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**FEDERAL COURT OF
AUSTRALIA
NSW DISTRICT REGISTRY**

LEVEL 17
LAW COURTS BUILDING
QUEENS SQUARE
SYDNEY NSW 2000

8 February 2013

Detective Senior Constable Steven Yeo
Fraud and Extortion Squad
Victoria Police
Level 5, 452 Flinders Street
Melbourne Vic 3000

Dear Detective Senior Constable Yeo

I refer to your email correspondence of 7 February 2013 seeking information regarding a number of files pertaining to the former Industrial Relations Court of Australia which are now held by the Federal Court of Australia.

File NSD2082/96 is unable to be located by the New South Wales Registry.

The background to this particular file is as follows.

Matter NI 2082 of 1996 was commenced in the Industrial Relations Court of Australia (IRCA) on 27 September 1996 with the filing of an originating process by William Patrick Ludwig. The file was given the title Ludwig v Harrison. IRCA file numbers were often shown in an abbreviated form, for example, for file covers and the abbreviation in the style adopted within IRCA for this file would have been NI96/2082

IRCA matters were transferred to the Federal Court of Australia on 26 May 1997, following which basic information about matters (names of parties and representatives) was migrated from IRCA's data base 'Tracker' into the Federal Court's database 'FEDCAMS'. This, however, did not include information about listings or documents filed in IRCA. As a result there are no database records available to indicate the history of the matter between September 1996 and May 1997.

In 2004 the Federal Court implemented a new database 'Casetrack' and existing 'FEDCAMS' records were migrated to that database. It was however necessary to allocate new file numbers (as unique identifiers) to all files migrated to Casetrack and, as a result, the Ludwig v Harrison file was renumbered NSD2082W/1996 in that database.

According to Casetrack the matter had a number of court listings between June 1997 and 17 May 2002 when the matter was eventually finalised by Justice Madgwick. Casetrack records a 'finalised' code of 'Discontinued/Withdrawn' for the matter. Until 9 February 2001 the matter was often listed in NSW with a number of related Queensland matters.

The database used in the NSW District Registry to record file movements, 'Recfind', shows a number of movements of the file between 27 September 1996 and 17 May 2002. The last recorded movement on 17 May 2002 shows the file was returned to the Registry file room on this date.

Prior to the NSW District Registry relocating from Level 16 to Level 17 in the Law Courts Building in Sydney, the onsite IRCA files were held in archive storage boxes in the Federal Court's NSW District Registry on Level 16. To the best of the knowledge of current staff, those IRCA files were placed in these boxes around 1997 when other IRCA files were sent offsite to National Archives.

Across the Court, most completed IRCA files were consigned to National Archives storage during 1996-97 under the then current IRCA Disposal Authority. However a small percentage (which included NI96/2082) which were still current remained in Registries. By 2002 when NI96/2082 was complete, National Archives were no longer accepting further files for storage until new Records Authorities were negotiated.

A number of searches of various areas and other activities have failed to locate this particular file.

File NSD2083/96 (formerly known as NI96/2083) is currently in the NSW Registry.

The short title of the file is Busby -v- Harrison & ors. There were various parties involved in this matter and they are contained on the cover sheet of the file. A copy of the cover sheet is attached to this letter.

The matter appears to have commenced in September 1996 and was discontinued on 12 June 1997.

The file contains a number of documents including the following:

Affidavit of Mark Busby - Filed 27 September 1996

Rule to Show Cause Order 4 - Filed 27 September 1996

Notice of Motion - Filed 30 September 1996

Affidavit of Philippa O'Dea - Filed 30 September 1996

Affidavit of Peter Punch - Filed 30 September 1996

Affidavit of Service - Filed 2 October 1996

Transcript of Proceedings 3 October 1996

Undertaking signed by Mark Busby 4 October 1996- Filed 8 October 1996

Short Minutes of Order - Filed 8 October 1996

Consent Orders dated 31 October 1996

Points in Claim - Filed 1 November 1996

Affidavit of Margaret Simpson – Filed 6 November 1996

Notice of Motion - Filed 6 November 1996

Transcript of Proceedings 6 November 1996

Subpoena to produce

- Chamber Consulting Services Newcastle – Filed 19 November 1996
- Fluor Daniel Pty Ltd Melbourne – Filed 12 November 1996
- John Holland Construction and Engineering Perth – Filed 12 November 1996
- Theiss Contractors Pty Limited - Filed 14 November 1996

Statement of Fact and Law – Filed 9 January 1997 by various Respondents

Various pieces of general correspondence.

Can you please advise if you wish to continue with the proposed action of serving a Search Warrant on the Court for this file. If required I can send the original file to the Victoria Registry of the Court.

Please advise if I can be of any further assistance to you with this matter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R Thomsett', with a stylized flourish at the end.

Robert Thomsett
Director People and Operations
NSW District Registry
Federal Court of Australia

INDUSTRIAL RELATIONS COURT OF AUSTRALIA

Short title:

Busby -v- Harrison & ors

Case type - Application**Party Names:**

(applicant) Mark Charles Busby

(respondent) Gene Livermore, Michael O'Shea, Stan Walters, Wayne Murray, Graham Roberts, Robert Smith, Sam Muscat, John Glisson

(respondent) Paul Currie Ian Cambridge, Frank Chambers, Gary Ryan, Te Brischke, Bill Paton, Barry Meiklejohn, Maurie Rudd, Russ Collison

(respondent) Peter Trebilco, Stephen Booth, Robert Sneath, Michael Hindle, Geoff Buckland, Tim Baly, Ian Cole, Norm McBride, John Thomas

(respondent) Stephen Harrison, Christopher Hayes, William Ludwig, Robert Davies, Mark Wheeler, Vern Falconer, Barry Cochran, Arthur Harper

(respondent) Terry Muscat, Don Hayes, Ian Wakefield, Geoff Gordon, Tim Abrams, Colin Bosworth

Date Filed: 27/09/96*Discont
12.6.97*

No.	Nature of Document	Date Filed	No.	Nature of Document	Date Filed
1	Rule to show cause	27/9/96			