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FILE COPY

Mr J D Karmouche
26 Koonung Road
BLACKBURN NORTH 3130

Dear Sir

Damien Codognotto OAM has instructed us that you have made claims about him that are defamatory/libellous/slandorous on several occasions. Such claims seem to be a part of a long running vilification campaign.

In particular, on the egroup/website melb-moto in November 2006, you claim to have consulted 1986 Motorcycle Riders' Association of Australia Treasurer, Andrew Luck who supplied you with an incomplete set of documents from that year. You wrote in melb-moto:

"Specifically, the information in these documents comes from a report written by the MRAA Treasurer in 1986. They spell out quite clearly Damien's behaviour/modus operandi way back then and there is a distinct pattern between then and now.

The information sent to me is as follows:

QUOTED Damien had a "debt of honour" to the MRAA – he underwrote the costs (\$33,000 odd) of the "Yellow Brick Road" suit against the then RTA over the tram blocks.

Following this, I'm informed that he not only did not follow through but completely disappeared off the scene for a few years, coming back only when the MRAA had actually paid it all off itself."

Damien Codognotto's behaviour/modus operandi then, as now was above reproach. He guaranteed the cost of the legal action against the Victorian Road Traffic Authority with his home. The action was to make the RTA remove road furniture, the yellow bricks, that were a hazard to pedestrians, bicyclists and motorbike and scooter riders. The amount of \$33,000 was a worst case scenario estimate. The case cost the MRAA Lawyer Jin Gurry about \$10,000 including RTA costs. There was no loan from Damien Codognotto to the MRAA in the 1980's.

When the MRAA moved its HQ to Morwell at the end of 1986, the new management refused to honour the previous MRAA Board's legal debt to Jim Gurry. Damien Codognotto had no access at all to any MRAA accounts. He organised a team to raise the money to pay the legal bill. This was done through raffles and collections at motorcycling events. Some of the people who helped raise the money to pay the MRAA's bill still live around Melbourne. Jim Gurry now works in Brisbane.

Damien Codognotto did not disappear from the scene for a few years. He continued to organize the Melbourne Toy Run and the annual blood donor campaign which he funded through sponsorship and out of his own pocket. He was elected to the Melbourne Tourism Authority and did a lot of the preparatory work for the first motorcycle Grand Prix at Phillip Island with the State Government and the Melbourne City Council. He wrote a fortnightly column for the Melbourne based magazine, Australian Motorcycle News.

"The reports show a payment of \$7,500 and some dubious financial dealings back then."

Damien Codognotto denies any dubious financial dealings.

"What's all this about? You need to study the history. I did just that when I was MRAA Treasurer in 2003. What I read shocked me back then. It wasn't easy to publish the information back then. But now, thanks to the internet the information can be scanned and made available quite easily."

Your statements on melb-moto and elsewhere are false and/or misleading and seem intended to cause maximum harm. Your statements have caused Damien Codognotto distress at home, problems at work and have damaged his standing in the community.

Damien Codognotto has given a large part of his life to road safety and charity work through the MRA. He is proud of his role in the motorcycle community and denies any wrongdoing. We suggest you withdraw all suggestions of wrongdoing by Damien Codognotto and unreservedly apologise to him in writing in melb-moto and on the MRAA website within two weeks of the date of this letter. Failure to write the withdrawal and apology will result in legal action seeking damages and costs.

Yours faithfully,
KEARNEYS

per: