Number of Claims by disease: Reported (Negative) and Projected Future (Positive)’
- 54** Statement of Karl Marshall dated 21 April 2004, with supporting documents – 1 volume
- 55** Email, 22 February 2001, from Peter Shafron to David Minty, Karl Marshall, and Steve Ashe; subject: Pending Sydney Morning Herald article
- 56** Statement of Wayne John Attrill dated 22 April 2004
- 57** Supporting documents to the statement of Wayne John Attrill dated 22 April 2004 – 4 volumes
- 58** Facsimile, 9 August 2000, from Sara Healy to Wayne Attrill with attached letter dated 9 August 2000 from Phillip Morley to Wayne Attrill; subject: ‘Claims Update’
- 59** Email, 15 September 2000, from Peter Shafron to Wayne Attrill in response to an email,

**Exhibit
No**

Description of Exhibit

-
- 13 September 2000, from Wayne Attrill to Peter Shafron
- 60** Document entitled 'Asbestos Litigation Costs – Australia' for the months of April 2001 and May 2001
- 61** Bundle of documents tendered by Counsel assisting the Commission John Sheahan S.C during examination of Wayne Attrill - 6 volumes (**Subject to a non-publication direction – 31 May 2004**)
- 62** Handwritten notes of Wayne Attrill's from a meeting dated 18 September 2003; subject: Amaca insurance
- 63** Document entitled 'James Hardie's Asbestos Litigation in context' and annexures prepared by Wayne John Attrill dated 11 February 2001
- 64** Document entitled database 'Tracking list James Hardie claim settled'
- 65** Document dated 9 January 2001 entitled 'Summary of JH Litigation Trends YEM99, YEM00 and 3Q01', prepared by Maija Burtmanis
- 66** Document with handwritten notes of Wayne Attrill attaching annexures entitled 'Results of YEM99, Results of YEM00, Results of YEM01'
- 67** Statement of David Brett dated 30 April 2004, with supporting documents – 1 volume
- 68** Statement of Stephen Edward Harman dated 23 April 2004 with supporting documents – 1 volume
- 69** Email, 23 February 2001, from Stephen Harman to Greg Evans and Beverly Cooper; subject: James Hardie & Coy and Jsekarb accounts as at 15 February 2001
- 70** Bundle of 2 letters:
1. Letter dated 15 February 2001 from Stephen Harman of James Hardie to Ms Alex Stewart (Zurich Insurance); subject: D&O Cover, enclosing two documents: a report by Trowbridge Consulting dated 13 February 2001, and a financial model which makes use of the Trowbridge data and other inputs to forecast the future asset position of JH & Co
 2. Letter dated 13 February 2001 from David Minty and Karl Marshall to Roy Williams; subject: James Hardie Industries Limited – Asbestos Litigation, with appendices
- 71** Bundle of 4 letters:
1. Letter dated 14 February 2001 from Matthias Fuchs to Zurich Insurance; subject: D&O cover
 2. Letter dated 15 February 2001 from Stephen Harman to Alex Stewart; subject: D&O cover
 3. Letter dated 13 February 2001 from David Minty to Roy Williams; subject: use of our advice about asbestos - related claims
 4. Letter dated 13 February 2001 from David Minty and Karl Marshall to Roy Williams; subject: James Hardie Industries Limited - Asbestos Litigation

**Exhibit
No**

Description of Exhibit

-
- 72 Email, 19 February 2001, from Phillip Morley to Peter Macdonald, Peter Shafron, Stephen Harman, Greg Baxter and Steve Ashe attaching the forecast of the Foundation's assets and cash flows; subject: Models corrected as per this morning;
- 73 Letter dated 15 February 2001 from Stephen Harman to Ms Alex Stewart (Zurich Insurance); subject: D&O cover; has handwritten notations and attaches a report by Trowbridge dated 13 February 2001
- 74 Email, 18 February 2001, from Anthony Sweetman to Ian Wilson and Andrew Cowper; subject: Foundation follow up
- 75 Documents in support of Peter James Shafron's statement labelled PJS1 – 10 volumes (**Subject to a non-publication direction – 17 May 2004**)
- 76 Supplementary Statement of Peter James Shafron dated 4 May 2004
- 77 Documents in support of Peter James Shafron's supplementary statement, labelled PJS2 - 4 volumes
- 78 Folder containing James Hardie Annual Reports 2001-2003
- 79 Letter dated 31 January 2003 from Michael Ball and David Robb to Peter Shafron and Phillip Morley; subject: Establishment of the Foundation
- 80 Statement of Alan Gordon McGregor dated 9 May 2004, with supporting documents labelled AGM1 – 1 volume (**subject to non publication order- 17 may 2004**)
- 81 Letter dated 12 January 2001 from Roy Williams to Wayne Attrill; subject: 'JHIL Discovery Project'; attaching the Review of Documents for the JHIL Discovery Project (**Subject to a non publication order – 17 May 2004**)
- 82 James Hardie Board Papers November 2001
- 83 James Hardie Board Papers February 2002
- 84 James Hardie Board Papers December 2001
- 85 Internal Memorandum dated 9 November 2001, from Peter Shafron to Peter Macdonald; subject: Foundation
- 86 Letter to shareholders dated 19 March 2004, signed by Alan McGregor; subject: James Hardie and the Foundation Inquiry
- 87 James Hardie Media Release dated 25 February 2004 entitled 'Special Commission into MRCF'
- 88 Handwritten note of Peter James Shafron dated 16 January 2001; subject: Trust Advice
- 89 Typewritten document with paras 'a. – m.' tendered on behalf of the Energy Companies
- 90 Handwritten note of Peter James Shafron; entitled Michael Gill
- 91 Facsimile, 15 April 1998, from Paul Brunner to Mark Shuntleff; subject: Project Chelsea; with attached document dated 14 April 1998 entitled 'Confidential Freedom of Information Act'

**Exhibit
No**

Description of Exhibit

	Treatment Requested'
92	Allens Arthur Robinson bundle of 12 documents entitled 'Index to JH1.501.001' <ol style="list-style-type: none">1. Handwritten notes of telephone call with Peter Shafron and Phillip Morley dated 3 January 2001;2. Handwritten notes taken to or prepared at meeting with Prospective Foundation directors dated 15 January 2001;3. Handwritten notes of telephone call with Messrs Sweetman, Baxter, Macdonald, Wilson, Shafron, Morley, Cameron and, possibly, McGregor dated 16 January 2001;4. Handwritten notes of telephone call with Peter Macdonald and Phil Morley dated 16 January 2001;5. Handwritten notes of JHIL Board meeting dated 17 January 2001;6. Handwritten notes of meeting with Project Green team dated 23 January 2001;7. Letter dated 1 February 2001 from David Robb and Patrice Mowat to Peter Shafron; subject: Draft advice on payment of dividends by James Hardie & Coy;8. Email dated 8 February 2001 from Peter Shafron to David Robb copied to Julian Blanchard and Peter Cameron; subject: Green9. Handwritten notes taken to or prepared at meeting with Prospective Foundation directors dated 13 February 2001;10. Handwritten notes of telephone calls with Peter Shafron and Peter Macdonald dated 15 February 2001;11. Handwritten notes of JHIL Board meeting;12. Notes, entitled 'reinstatement', undated
93	Handwritten flow chart showing Business structure of Borchester Investments Pty Ltd with attaching historical company extracts for Borchester Investments Pty Limited, Borchester Holdings Pty Limited, RCI Pty Limited, RCI Holdings Pty Ltd
94	Letter dated 9 February 2001 from Lynne Harman and Nicola Nygh (Allens Arthur Robinson) to Peter Shafron; subject: JHIL Discovery Project (subject to a non-publication direction – 17 May 2004)
95	Statement of Anthony Gregory Bancroft dated 12 May 2001, with supporting documents labelled AGB1 - 3 volumes
96	Email, 21 December 2000, from Peter Shafron to Peter Cameron and David Robb, copied to Phil Morley, Peter Macdonald and Anthony Sweetman; subject: Independent advice to Trust Directors
97	Email, 2 October 2001, from Larissa Hunter to Dennis Cooper; subject: JHIL Communications

**Exhibit
No**

Description of Exhibit

- 98** Statement of William John Koeck dated 12 May 2004, with supporting documents labelled WJK – 1 volume
- 99** Letter dated 15 February 2001 from Blake Dawson Waldron to Phillip Morley and Don Cameron; subject: ‘James Hardie & Coy Limited and Jsekarb Pty Limited Proposed Indemnity in favour of James Hardie Industries Limited’
- 100** Supplementary statement of Michael John Gill dated 21 May 2004, with supporting documents – 1 volume
- 101** Statement of Alan Thornton Kneeshaw dated 17 May 2004, with supporting documents labelled – 1 volume
- 102** Email, 1 November 2000, from Peter Shafron (USA) to Alan Kneeshaw copied to Wayne Attrill; subject: JHIL Employees.
- 103** Statement of Donald Alexander John Salter dated 24 May 2004, with supporting documents labelled DAS1 – 2 volumes (**Subject to a non publication order – 25 May 2004**)
- 104** Facsimile, 2 June 1998, from Don Salter to Grant Kepler (Coopers & Lybrand) [with attachments]; subject: JHIL management fees
- 105** Letter dated 22 December 2000 from Charles Humphrey (PricewaterhouseCoopers) to Don Salter; subject: Core Technology Valuation Review – Response
- 106** James Hardie Industries Limited ‘Inter-house Letter’ dated 12 March 1990 from D A Salter to S E Harman, copied to P G Morley; subject: Group Management Fees 1989/90 year
- 107** Facsimile, 3 June 1998, from Don Salter to Grant Kepler (Coopers & Lybrand) with attachments; subject: JHIL Management fees
- 108** Allen Allen & Hemsley document entitled, ‘Chronology of events relevant to JH & Coy’s dividend payments’ with footnote date of 19 January 2001
- 109** Undated, unaddressed, handwritten note, headed ‘Don’ with Don Salter’s notation on it
- 110** Email, 17 September 2002 from Alan Kneeshaw to Peter Shafron, copied to David Robb and Don Salter; subject: ‘Amaca divs and mgmt fees’
- 111** Handwritten note of Don Salter, dated 20 September 2002; subject: Phone Conference
- 112** Handwritten note dated 17 March 2003 identifying a telephone conference or meeting with Peter Macdonald, Phil Morley and Peter Shafron. Author unknown
- 113** Email, 18 March 2003, from Peter Shafron to Don Salter, Alan Kneeshaw, Joanne Marchione, Greg Baxter with attachments; subject: Draft ABN 60 – Studorp analysis
- 114** Email, 9 August 2002, from Lyndal Hoare to Don Salter; subject: ‘ABN 60 tfr (RCI)’
- 115** Email, 3 August 2002, from Lyndal Hoare to Don Salter, copied to Sarah Carter, Greg Evans, Peter Shafron (USA) and Phillip Morley, with attachments; subject: ‘ABN 60 tfr’

Exhibit No	Description of Exhibit
116	Email, 29 August 2002, from David Robb to Don Salter, David Robb, Joanne Marchione, Alan Kneeshaw and Greg Evans and copied to Nicola Colbran; subject: ABN 60 transfer
117	Document entitled 'ABN 60 000 009 264 Pty Limited Steps in creating Foundation II by 31 March 2003' produced by Allens Arthur Robinson with a footnote date of 24 March 2003
118	Email, 15 July 2002, from Joanne Marchione to Peter Shafron, copied to Don Salter; subject: JHIL to Foundation
119	Document entitled 'ABN 60 transfer – step plan as of 1 August 2002'
120	Document entitled 'ABN 60 change of control – step plan as of 16 October 2002'
121	Statement of Phillip Graham Morley dated 5 April 2004, with supporting documents labelled PGM1 – 8 volumes (Subject to a non-publication direction – 17 May 2004)
122	Supplementary statement of Phillip Graham Morley dated 24 May 2004 with supporting documents labelled PGM2 – 2 volumes (Subject to a non-publication direction – 25 May 2004)
123	Document entitled 'PGM1 – Handwritten notes of Phillip Morley' produced by Allens Arthur Robinson with a footnote date of 25 May 2004, being a typed copy of Phillip Morley's handwritten notes of 15 January to 17 January 2001, found at pages 2488 to 2533 in PGM1
124	Statement of Andrew Wentworth Stevenson dated 12 May 2004, with supporting documents – 1 volume
125	Email, 28 March 2003, from Andrew Stevenson to Michael Donovan, Alessandra Saltos and J Macphillamy, with attachments; subject: Deed of Covenant Indemnity and Access
126	Handwritten file notes of Alessandra Saltos dated 9 December 2003
127	Handwritten file note of Alessandra Saltos dated 16 December 2003
128	Handwritten file note of Andrew Stevenson of a meeting with Don Cameron dated 13 January 2004
129	Handwritten file note of Alessandra Saltos of a meeting with Don Cameron dated 13 January 2004
130	Handwritten file note of Alessandra Saltos of a meeting with J.Macphillamy, Don Cameron and A.Stevenson dated 15 January 2004
131	Handwritten file note of Alessandra Saltos of a conference with J.Macphillamy, M.Donovan and A.Stevenson dated 28 March 2003. (Subject to a non-publication direction – 27 May 2004)
132	Handwritten file note of Andrew Stevenson of a meeting on 28 March 2003
133	Jardine Lloyd Thompson document dated March 2003 entitled 'Directors & Officers Liability Quotation Summary'; with an attached email, 29 March 2003, from Peter Shafron to Andrew Stevenson, Michael Donovan, Alessandra Saltos and copied to Julian Blanchard, David Robb and Phillip Morley; subject: 'ABN 60 Foundation: D&O Terms'
134	Handwritten file note of Alessandra Saltos of a meeting on 31 March 2003 between J. Macphillamy, David Robb, Julian Blanchard and Andrew Stevenson

**Exhibit
No**

Description of Exhibit

- 135** Statement of Stephen Loosley dated 24 May 2004, with supporting documents – 1 Volume
- 136** Handwritten file notes from an unknown author together with a typed translation produced by Allens Arthur Robinson with a footnote date of 27 March 2004 entitled ‘Graeme Wedderburn’
- 137** Two tables produced by Stephen Harman entitled:
1. ‘Updated as at February 15’ footnote date of 15 February 2001;
2. ‘James Hardie Industries Limited Consolidated balance sheet, adjusted for the impact of the Foundation’ footnote date of 19 February 2001
- 138** Extract from the 1999 James Hardie Annual Report, pages 70 to 71
- 139** Document entitled ‘James Hardie Building Products Management Information New Zealand’ footnote date 29 April 1998, extracted from the James Hardie 1998 Annual Report
- 140** Draft discussion paper dated 22 February 1995 entitled ‘Discussion Paper Concerning Stamp Duty Issues in Respect of the Proposed Restructure of the Business of JH & Coy’
- 141** Email, 2 February 2001, from Phillip Morley to David Robb and Sam Hamilton; subject: FW Loan Deed-James Hardie
- 142** Handwritten file note of Julian Blanchard dated 3 January 2001, of a conference with Peter Shafron and Phillip Morley
- 143** Handwritten file note of Julian Blanchard’s teleconference call dated 23 January 2001
- 144** Handwritten file note of Julian Blanchard entitled ‘James Hardie conference call’ dated 6 February 2001
- 145** Email, 10 February 2001 from Peter Macdonald to Greg Baxter, copied to Peter Shafron, Phil Morley, Anthony Sweetman, Ian Wilson and Steve Ashe; subject: ‘Stephen Loosley and David Pigott Meeting’
- 146** Bundle of 4 emails:
1. Email, 17 September 2000, from Stephen Harman to Peter Macdonald, Phillip Morley, Ian Wilson, Anthony Sweetman, Peter Shafron, Greg Baxter, Cathy McCutcheon and Robert Middendorp, copied to Norah Seddon and Keith Sheppard; subject: ‘Worked example - partly paid share investment into JHIL’
2. Email, 26 September 2000, from Keith Sheppard to Peter Shafron, copied to Stephen Harman, D Robb, A Sweetman, Norah Seddon; subject: Green - Partly Paid Shares
3. Email, 6 October 2000, from Peter Shafron to P Cameron and D Robb, copied to Phillip Morley, A Sweetman, Greg Baxter, Stephen Harman and K Sheppard; subject: ‘Green: Stakeholder Issues - Advisers telecon’
4. Email, 7 October 2000, from Peter Shafron to Stephen Harman, copied to Phillip Morley, Keith Sheppard, Greg Baxter, Anthony Sweetman, Peter Cameron and David Robb. subject: ‘(MORE) Green - Stakeholder Issues: Advisers telecon’

**Exhibit
No**

Description of Exhibit

- 147** Email, 24 March 2001, from Peter Shafron to P Cameron and D Robb, copied to Peter Macdonald, Phillip Morley, Stephen Harman and Greg Baxter; subject: 'Project Green Update for April Board Paper'
- 148** Statement of Peter Donald Macdonald dated 2 April 2004 with supporting documents labelled PDM1 – 2 volumes (**Subject to a non-publication direction – 17 May 2004**)
- 149** Document prepared by Peter Macdonald displaying Asset Sales outside the James Hardie group
- 150** MRCF (Investments) Tender Bundle – 1 Volume
- 151** Email, 27 January 2001, from Peter Macdonald to Greg Baxter and Steve Ashe, copied to Ian Wilson, Anthony Sweetman, David Robb and Peter Cameron; subject: 'Privileged and Confidential'. Attachments include draft Board Minutes dated 15 November 2000 and 17 January 2001 and a Trust Creation document
- 152** Email, 1 August 2001, from Peter Macdonald to David Robb and Peter Shafron, copied to Jeremy Low, Phillip Morley and George Frangeskides; subject: 'JHI NV revised articles including takeover language'
- 153** Bundle of 5 documents:
1. Three pages of Peter Macdonald's speaking notes for the Board meeting of 13 February 2002
 2. CEO Report dated 14 May 2002
 3. Memo dated 16 December 2003 from Peter Macdonald to the Directors; subject: CEO Update
 4. Email, 23 January 2003, from Peter Macdonald to Peter Shafron and Phillip Morley; subject: 'MRCF meeting Note'
 5. Email, 9 May 2004, from Peter Shafron to Peter Macdonald; subject: 'Foundation'
- 154** Media release dated 29 October 2003 from Medical Research Compensation Foundation; subject: Asbestos Compensation Funding
- 155** Hardcopy of Peter Macdonald's PowerPoint presentation dated 30 October 2003
- 156** Document entitled 'Chapter 3 Continuous Disclosure', footnote date 1 July 2000
- 157** Document entitled 'Chapter 3 Continuous Disclosure', footnote date April 2003
- 158** James Hardie Media Release dated 29 October 2003, entitled 'Possible Asbestos Funding Shortfall Suggests Significant Change in Claims'

Exhibit No	Description of Exhibit
159	Email, 8 February 2001, from Wendy Hallgren to "aharmse", copied to Peter Shafron and George Frangeskides; subject: 'U.S. Securities Laws and Project Green'
160	Email, 10 January 2001, from David Robb to Peter Shafron, copied to Peter Cameron; subject: Tony Bancroft
161	Email, 5 October 2001, from Peter Macdonald to Jeremy Low, copied to David Robb, Peter Shafron and Phillip Morley; subject: Brief to Tom Bathurst QC
162	Email, 26 December 2000, from Peter Macdonald to Peter Shafron, copied to Phillip Morley, Anthony Sweetman and Stephen Harman; subject: 'FW Equity valuations'
163	Email, 28 February 2001, from Roy Williams to Peter Shafron, copied to Peter Cameron and David Robb; subject: Trowbridge report
164	Email, 8 February 2001, from Peter Shafron to David Robb, copied to Julian Blanchard and Peter Cameron; subject: Green
165	Email, 29 March 2001, from Roy Williams to Peter Shafron, copied to David Robb; subject: Trowbridge
166	Document entitled 'Asbestos Medical Milestones 1899–1987'
167	Letter dated 31 October 2004 (date should read 2003 - corrected in the transcript p 2634) to the Editor of Australian Financial Review from Peter Macdonald
168	Email, 6 November 2000, from Keith Sheppard to Peter Cameron, copied to A Sweetman, Tony Clemens, Larry Magid, Peters and Phillip Morley, with attachment; subject: The Rationale
169	Email, 10 February 2001, from Peter Macdonald to Andrew Cowper, copied to Phillip Morley, Peter Shafron, Greg Baxter, Steve Ashe and Anthony Sweetman; subject: 'Presentation of outline - Comments for discussion'
170	James Hardie Press Release dated 7 June 2004, entitled 'James Hardie Releases New Actuarial Review'
171	Letter dated 19 March 2004 from Peter Macdonald to the 'The Bulletin'
172	James Hardie 'Hardie News' April 2004/Volume 4 Issue 1
173	Statement of Thomas John Charles Macphillamy dated 25 May 2004 with supporting documents labelled TJCM1 – 1 volume
174	Statement of Dr Keith Barton dated 6 May 2004 with supporting documents – 1 volume
175	Supplementary statement of Dr Keith Barton dated 24th May 2004 with supporting documents – 1 volume
176	Facsimile cover sheet, 11 July 1996, from Geoff Atkins (Trowbridge) to Mr S Gellert JHI attaching letter dated 11 July 1996 from Geoff Atkins to Mr S Gellert; subject: Actuarial Review of Provisions for Asbestos-Related Diseases – Stage 2

**Exhibit
No**

Description of Exhibit

177	Facsimile, 24 July 1996, from Stephen Gellert to Geoff Atkins and David Minty; subject: Asbestos-Risk Review
178	Overview of presentation by Trowbridge Consulting entitled 'James Hardie Industries Limited Actuarial Review of Asbestos-Related Claims yet to be paid 3 September 1996'
179	Document dated 6 April 1992, entitled 'Asbestos Litigation Forecast 1992–2005'. Author Mr J Knight, solicitor
180	Email, 14 April 1999, from Greg Evans to Stephen Harman and Peter Shafron; subject: 'JH&COY CHARGE TO JHIL'
181	Warburg Dillon Read's report to James Hardie dated July 1999 and entitled 'Project Monica key issues'
182	James Hardie Memo dated 31 March 2003 from Phil Morley to Don Salter; subject: Quantification of workers compensation claims for ABN60 directors
183	Extract from Grant Samuel & Associates Valuation Report dated 17 September 1998 (Summary & Conclusions)
184	Document entitled 'Difference in earnings between Grant Samuel & Associates and PricewaterhouseCoopers'
185	Table showing differences between PricewaterhouseCoopers 1997 forecast and Grant Samuel & Associates 1999 forecast in earnings
186	Allens Arthur Robinson document entitled 'Documents in respect of which non-publication directions are sought – DAR1' with a footnote date of 9 June 2004
187	Statement of David Robb dated 8 June 2004 with supporting documents – 3 Volumes (Subject to a non-publication direction – 1 July 2004)
K	Transcription of David Robb's handwritten notes that appear in the supporting documents. Forms part of exhibit 187
188	Supplementary Statement of David Arthur Robb dated 9 June 2004 with supporting documentation (Subject to a non-publication direction – 8 June 2004)
189	Tender Bundle prepared on behalf of MRCF (Investments) Pty Limited – 2 volumes
190	Handwritten file note of David Robb dated 9 January 2001
191	Email, 31 October 2002, from Julian Blanchard to Peter Shafron, copied to Richard Alcock and Michael Ball; subject: 'Letter to Directors, James Hardie' (Subject to a non-publication direction – 17 June 2004)
192	Email, 1 November 2002, from Julian Blanchard to Peter Shafron, Peter Macdonald, Phillip Morley, copied to Richard Alcock and Michael Ball; subject: ABN60. The email has attachments: 1. An internal memorandum from Richard Alcock, Michael Ball and Julian Blanchard dated 1

**Exhibit
No**

Description of Exhibit

-
- November 2002; subject: creditors
2. Letter dated 1 November 2002 from Richard Alcock and Michael Ball to the Directors James Hardie Industries N.V.; subject: Change of Control of ABN 60 000 009 263 Pty Ltd (ABN 60) **(Subject to a non-publication direction – 17 June 2004)**
- 193** Handwritten notes of Michael Quinlan of a telephone conversation with David Robb dated 5 February 2001
- 194** Email, 27 March 2001, from Peter Shafron to David Robb; subject: Project Green Update for the April Board Paper
- 195** Email, 1 March 2001, from Roy Williams to Peter Shafron, copied to Peter Cameron and David Robb; subject: Trowbridge Report
- 196** Email, 15 February 2001, from Peter Shafron to David Robb, copied to Phillip Morley; subject: Trowbridge
- 197** Letter dated 18 October 2002 from Richard Alcock to the Directors James Hardie Industries N.V.; subject: Change of control of ABN 60 000 009 263 Pty Ltd (ABN 60)
- 198** Letter dated 1 November 2002 from David Robb and Michael Ball to the Directors James Hardie Industries N.V.; subject: Change of control of ABN 60 000 009 263 Pty Ltd (ABN 60) **(Subject to a non-publication direction – 17 June 2004)**
- 199** Letter dated 24 January 2003 from David Robb and Michael Ball to the Directors James Hardie Industries N.V.; subject: Change of control of ABN 60 000 009 263 Pty Ltd (ABN 60) **(Subject to a non-publication direction – 17 June 2004)**
- 200** Email, 5 November 2002, from Peter Shafron to Richard Alcock and Julian Blanchard, copied to Phillip Morley; subject: ABN 60
- 201** Letter dated 8 October 2002 from David Robb to the Directors James Hardie Industries N.V.; subject: Change of control of ABN 60 000 009 263 Pty Ltd (ABN 60)
- 202** Handwritten file notes of David Robb dated 6 February 2001
- 203** Handwritten file notes of Julian Blanchard of a conference call dated 4 January 2001
- 204** Handwritten file notes of David Robb incorrectly dated 1 January 2002, corrected in the transcript as 1 January 2001
- 205** Handwritten file note of David Robb from meeting dated 13 February 2001
- 206** Letter dated 24 January 2003 from David Robb and Michael Ball to the Directors of James Hardie Industries NV, with handwritten notations in the margin; subject: Change of Control of ABN 60 000 009 263 Pty Ltd (ABN 60) **(subject to non publication order – 17 June 2004)**
- 207** Email, 23 January 2002, from Peter Shafron to David Robb; subject: compensation reforms may be near
- 208** Bundle of 5 emails

**Exhibit
No**

Description of Exhibit

1. Email, 27 February 2001, from Roy Williams to David Robb, copied to Lynne Harman and Peter Cameron; subject: 'Draft e-mail to Peter Shafron'
 2. Email, 27 February 2001, from David Robb to Roy Williams, copied to Lynne Harman and Peter Cameron; subject: 'Draft e-mail to Peter Shafron'
 3. Email, 27 February 2001, from Peter Cameron to David Robb and Roy Williams, copied to Lynne Harman; subject: 'Draft e-mail to Peter Shafron'
 4. Email, 27 February 2001, from Roy Williams, Peter Cameron and David Robb, copied to Lynne Harman; subject: 'Draft e-mail to Peter Shafron'
 5. Email, 28 February 2001, from Roy Williams to Peter Shafron, copied to Peter Cameron and David Robb; subject: 'Trowbridge report'
- 209** Email, 8 March 2001, from Roy Williams to David Robb and Peter Cameron; subject: 'Trowbridge report'
- 210** Conference notes of David Robb of a conference with Noel Hutley dated 10 May 2001
- 211** Email, 15 May 2001, from David Robb to Peter Shafron; subject: 'Note of Conference with Noel Hutley'
- 212** Handwritten file notes of David Robb dated 25 August 2000
- 213** Bundle of 4 emails
1. Email, 14 February 2001, from David Robb to Peter Shafron, copied to George Frangeskides and Patrice Mowat; subject: Coy
 2. Email, 14 February 2001, from Patrice Mowat to William Koeck, copied to Loretta Rigby and David Robb; subject: 'Project Green – Coy documents'
 3. Email, 15 February 2001, from Bruce Macdonald to Patrice Mowat and David Robb, copied to Don Cameron, Peter Shafron, Bill Koeck and Jeremy Kriewaldt; subject: James Hardie
 4. Email, 15 February 2001, from David Robb to George Frangeskides; subject: James Hardie
- 214** Email, 5 February 2001, from Peter Macdonald to Peter Shafron, Phillip Morley and Greg Baxter, copied to Ian Wilson, Anthony Sweetman and David Robb; subject: 'BIL Discussions'
- 215** Email, 9 February 2001, from Peter Shafron to David Robb; subject: 'Coy Indemnity & Loan'
- 216** Email, 14 February 2001, (with attachments) from Peter Shafron to Julian Blanchard, copied to D Robb and G Frangeskides; subject: 'Trowbridge for MSJ Pack'
- 217** Email, 13 February 2001, from Peter Shafron to Julian Blanchard, copied to D Robb; subject: 'Revised Trowbridge attached for MSJ pack'
- 218** Third supplementary statement of Ian Farley Hutchinson dated 31 May 2004, with supporting documents – 2 volumes

