



Stephen Cooke <stephencooke.c@gmail.com>

RE: Arrangements for mediation - 27 June 2024

1 message

Matthew Shepherd <mshpherd@ramsdenlaw.com.au>

Mon, Jun 24, 2024 at 9:12 AM

To: "stephencooke.c@gmail.com" <stephencooke.c@gmail.com>

The third email below shows the calculation of the requested \$3,850,

Regards,

MATTHEW SHEPHERD

Acc. Spec. (Family Law) NSW

D: (02) 8123 1229

E: mshpherd@ramsdenlaw.com.au



A SMARTER PERSPECTIVE

T: 1300 749 709 | W: ramsdenfamilylaw.com.au

A: Level 6, 15 Castlereagh Street, Sydney NSW 2000

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From: Matthew Shepherd

Sent: Monday, June 24, 2024 10:41 AM

To: stephencooke.c@gmail.com

Cc: Michele Allen <MAllen@ramsdenlaw.com.au>

Subject: RE: Arrangements for mediation - 27 June 2024

Dear Stephen

Further to my email below of yesterday, I attach a Mediation Discussion Paper which now

incorporates:

1. the draft version of the balance sheet I sent to the other side last week. Para 9 of the Discussion Paper explains your concern re Praemium Prae and notes we are awaiting a reply to our request for more information.
2. Draft property Orders. These include:
 - a. Order 1 - Initial payment of \$200,000
 - b. Order 3ci - 60% of Merewether sale proceeds
 - c. Order 3cii - Further sum of \$310,000 from Merewether (which come from Heather's 40% share).
 - d. Order 5 - this provides for what happens if the payment of \$200,000 is not made, or if there are insufficient sale proceeds for the additional payment of \$310,000. In short, Southport is sold.
 - e. Order 8 - spousal maintenance of \$1,200 per week for 2 years.

I want to get this off to the mediator and other side asap. Before doing so I need from you:

1. A signed copy of the mediation participation agreement.
2. Confirmation you are ok with the request outlined in my email below of yesterday re fees and further if \$9,350 which includes your share of the mediator's fee. If you can confirm you are ok, I can advise the mediator I hold your share of his fee on trust. Michelle will send you a payment request with account details shortly this morning.

Regards,

MATTHEW SHEPHERD

Acc. Spec. (Family Law) NSW

D: (02) 8123 1229

E: mshpherd@ramsdenlaw.com.au



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BOOK A
MEDIATION WITH ME

From: Matthew Shepherd
Sent: Sunday, June 23, 2024 6:29 PM
To: stephencooke.c@gmail.com
Subject: Arrangements for mediation - 27 June 2024

Dear Stephen

Further to our call of today:

1. I will send my Mediation Discussion Paper to the mediator and the other side. This will incorporate the current version of the public joint balance sheet and our draft property orders. I will keep the draft parenting orders private until, and if, an in-principle agreement about the boys might be reached next week.
2. See the email below from the mediator asking for:
 - a. the signed mediation participation agreement. You sent it to me on 17 May but I attach it again along with an explanation from the mediator about mediation you also sent to me on 17 May. Could you please read, sign and return so I can forward to Gary Foster.
 - b. mediation position paper (what I call a Discussion Paper).
 - c. Confirmation we hold monies in trust for your share of his fee. The mediation participation agreement sets his fees out as follows (to be shared equally by Heather and you):
 - i. For the mediation day (9.30-4.30) and 2 hours prereading
 - ii. Travel and accommodation \$1,100
 - iii. Total $\$7,700 \times \frac{1}{2} = \$3,850$

I have previously advised I will travel to Newcastle the day before so I am fresh to meet you at 9am on 27 June. I will limit my fee for the mediation day (excluding my prior preparation) to:

- a. for the day including return travel time \$5,500. This is irrespective of when we finish. It does not include other work I have done since the last bill and preparation for the mediation.
- b. plus accommodation. I will try to keep this reasonable. I can see options in Newcastle around \$200.
- c. Travel disbursement. I plan to travel by train so this will just be the train fare and a taxi fare to get from Newcastle to Adamstown on the day.

