

**AN OPEN LETTER FROM THE BOARD TO MEMBERS OF THE MRA  
(To be included with the notification of meetings.)**

Dear Members,

In an effort to suppress the internal upheavals, which have plagued the MRA during its recent history, your Board wishes to address several fundamental issues, which directly concern each and every member.

All of us would be well aware that Damien Codognotto, since resigning as President, has been a continual problem for all successors, who for some reason or another have either stepped down or resigned due to his interference. This is not consistent with the "democracy" which Damien claims to favour.

In March 2003, Damien Codognotto was invited to attend a meeting with a view to reconciling "differences" and was asked at that meeting to put forward a proposal as to how to work in harmony with the Board for the well being of the MRA. Instead, it was at this meeting, to which he had been invited in good faith, that he verbally threatened the President in the present of all attendees, including Grace Placencio, Marcel Gomperts, Anton Lange, Faye Kerridge, Heather Ellis and Michael Czajka.

It was at this March meeting that Damien Codognotto voiced his anger regarding the purported loan allegedly owed to him by the MRA. A loan for which he cannot provide any supporting documentation. When asked by the Board to produce some documents, with a view to honouring the debt, Damien said, "Forget about the money. This is between you and me Alex and we will take it outside." It was this comment, together with the bodily threatening gestures and violent actions that resulted in the President making application for an Intervention Order. Had Damien offered to produce records about the "loan", we wouldn't be in this predicament.

Whereas Damien Codognotto is of the opinion that he has cost the MRA "no money" by having Michael Czajka assist him in Court free of charge, the reality is that, in having appealed to the County Court without legal cause, he is directly responsible for the expense incurred in defending the Appeal. Whether the costs are paid by the MRA, or the President himself, Damien should consider himself fortunate that the President was decent enough not to seek a cost order against Damien in the County Court, which almost certainly would have been granted.

The Board is of the firm opinion that Michael Czajka is a valuable asset to the MRA, but given the conflict of interest that has arisen in having Michael represent and assist Damien in his failed court case, it is improper and unethical for Michael to continue to sit as a member of the Board. Michael has been asked to stand down from his position momentarily, in an attempt to regain some stability in the Board. However, the Board is unanimous that, in the interests of the MRA and motorcycling in general, Michael should continue his valuable work in the Road Safety sphere.

Members may be aware that on 14 May 2003 the Magistrates' Court of Victoria at Dandenong made an Intervention Order in a matter involving Mr. Alex Money, MRAA President and Mr. Damien Codognotto, MRAA Member.

Mr. Codognotto exercised his right to appeal against the Order made by the Court at Dandenong. That appeal was listed for hearing on 16 July 2003 in the County Court of Victoria at Melbourne. Judge Campton, after hearing all the available evidence, upheld the Intervention Order, prohibiting Mr. Codognotto from assaulting, intimidating or harassing Mr. Money.

Out of due respect for the legal process, the President and the Board chose to say nothing about the matter in the public arena during the period leading up to and including the initial hearing and the appeal. It was the tactic, however of Mr. Codognotto to attempt to rally support for himself by continued publication of false and misleading material which bordered on slander and defamation.

It is now imperative that we let you know the reasons for the application for the Order and the relevant outcome. The points raised below formed part of the evidence given before the Courts by the witnesses in the case. Judge Campton of the County Court accepted these facts in her summation, as did the Dandenong Magistrates court. A typed transcript of the Magistrates summary is enclosed.

- ❑ On 31 August 2002, at the MRAA AGM, Mr. Codognotto took the newly elected President, Mr. Money, aside and issued a direct threat.
- ❑ In September 2002, at the offices of the TAC, Mr. Codognotto attempted to take sensitive documents from the custody of Mr. Marcel Gomperts, MRAA Vice President.
- ❑ From September 2002 until March 2003 Mr. Codognotto sent an unacceptable amount of email messages to Mr. Money, despite requests for this unwanted contact to cease, requiring an ISP block to be put into operation in October 2002.
- ❑ On 23 November 2002, at the MRAA QGM, Mr. Codognotto again attempted to take the President aside but, failing in his attempt, confronted him after the meeting to again issue a definite threat.
- ❑ On 18 March 2003, at a Special Board Meeting, called to reach a workable relationship between Mr. Codognotto and the Board, Mr. Codognotto threatened physical violence to Mr. Money, several people had to come to the defence of the President and the meeting had to be brought to a premature close. Following the meeting, Mr. Money was further threatened, and then assaulted by Mr. Codognotto.
- ❑ On 21 March 2003, Mr. Codognotto was the subject of an interim Intervention Order prohibiting stalking, intimidating, assaulting, harassing or threatening Mr. Money.
- ❑ On 14 May 2003, Mr. Codognotto was the subject of an Intervention Order prohibiting stalking, intimidating, assaulting, harassing or threatening Mr. Money.
- ❑ On 16 July 2003, at the County Court, Mr. Codognotto appealed the Intervention Order, however Judge Campton held that the complaints were proven and the Intervention Order will remain in force until 14 May 2004.

Both the Magistrate at Dandenong and Judge Campton at the County Court were satisfied that Mr. Codognotto engaged in a course of conduct designed to instill fear of physical and mental trauma in the victim(s).

We had been advised that Mr. Gomperts and Mr. Money had grounds to lodge complaints with the Police regarding these matters, however it was decided the less provocative alternative of applying for an Intervention Order would be less public for the MRAA and not immediately put Mr. Codognotto at risk of criminal charges.

A breach of the Intervention Order by Mr. Codognotto, or any person on his behalf, may lead to the imposition of the maximum penalties of a \$24,000.00 fine or 2 years imprisonment.

The actions of Mr. Money in making application for this Order were made with the knowledge and sanction of the Board and other Officers. This decision has been vindicated by the resultant findings of both Courts. It is the wish of the Board that the findings of the Court are the finalisation of the matter, but we are ready to defend our actions, should the situation be aggravated.

You have heard and seen the supposed comings and goings of all of these proceedings emanating from Mr. Codognotto and this communication from your Board is intended as a statement of the facts for your assessment. All relevant material has been made available to you all in a genuine effort to give a clear and accurate account of this and any other subject under question. A full transcript of the Dandenong Magistrates Court hearing of May 14 can be made available to any interested parties.

The decision to make application for an Intervention Order was not taken lightly, it is everyone's right to seek protection from Stalking, Harassment, Intimidation, Assault and Threat and this action was taken, not as Mr. Codognotto would have us believe in an attempt to gag him, or prevent his attendance at MRA meetings. The Intervention order is in no way related to an alleged loan, nor any matter unrelated to the allegations contained in the original application.

In closing we are rock-solid in our affirmation that the Board has the interests of both the MRA and the Motorcycling Community as our highest priority, but feel that as volunteers, the slander and malicious attacks on us, individually and collectively are distressing in the extreme and cannot be tolerated any longer. To expect anyone to be subjected to the nature and degree of abuse and denigration is totally unacceptable. No Board can be possibly expected to function effectively under the openly hostile environment which has encompassed the MRA over the past two to three years.

We, your Board look forward to your contribution in working through the current unstable times to build a stronger, more focused association.

The Board of the Motorcycle Riders Association of Australia Inc.