**Exhibit
No**

Description of Exhibit

- 219 Fourth supplementary statement of Ian Farley Hutchinson dated 10 June 2004
- 220 Application from AMACA Pty Ltd for assistance under the Commonwealth Government's HIH Claims Support Scheme (pages 1–52) dated 27 February 2004
- 221 Application form AMACA Pty Ltd for assistance under the Commonwealth Government's HIH Claims Support Scheme (pages 53–57) dated 27 February 2004
- 222 Application from AMABA Pty Ltd for assistance under the Commonwealth Government's HIH Claims Support Scheme (pages 58–95) dated 27 February 2004
- 223 Application form AMABA Pty Ltd for assistance under the Commonwealth Government's HIH Claims Support Scheme (pages 96–114) dated 27 February 2004
- 224 Statement of Peter Stewart Cameron dated 7 June 2004, with supporting documents – 2 volumes **(Subject to a non-publication direction – 16 June, 1 July 2004)**
- 225 Email, 6 November 2000, from Anthony Sweetman to Keith Sheppard and Peter Cameron, copied to Larry Magid, 'Peters', Phillip Morley and Tony Clemens; subject: 'The Rationale'
- 226 Email, 7 November 2000, from Peter Cameron to Keith Sheppard, copied to Anthony Sweetman, Tony Clemens, Phillip Morley, David Robb and George Frangeskides; subject: 'The Rationale'
- 227 Statement of Andrew Smith dated 2 April 2004
- 228 Supplementary Statement of Andrew Smith dated 16 April 2004
- 229 Further Supplementary Statement of Andrew Smith dated 27 April 2004
- 230 Statement of Armando Gardiman dated 1 June 2004, with supporting documents
- 231 Statement of Jorg Probst dated 2 June 2004, with supporting documents
- 232 Statement of Professor Bruce Armstrong attaching a document entitled 'Review of the epidemiological bases for Trowbridge Consulting's predictions of asbestos-related claims for James Hardie Industries and for the Medical Research and Compensation Foundation', dated 1 April 2004
- 233 Statement of Peter Gordon dated 25 May 2004, with supporting documents – 1 volume
- 234 Statement of Jaye Louise Gardner dated 8 June 2004 with supporting documents
- 235 Facsimile, 13 August 1998 from Niesje Turney to Jaye Gardner; subject: Sundry requests
- 236 Document dated 31 March 1998 entitled 'James Hardie & Coy Pty Ltd CLASS A PACKAGE'
- 237 Report of Professor Bruce Kingston dated 16 May 2004 – 1 volume
- 238 Report of Stephen Shane Eccleston Director of BEM Property Consultants Pty Ltd dated 24 May 2004
- 239 Letter dated 15 June 2004 from Robert K. Ellis to Keren Davies; subject: James Hardie -Rental

**Exhibit
No**

Description of Exhibit

Exhibit No	Description of Exhibit
	Advice/Opinions
240	Facsimile, 7 July 1998, from Jordan Berryman to Wil Wiemann; subject: James Hardie Rental Valuations
241	Document entitled 'Existing Use Value & Insurance Value as at 31 March 1999' for the property at Carole Park
242	Valuation by JLW Advisory Corporate Property Services, of JHIL property located at Carole Park, Queensland dated 31 March 1996
243	Letter dated 22 May 1998 from Wil Wiemann James Hardie Industries Limited, marked attention Peter Shafron; subject: Kerbside Rental Opinion – Cobalt & Silica Sts, Carole Park, Qld
244	Letter dated 25 May 1998 from Nicole Hickling James Hardie Industries Limited, marked attention Peter Shafron; subject: Kerbside Rental Opinion - 46 Randle Road, Meeandah, Qld
245	Letter dated 24 May 2004 from Robin Humphreys of Moore Stephens WI Forensic P/L and annexures to Ms Mimi Barbaro; subject: Medical Research & Compensation Foundation Special Commission of Inquiry
246	Letter dated 17 June 2004 from Robin Humphreys of Moore Stephens WI Forensic P/L to Mimi Barbaro; subject: Medical Research & Compensation Foundation Special Commission of Inquiry
247	Facsimile, 10 June 2004, from Michael Ball and Stuart Lawrance to Mimi Barbaro; subject: Special Commission of Inquiry into the Medical Research & Compensation Foundation attaching a document entitled 'Amaca continuing to own business'
248	Letter dated 6 October 2000 from Lebbon to Edwin Berzins; subject: Preliminary Indicative View - James Hardie Research Pty Limited
249	Letter dated 6 March 2001 from Charles Humphrey to Don Salter; subject: Core Technology Valuation - Response to ATO
250	Document entitled 'Resumé of Guy Whitehead'
251	Document entitled 'Report to the Special Commission of Inquiry Into The Medical Research and Compensation Foundation Regarding Trowbridge Estimates of the JHG Asbestos Related Liabilities and Related Matters', prepared by Guy Whitehead of Taylor Fry Consulting Actuaries dated 23 May 2004
252	Document entitled 'Special Commission of Inquiry into the Establishment of the MRCF Actuarial Expert Witness Report Prepared For Allens Arthur Robinson and James Hardie Review of Actuarial Advice Provided by Trowbridge Deloitte 1996 – 2003' dated 7 June 2004; Author: Richard C Wilkinson, Director, KPMG Actuaries Pty Ltd
253	Document entitled 'The Incidence of Mesothelioma in Australia 1998 to 2000 Australian Mesothelioma Register Report 2003' from the Commonwealth of Australia National Occupational Health and Safety Commission
254	Series of Tables and Graphs reproduced from the Mesothelioma Register for the years 1993–2003

**Exhibit
No**

Description of Exhibit

	showing 'number of cased diagnosed – male + female'
255	Tables from the Australian Institute of Health and Welfare entitled 'Number of new cases and age-specific rates for selected cancers by year of registration, sex and 5 year-age groups', for the years 1983–2000 and 1983–1998
256	Table entitled 'Estimated Net Annual Consumption: Used as Proxy for Exposure Australian National Statistics relating to consumption, metric Tonnes'
257	Third statement of David Julian Minty dated 4 June 2004 – 1 volume
258	Fourth statement of David Julian Minty dated 18 June 2004
259	Letter dated 13 May 1998 from Roy Williams to David Minty; subject: Project Chelsea with attached documents; <ol style="list-style-type: none">1. Document dated 12 May 1998 entitled 'Trends in Asbestos Litigation Involving the James Hardie Group of Companies: A Legal Overview'2. Document dated 7 May 1998 prepared by Attorney General and the Minister for Industrial Relations the Hon JW Shaw QC MLC entitled 'END TO DEATH-BED COURT CASES FOR DUST DISEASE VICTIMS'
260	Email, 22 May 1998, from David Minty to Geoff Atkins, copied to Julie Evans; Amy Angell and Mark Wylie; subject: Allens Report on Chelsea
261	Copy of the article 'The European Mesothelioma Epidemic' taken from the British Journal of Cancer (1999) 79(3/4), 666–672; Authors J Peto, A Decarli, C LaVecchia, F Levi and E Negri
262	Trowbridge Consulting Report entitled 'Public Liability Insurance Analysis for Meeting of Ministers 27 March 2002' dated 26 March 2002
263	Document entitled 'Proposed Accounting Standards ED88 Provisions and Contingencies' December 1997
264	Document entitled 'Accounting Standard AASB1044 Provisions, Contingent Liabilities and Contingent Assets'
265	Document entitled 'FAS 5: Accounting for Contingencies' issued March 1975
266	Article from the American Journal of Industrial Medicine 41:188-201 (2002) entitled 'Malignant Mesothelioma in Australia, 1945 – 2000'. Authors J Leigh, P Davidson, L Hendric and D Berry
267	Document from Richard Wilkinson in response to the Commission's request for a list of the insurers referred to in 3.2.3 of his expert report. Footnote date 16 June 2004
268	Letter dated 3 March 2004 from Michael Ball & Stuart Lawrance to Richard Wilkinson and Greg Martin; subject: Special Commission of Inquiry into the establishment of The Medical Research & Compensation Foundation
269	Article published by the 1997 British Occupational Hygiene Society entitled 'Malignant Mesothelioma in Australia (1945–1995)'. Authors: J Leigh, B Hull and P Davidson