We currently hold \$5000 in trust. Can you transfer to trust another \$5,500 plus \$3,850 (the latter for the mediator) tomorrow. I will have Michelle send you a payment request. If you can confirm this is OK, I will advise Gary Foster I hold \$3,850 in trust for him.

Regards,

MATTHEW SHEPHERD

Acc. Spec. (Family Law) NSW

D: (02) 8123 1229

E: mshpherd@ramsdenslaw.com.au





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BOOK A
MEDIATION WITH ME

From: Garry Foster <foster@culwulla.com.au>
Sent: Friday, June 21, 2024 10:21 AM
To: Anna Roberts <aroberts@delaneyroberts.com.au>; Matthew Shepherd <mshepherd@ramsdenlaw.com.au>
Subject: Re: Mediation - COOKE - 27 June 2024

Colleagues,

I note that this Mediation is imminent.

Please return signed **Mediation Agreements** and confirm that you hold your client's portion of my fees in trust.

Kindly provide your respective Position Papers and any other documents you wish me to consider at your early convenience.

The Hon. Garry Foster
Barrister – Mediator and Arbitrator
Culwulla Chambers

foster@culwulla.com.au

Ph: 92314611

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From: Anna Roberts <aroberts@delaneyroberts.com.au>
Date: Wednesday, 12 June 2024 at 7:50 pm
To: Matthew Shepherd <mshepherd@ramsdenlaw.com.au>, Garry Foster <foster@culwulla.com.au>, Olivia Shedden <oshedden@delaneyroberts.com.au>
Cc: Tayleh Soames <tsoames@delaneyroberts.com.au>, Hello Delaney Roberts <hello@delaneyroberts.com.au>
Subject: RE: Mediation - COOKE - 27 June 2024

Dear Ms Shepherd

Yes, we will have a break out room available for you and your client from 9:00am. Our Receptionist will direct you on your arrival.

Yours faithfully

ANNA ROBERTS

Director, Solicitor & Family Dispute Resolution Practitioner
BComn LLB GradDipLegPracM.AppLaw (Family Law) Grad Dip (FDRP)



T 02 4952 3901

E aroberts@delaneyroberts.com.au

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From: Matthew Shepherd <mshpherd@ramsdenlaw.com.au>

Sent: Wednesday, June 12, 2024 5:15 PM

To: Garry Foster <foster@culwulla.com.au>; Anna Roberts <aroberts@delaneyroberts.com.au>; Olivia Shedden <oshedden@delaneyroberts.com.au>

Cc: Tayleh Soames <tsoames@delaneyroberts.com.au>

Subject: RE: Mediation - COOKE - 27 June 2024

Dear Colleagues

Yes, I confirm 27 June 2024. Thank you for your flexibility as to the date.

Also thank you to Delaney Roberts for offering to host.

If the mediation is to formally start at 9.30, would there be a room where I could meet with my client at perhaps 9am?

Regards,

MATTHEW SHEPHERD

Acc. Spec. (Family Law) NSW

D: (02) 8123 1229

E: mshpherd@ramsdenlaw.com.au





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BOOK A
MEDIATION WITH ME

From: Garry Foster <foster@culwulla.com.au>
Sent: Wednesday, June 12, 2024 12:51 PM
To: Anna Roberts <aroberts@delaneyroberts.com.au>; Matthew Shepherd <mshepherd@ramsdenlaw.com.au>; Olivia Shedden <oshedden@delaneyroberts.com.au>
Cc: Tayleh Soames <tsoames@delaneyroberts.com.au>
Subject: Re: Mediation - COOKE - 27 June 2024

Colleagues,

Mr Shepherd can you confirm agreement as to the venue?

