

It appears to the writer that the present impasse is related entirely to the type of machine upon which you propose to carry out your photocopying not to our reluctance to allow the documents to be photocopied and therefore believe that your proposed application to the court would be an unnecessary expense.

Perhaps if the writer could speak to Xerox direct about the matter a compromise could be reached."

Now produced and shown to me and marked **SME 18** is a true copy of that letter.

21. On 22 March 1999 I drove from Bendigo to Orange for the purpose of photocopying the plaintiffs' discovered documents. I went to the offices of Baldock Stacy & Niven at about 9 a.m. on 23 March 1999. I was present when a photocopying machine, which I had arranged to be hired, was carried to the room on the upper floor in the Baldock Stacy & Niven building where the plaintiffs' documents were located. This was the same floor and room where I had carried out a partial inspection of the plaintiffs' documents 4 and 5 February 1999. There were, again, numerous piles of documents on trestle tables in that room. After the photocopying machine was installed I commenced photocopying documents that were on the tables in that room.
22. I was engaged in photocopying documents from 9 a.m. to 1:30 p.m. and again from 2:10 p.m. to 5 p.m. on 23 March 1999. I was then engaged in photocopying the documents from the tables in that room on 24 March 1999 from 9 a.m. to 1 p.m. and 1:45 p.m. to 4:40 p.m., on 25 March 1999 from 9:15 a.m. to 12:30 p.m., 1 p.m. to 5 p.m. and 6 p.m. to 8:30 p.m., and then on 26 March 1999 from 9:10 a.m. to 1 p.m.. I did not photocopy any documents other than as produced to me in that room. The total number of pages photocopied was approximately 6500. I did not photocopy a bundle of old cheque stubs (about eight of them) and about four folders of bank statements. I agreed with the first named plaintiff that I would write confirming that he should go through those cheque stubs and bank statements and copy for me any cheque stubs or bank statements that were relevant to the proceedings.
23. The first named plaintiff also told me that he had a further pile of a few thousand documents that he had not gone through yet. He told me that at least 90% of those documents would be documents that I already would have copied, and the