**Exhibit
No**

Description of Exhibit

- 270 Letter dated 4 April 1998 from Professor G. Berry to John Winters
- 271 Facsimile dated 23 April 1998 from Joe to Wayne Attrill attaching a letter dated 23 April 1998 from William Blot and Joseph McLaughlin; subject: Evaluation and critique of NOHSC report “No 3 – Asbestos update” by Dr J Leigh
- 272 Report by PricewaterhouseCoopers dated 4 July 2003 entitled ‘PwC Asbestos Survey Asbestos experience as at 31 March 2003’
- 273 Supplementary Statement of Alan Gordon McGregor dated 17 June 2004
- 274 Article from the American Journal of Epidemiology Vol 145 No 3 entitled ‘Analysis of Current Trends in United States Mesothelioma Incidence’ 1996; Author: B Price
- 275 Statement of Caroline Cox dated 22 June 2004
- 276 One folder containing information obtained from ASIC in relation to MRCF and related companies; ABN 60 Pty Limited and related companies
- 277 Annual reports for James Hardie Industries from 1989 to 2003
- 278 Documents from the Supreme Court Application re: Scheme of Arrangement – 5 folders
- 279 Two Graphs, both drawn from the James Hardie website showing the movements in share prices from 1994 to 2004
- 280 Form 6-K dated 14 May 2004, submitted by James Hardie Industries NV to the Securities and Exchange Commission, Washington DC
- 281 Declaration by Phillip Morley Dated 18 June 2004 (**Subject to non-publication direction – 23 June 2004**)
- 282 Declaration by Peter Shafron Dated 18 June 2004 (**Subject to non-publication direction – 23 June 2004**)
- 283 Board Papers and Minutes, including minutes of Audit Committee meetings of James Hardie Industries, from February 1994 to February 2004
- 284 Four folders containing information relating to the history of James Hardie Companies
- 285 Financial statements from Amaca and Amaba from 1960 to the present day
- 286 Letter dated 31 May 2004 from Michael Ball and Stuart Lawrance; subject: Special Commission of Inquiry into the Medical Research & Compensation Foundation. Group Structure diagrams relating to the James Hardie Group of Companies is attached
- 287 Letter dated 10 June 1998 from G N Kennedy to Peter Shafron; subject: James Hardie Property, Rutland Avenue, Welshpool, WA
- 288 Handwritten file note of David Robb dated 25 July 2002
- 289 Handwritten file note of David Robb dated 4 October 2002

**Exhibit
No**

Description of Exhibit

- 290** Document entitled ‘Chairman’s agenda James Hardie Industries Limited – For a scheme meeting to be held on 28 September 2001’
- 291** Email, 19 July 2000, from Wayne Attrill to Peter Shafron; subject: ‘Green’
- 292** Bundle of Documents:
1. Facsimile, 15 June 2004, from Mimi Barbaro, Solicitor for Commission of Inquiry into MRCF to all parties with leave to appear before the Commission attaching a copy of the Summons to Produce issued on The Proper Officer, KPMG Actuaries Pty Limited and Mr Richard Wilkinson;
 2. Facsimile, 22 June 2004, from Mimi Barbaro, Solicitor to the Special Commission of Inquiry to all parties with leave to appear before the Commission attaching, among other things, a letter dated 17 June 2004 from Reaymond McGuinness, Gilbert & Tobin, to Mimi Barbaro; subject: ‘Richard Wilkinson – Summons to Produce Documents dated 15 June 2004 (Summons)’
- 293** One folder containing Wayne Attrill’s answers to questions asked by the Commissioner Jackson QC on 29 April 2004 and other documents relating to certain exchanges in the early formation of the Foundation
- 294** Further supplementary statement by Ian Farley Hutchinson dated 23 June 2004
- 295** Statutory Declaration of Dennis John Cooper dated 9 July 2004
- 296** Supplementary statement of Peter John Beacroft with supporting documents dated 22 June 2004 – 1 volume
- 297** List of proposed amendments to the Transcript
- 298** Statutory Declaration of Peter Macdonald dated 22 June 2004, with supporting documents – **subject to non-publication order of 9 July 2004.**
- 299** Certified copy of a supplementary statement of Peter Beacroft dated 25 June 2004.
- 300** Video recording of media announcement by James Hardie Industries Ltd of third quarter results for 2001.
- 301** Partial transcription of the video recording of media announcement by James Hardie Industries Ltd of third quarter results for 2001.
- 302** Statement of Julian Ross Blanchard dated 5 July 2004, with supporting documents.
- 303** Supplementary Statement of David Arthur Robb dated 5 July 2004, with supporting documents.
- 304** Statutory Declaration of Charles Harold Humphrey dated 1 July 2004.
- 305** Statutory Declaration of Grant Kepler dated 7 July 2004, with supporting documents.
- 306** Draft report entitled ‘James Hardie Industries Limited Valuation of James Hardie & Coy Pty