The Hon. Garry Foster

Barrister – Mediator and Arbitrator

Culwulla Chambers

foster@culwulla.com.au

Ph: 92314611

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From: Anna Roberts <aroberts@delaneyroberts.com.au>
Date: Tuesday, 11 June 2024 at 6:44 pm
To: Garry Foster <foster@culwulla.com.au>, Matthew Shepherd <mshepherd@ramsdenlaw.com.au>, Olivia Shedden <oshedden@delaneyroberts.com.au>
Cc: Tayleh Soames <tsoames@delaneyroberts.com.au>
Subject: Mediation - COOKE - 27 June 2024

Sorry, I sent the last email before completing:

Dear Mr Foster

Mediation on 27 June is agreed. Would you kindly confirm arrangements for this date? If the Mediation is to be in person, we have facilities available at our offices at [274 Bruncker Road, Adamstown](#) (a Newcastle suburb) including a Conference Room and several breakout rooms. We can also arrange catering for the day. Please let me know if this is suitable to you and, Mr Shepherd, would you please also advise?

I look forward to hearing from you.

Yours faithfully

ANNA ROBERTS

Director, Solicitor & Family Dispute Resolution Practitioner
BComn LLB GradDipLegPracM.AppLaw (Family Law) Grad Dip (FDRP)



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From: Garry Foster <foster@culwulla.com.au>
Sent: Tuesday, June 11, 2024 5:00 PM
To: Matthew Shepherd <mshpherd@ramsdenlaw.com.au>; Anna Roberts <aroberts@delaneyroberts.com.au>; Olivia Shedden <oshedden@delaneyroberts.com.au>
Cc: Tayleh Soames <tsoames@delaneyroberts.com.au>
Subject: Re: MEDIATION: COOKE 18 June Newcastle

Colleagues

I have vacated the 18 June.

Please advise if 27 June is agreed.

The Hon. Garry Foster

Culwulla Chambers

foster@culwulla.com.au

From: Matthew Shepherd <mshpherd@ramsdenlaw.com.au>
Sent: Tuesday, June 11, 2024 4:21:56 PM
To: Garry Foster <foster@culwulla.com.au>; Anna Roberts <aroberts@delaneyroberts.com.au>; Olivia Shedden <oshedden@delaneyroberts.com.au>
Cc: Tayleh Soames <tsoames@delaneyroberts.com.au>
Subject: RE: MEDIATION: COOKE 18 June Newcastle

Dear Colleagues

Of those dates, I can do 27 June.

Regards,

MATTHEW SHEPHERD

Acc. Spec. (Family Law) NSW

D: (02) 8123 1229

E: mshepherd@ramsdenlaw.com.au



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BOOK A
MEDIATION WITH ME

From: Garry Foster <foster@culwulla.com.au>

Sent: Tuesday, June 11, 2024 4:09 PM

To: Anna Roberts <aroberts@delaneyroberts.com.au>; Matthew Shepherd <mshepherd@ramsdenlaw.com.au>;

Olivia Shedden <oshedden@delaneyroberts.com.au>

Cc: Tayleh Soames <tsoames@delaneyroberts.com.au>

Subject: Re: MEDIATION: COOKE 18 June Newcastle

Colleagues

I am available 27 June, 4 and 23 July.

Shall I vacate 18 June?

The Hon. Garry Foster

Culwulla Chambers

foster@culwulla.com.au

From: Anna Roberts <aroberts@delaneyroberts.com.au>

Sent: Tuesday, June 11, 2024 4:04:25 PM

To: Matthew Shepherd <mshepherd@ramsdenlaw.com.au>; Garry Foster <foster@culwulla.com.au>; Olivia Shedden <oshedden@delaneyroberts.com.au>

Cc: Tayleh Soames <tsoames@delaneyroberts.com.au>

Subject: RE: MEDIATION: COOKE 18 June Newcastle

Dear Mr Foster

Thank you for your patience with this matter. Our client is still anxious to proceed to Mediation on 18 June, however, if the Husband is not agreeable, she is willing to attend Mediation on 24 June (preferred date), or 1 or 3 July.

We are of the view that the Mediation was intended to deal with property issues only however, if time permits, our client is willing to discuss parenting issues after the property issues have been resolved. We do, however, consider that the property and parenting issues are not to be discussed simultaneously in order to avoid a situation where there are proposals regarding property which are conditional on parenting arrangements, and vice versa, which is clearly not appropriate.

We hope that you may be available on one of the proposed dates and look forward to hearing from you in due course.

Yours faithfully

ANNA ROBERTS

Director, Solicitor & Family Dispute Resolution Practitioner

BComn LLB GradDipLegPracM.AppLaw (Family Law) Grad Dip (FDRP)



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From: Matthew Shepherd <mshepherd@ramsdenlaw.com.au>

Sent: Tuesday, June 11, 2024 3:26 PM

To: Garry Foster <foster@culwulla.com.au>; Anna Roberts <aroberts@delaneyroberts.com.au>; Olivia Shedden <oshedden@delaneyroberts.com.au>

Subject: RE: MEDIATION: COOKE 18 June Newcastle

Dear Colleagues

Our client (Stephen) would like to make to make the productive as possible. To that end:

1. The parties are involved in litigation where they both seek parenting and property orders. Stephen would like to use the mediation to reach agreement for orders about both the parenting and property issues. Is this agreed?
2. We have not yet received the valuation for the Southport property. The valuer has advised the property will be inspected tomorrow. It is not clear when we might receive the valuation.
3. I sent an email to Delaney Roberts today requesting information about super.
4. I received a significant amount of disclosure last Friday 7 June. The long weekend impacts Stephen's ability to consider and consult with me to property digest that information by 18 June.
5. Paragraph 13 of the Orders of 11 April 2024 notes that the parties intend to attend private mediation within three months.
6. Stephen requests that the mediation be moved to allow the parties to properly prepare including receiving the Southport property. Would one of the following dates be convenient for everyone? These dates would meet the intention in paragraph 13 of the Orders and are before the next court date being a video direction hearing on 9 July.

June 24, 27, 28

July 1, 2, 3

Regards,

MATTHEW SHEPHERD

Acc. Spec. (Family Law) NSW

D: (02) 8123 1229

E: mshepherd@ramsdenlaw.com.au



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BOOK A
MEDIATION WITH ME

From: Garry Foster <foster@culwulla.com.au>

Sent: Tuesday, June 11, 2024 3:06 PM

To: Anna Roberts <aroberts@delaneyroberts.com.au>; Matthew Shepherd <mshepherd@ramsdenlaw.com.au>;
Olivia Shedden <oshedden@delaneyroberts.com.au>

Subject: Re: MEDIATION: COOKE 18 June Newcastle

Colleagues

I note that I have received no further communication as the whether this matter is proceeding.

Please advise urgently.

The Hon. Garry Foster

Culwulla Chambers

foster@culwulla.com.au

From: Garry Foster <foster@culwulla.com.au>

Sent: Wednesday, June 5, 2024 10:13:13 PM

To: Anna Roberts <aroberts@delaneyroberts.com.au>; Matthew Shepherd <mshepherd@ramsdenlaw.com.au>;
Olivia Shedden <oshedden@delaneyroberts.com.au>

Cc: Thiala Beltrao <tbltrao@delaneyroberts.com.au>

Subject: Re: MEDIATION: COOKE 18 June Newcastle

Colleagues

Thank you. Noted.

I await your advice.

The Hon. Garry Foster

Culwulla Chambers

foster@culwulla.com.au

From: Anna Roberts <aroberts@delaneyroberts.com.au>

Sent: Wednesday, June 5, 2024 10:08:08 PM

To: Garry Foster <foster@culwulla.com.au>; Matthew Shepherd <mshepherd@ramsdenlaw.com.au>; Olivia Shedden <oshedden@delaneyroberts.com.au>

Cc: Thiala Beltrao <tbeltrao@delaneyroberts.com.au>

Subject: RE: MEDIATION: COOKE 18 June Newcastle

Dear Mr Foster

My client is still anxious to proceed with the Mediation on 18 June 2024, subject to the Husband's agreement.

We believe we will be in a position to provide all updating disclosure to the Husband's solicitors by this Friday. Therefore, I hope that Mr Shepherd will be in a position to confirm Mediation by 11 June.