**Exhibit
No**

Description of Exhibit

-
- Limited Business 31 March 1998' prepared by PricewaterhouseCoopers.
- 307** Statutory Declaration of Phillip Graham Morley dated 16 July 2004.
- 308** Supplementary Statement of Peter Donald Macdonald dated 12 July 2004, with supporting documents.
- 309** Second Supplementary Statement of Peter James Shafron dated 12 July 2004, with supporting documents.
- 310** Statutory Declaration of Phillip Graham Morley dated 9 July 2004, with supporting documents.
- 311** Supplementary Statement of Jorg Probst dated 8 July 2004, with supporting documents.
- 312** Statement of Richard Charles Wilkinson dated 12 July 2004.
- 313** Copy of Media Announcement made on 5 February 2004 by the US Food and Drug Administration entitled 'FDA Approves First Drug for Rare Type of Cancer' relating to the approval of the release of the drug Alimta for use in combination with other drugs for the treatment of patients with mesothelioma.
- 314** Letter dated 13 July 2004, from John McGuiness (KPMG) to Michael Ball; subject: 'Medical Research & Compensation Foundation'; schedules attached.
- 315** Statement of Richard John Shankland dated 9 July 2004 and supporting documents.
- 316** Copy of the diary entry of Michael Gill for 9 February 2001
- 317** Bundle of documents extracted from the CD produced on 11 May 2004 by Allens Arthur Robinson.
- 318** Report to the MRCF Board re trip to London, May 2004 by Andrew Sutherland (Eakin McCaffrey Cox) and Marshall Phillips (Insurance Consultant).
- 319** Transcript of hearing on 21 July 2004 before Young CJ in *Sir Llewellyn Edwards & Ors v The Attorney General in and for the State of New South Wales* No.3608/04.
- 320** Selection of file notes and documents extracted from the documents produced on 23 July 2004 by Allens Arthur Robinson.
- 321** Letter dated 26 July 2004 from Robin Humphreys (Moore Stephens WI Forensic P/L) subject: Medical Research & Compensation Foundation Special Commission of Inquiry.
- 322** Affidavit of Ian Farley Hutchinson sworn 23 June 2004 filed in the Supreme Court proceedings of *Sir Llewellyn Edwards & Ors v The Attorney General in and for the State of New South Wales*, No.3608/04.
- 323** Affidavit of Ian Farley Hutchinson sworn 5 July 2004 filed in the Supreme Court proceedings of *Sir Llewellyn Edwards & Ors v The Attorney General in and for the State of New South Wales*, No.3608/04.
- 324** Affidavit of Dennis John Cooper sworn 5 July 2004 filed in the Supreme Court proceedings of *Sir*

**Exhibit
No**

Description of Exhibit

-
- Llewellyn Edwards & Ors v The Attorney General in and for the State of New South Wales*, No.3608/04.
- 325 Affidavit of Peter Jollie sworn 5 July 2004 filed in the Supreme Court proceedings of *Sir Llewellyn Edwards & Ors v The Attorney General in and for the State of New South Wales*, No.3608/04.
- 326 Affidavit of Sir Llewellyn Edwards sworn 7 July 2004 filed in the Supreme Court proceedings of *Sir Llewellyn Edwards & Ors v The Attorney General in and for the State of New South Wales*, No.3608/04.
- 327 Folder of documents entitled 'Tender Documents in Relation to Submissions in Reply' produced by Turner Freeman Solicitors.
- 328 Email, 28 march 2003, from Peter Velez to Phillip Morley and Donald Salter, copied to Stephen Brent; subject: 'L to The Directors, James Hardie Industries NV – Change of Control I of ABN 60 (#11100205)' (**part subject to non-publication order of 29/6/04**).
- 329 Email, 21 November 2002, from Phillip Morley to Peter Velez, copied to Stephen Brent; subject: Draft opinion for Directors of ABN60.
- 330 Handwritten file notes of Peter Velez of discussion with Phillip Morley dated 10 October 2002 (**part subject to non-publication order of 29/6/04**).
- 331 Supplementary Statement of David Arthur Robb dated 28 July 2004.
- 332 Statement of Roy Thomas Williams dated 29 July 2004 (**part subject to non-publication order of 30/7/04**).
- 333 Statutory Declaration of Charles Humphrey dated 30 July 2004.
- 334 Bundle of 5 documents tendered on behalf of JHINV and ABN 60 Pty Ltd:
1. Company search of James Hardie FC Pty Ltd (paragraph 2.2.1)
 2. Email, 5 Nov 1999, from John Martin to Peter Cameron re: letter of advice on ED88 (paragraph 5.1.5)
 3. Email, 9 Nov 1999, from John Martin to Peter Cameron re: attached not on ED88 prepared by Peter Cameron (paragraph 5.1.5).
 4. Email, dated 20th Nov 2000 from Anthony Sweetmen (paragraph 5.3.4)
 5. File note of David Robb dated 21st Nov 2000
- 335 Statement of Richard Charles Wilkinson dated 3 August 2004 (**subject to non-publication direction dated 4/08/04 - counsel and solicitors in the commission only**)
- 337 Email, 13 February, from Tony Bancroft to Dennis Cooper, Peter Jollie, Sir Llew Edwards and copied to Michael Gill; subject: 'Tony Bancroft Meeting with Allens'
- 338 Letter dated 21 July 2004 from Mimi Barbaro to Michael Ball (Allens Arthur Robinson); subject: 'Special Commission of Inquiry into the Medical Research and Compensation Foundation'; attaching a facsimile, 25 July 2004, from Guy Foster (Allens Arthur Robinson) to Mimi Barbaro;

**Exhibit
No**

Description of Exhibit

	subject: 'Special Commission of Inquiry into the Medical Research and Compensation Foundation'.
339	Two documents <ol style="list-style-type: none">1. Document entitled 'financial summary- Amaca' showing a summary extract of Amaca's balance sheet and income statements over the period February 2001 to June 2004 (un-audited).2. Document entitled 'financial summary- Amaba' showing a summary extract of Amaba's balance sheet and income statements over the period February 2001 to June 2004.
340	Copy of Media announcement, dated 14 July, entitled 'James Hardie Statement on Funding Future Asbestos Claims'.
341	3 documents relating to amendments to the transcript: <ol style="list-style-type: none">1. Transcript amendments for 7 July 2004 to 10 August 2004.2. Supplementary amendments to previous transcripts.3. Proposed transcript amendments for 11 August 2004.
342	Statutory Declaration of David Arthur Robb dated 20 August 2004, with supporting documents.