Yours faithfully

ANNA ROBERTS

Director, Solicitor & Family Dispute Resolution Practitioner

BComn LLB GradDipLegPracM.AppLaw (Family Law) Grad Dip (FDRP)



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From: Garry Foster <foster@culwulla.com.au>

Sent: Wednesday, June 5, 2024 2:09 PM

To: Matthew Shepherd <mshepherd@ramsdenslaw.com.au>; Anna Roberts <aroberts@delaneyroberts.com.au>; Olivia Shedden <oshedden@delaneyroberts.com.au>

Subject: Re: MEDIATION: COOKE 18 June Newcastle

Colleagues,

I note the email below.

Please advise by no later than close of business on **11 June** if this Mediation is proceeding or to be vacated.

Any later notice will incur my Cancellation Fee.

The Hon. Garry Foster

Barrister – Mediator and Arbitrator

Culwulla Chambers

foster@culwulla.com.au

Ph: 92314611

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From: Matthew Shepherd <mshepherd@ramsdenlaw.com.au>
Date: Wednesday, 5 June 2024 at 10:11 am
To: Garry Foster <foster@culwulla.com.au>
Cc: judy@culwulla.com.au <judy@culwulla.com.au>, aroberts@delaneyroberts.com.au <aroberts@delaneyroberts.com.au>, oshedden@delaneyroberts.com.au <oshedden@delaneyroberts.com.au>
Subject: RE: MEDIATION: COOKE 18 June Newcastle

Dear Colleagues

My client (Stephen Cooke) would like to make the mediation as productive as possible for himself and Ms Cooke. There are financial documents not previously provided which Stephen needs to be able to make good decisions at the mediation.

As flagged in my email below, 18 June is probably not sufficient time for the documents to be provided and then considered by Stephen and myself.

One option, to avoid last minute cancellations, is to set the date once we have received the documents from Delaney Roberts (acting for Ms Cooke).

Regards,

MATTHEW SHEPHERD

Acc. Spec. (Family Law) NSW

D: (02) 8123 1229

E: mshepherd@ramsdenlaw.com.au





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A: Level 6, 15 Castlereagh Street, Sydney NSW 2000

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From: Matthew Shepherd
Sent: Tuesday, May 21, 2024 4:32 PM
To: foster@culwulla.com.au
Cc: judy@culwulla.com.au; aroberts@delaneyroberts.com.au; oshedden@delaneyroberts.com.au
Subject: RE: MEDIATION: COOKE 18 June Newcastle

Dear Sir, and Colleagues

Yes, we have recently obtained instructions from Mr Cooke.

As flagged in an email to Delaney Roberts today, there may be some documents my client needs to make good decisions at mediation. I do not want to make unnecessary requests, and need to check what I have already from Mr Cooke's previous solicitors and in the subpoenaed material I have receive. This may result in a request from Delaney Roberts for some additional documents. I hope to clarify this tomorrow. There will then be the question of whether such documents are provided in sufficient time for consideration by Mr Cooke prior to the date the currently booked date for mediation which I understand to be 18 June.

Regards,

MATTHEW SHEPHERD

Acc. Spec. (Family Law) NSW

D: (02) 8123 1229

E: mshpherd@ramsdenlaw.com.au



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T: 1300 749 709 | W: ramsdenfamilylaw.com.au

A: Level 6, 15 Castlereagh Street, Sydney NSW 2000

From: Garry Foster <foster@culwulla.com.au>
Sent: Monday, May 20, 2024 1:56 PM
To: Michele Allen <MAllen@ramsdenslaw.com.au>
Cc: Anna Roberts <aroberts@delaneyroberts.com.au>
Subject: MEDIATION: COOKE 18 June Newcastle

You don't often get email from foster@culwulla.com.au. [Learn why this is important](#)

Colleague,

Can you confirm that you now act for the husband in this matter.

Is the Mediation proceeding?

If so I will forward an amended Mediation Agreement for your attention.

The Hon. Garry Foster

Barrister – Mediator and Arbitrator

Culwulla Chambers

foster@culwulla.com.au

Ph: 92314611

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