



Victorian Commission for
Gambling and Liquor Regulation

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27 February 2020

Our ref: CF/16/788-1

Mr Richard Murphy
Partner, MinterEllison
Level 23, Rialto Towers
525 Collins St
Melbourne VIC 3001

Dear Mr Murphy

Section 26 Notice - Request for information

I refer to your letter dated 28 January 2020 ("your letter"). We understand that your client has waived legal professional privilege with respect of communications between Crown and WilmerHale that are annexures to the witness statements that have been filed and served in the class action.

In accordance with section 26 of the *Casino Control Act 1991*, and in furtherance of the Commission's functions outlined in section 9 of the *Victorian Commission for Gambling and Liquor Regulation Act 2011* and section 141 of the *Casino Control Act 1991*, I, as a delegate of the Victorian Commission for Gambling and Liquor Regulation ("VCGLR"), require your clients (Crown Melbourne Ltd and Crown Resorts Ltd (together "Crown")) to provide the following information and records to the VCGLR.

A. As to those documents over which previous claims of legal professional privilege ("LPP") are now waived

1. in respect of communications between Crown and WilmerHale referred to in your letter, provide copies of the following not previously provided to the VCGLR:
 - a. witness statement of Barry Felstead dated 17 December 2019;
 - b. witness statement of Drew Stuart dated 17 December 2019;
 - c. witness statement of Jane Pan dated 17 December 2019;
 - d. witness statement of Jason O'Connor dated 17 December 2019;
 - e. witness statement of Geoff Dixon dated 20 December 2019;
 - f. witness statement of Michael Chen dated 12 December 2019;
 - g. witness statement of Michael Johnston dated 17 December 2019;
 - h. witness statement of Rowen Craigie dated 17 December 2019;
 - i. witness statement of Rowena Danziger dated 17 December 2019;

together with any annexures to each of the witness statements from (a) to (i) above.

2. in respect of any documents over which LPP is now waived (and that are not annexures to the witness statements referred to in paragraph 1 above), provide:

a. complete (i.e., unredacted) copies of those documents, including but not limited to unredacted copies of the following documents, which have previously been provided to the VCGLR in redacted form:

1. Document CWN.514.050.02909;
2. Document CWN.514.050.0210;
3. Document CWN.502.032.8809;
4. Document CWN.502.016.9047;
5. Document CWN.502.053.7603;
6. Document CWN.502.069.4518;
7. Document CWN.502.016.8469;
8. Document CWN.514.054.8257;
9. Document CWN.502.040.3592;
10. Document CWN.502.032.0112;
11. Document CWN.502.049.6605;
12. Document CWN.502.049.7300;
13. Document CWN.502.068.5816;
14. Document CWN.514.035.2262;
15. Document CWN.502.047.1313;
16. Document CWN.514.019.6100;
17. Document CWN.502.038.8861;
18. Document CWN.502.038.8862;
19. Document CWN.502.038.8863;
20. Document CWN.502.038.8864;
21. Document CWN.502.038.8865;
22. Document CWN.502.038.8866;
23. Document CWN.502.038.8867;
24. Document CWN.502.038.8868;
25. Document CWN.502.038.8869;
26. Document CWN.502.038.8870;
27. Document CWN.502.038.8871;
28. Document CWN.502.038.8872;
29. Document CWN.502.038.8873;
30. Document CWN.502.038.8874;

31. Document CWN.502.038.8875;
32. Document CWN.502.038.8876;
33. Document CWN.502.038.8877;
34. Document CWN.502.038.8878;
35. Document CWN.502.038.8879;
36. Document CWN.502.038.8880;
37. Document CWN.502.038.8881;
38. Document CWN.502.038.8882;
39. Document CWN.502.038.8883;
40. Document CWN.502.038.9110;
41. Document CWN.502.029.9133;
42. Document CWN.502.029.9676;
43. Document CWN.502.029.9677;
44. Document CWN.502.029.9678;
45. Document CWN.502.029.9679;
46. Document CWN.502.029.9680;
47. Document CWN.502.029.9681;
48. Document CWN.502.001.9294;
49. Document CWN.502.001.9295;
50. Document CWN.502.001.9296;
51. Document CWN.502.029.9133;
52. Document CWN.502.029.9676;
53. Document CWN.502.029.9677;
54. Document CWN.502.029.9678;
55. Document CWN.502.029.9679;
56. Document CWN.502.029.9680;
57. Document CWN.502.029.9681;
58. Document CWN.502.038.8391
59. Document CWN.502.038.8392
60. Document CWN.502.038.7534;
61. Document CWN.530.001.0072;
62. Document CWN.530.001.0073;
63. Document CWN.510.001.0545
64. Document CWN.510.001.0546
65. Document CWN.514.035.2262;
66. Document CWN.514.035.2263;

67. Document CWN.514.035.2264;
68. Document CWN.508.003.0270;
69. Document CWN.508.003.0139;
70. Document CWN.508.003.0140;
71. Document CWN.508.003.0069;
72. Document CWN.508.003.0113;
73. Crown Resorts Limited, Meeting of the Board of Directors on 27 April 2017 (Agenda), pages 20-21;
74. Document relating to VIP International – Key Messages (paragraph 4). Crown responded to Ben Considine, VCGLR Inspector on 27 November 2017;
75. Document relating to email dated 10 July 2015 from Jan Williamson (3 pages). Crown responded to section 26 Notice issued on 22 March 2018; and
76. Document relating to email from Felicia Fragapane (3 pages). Crown responded to section 26 Notice issued on 4 January 2018.

- b. In the case of any claim of LPP that is made or maintained by Crown in respect of any of the above documents, or any other documents, also provide the following details:
 - i. the basis upon which that LPP is claimed and confirmation that it has not been waived;
 - ii. the dates upon which the advice the subject of the claim of LPP was both sought and received;
 - iii. the identity of the person who sought or received the advice the subject of the claim of LPP;
 - iv. whether LPP is claimed over the whole or part of the document; and
 - v. in the event that the LPP claimed is limited to only part of a document, an appropriately redacted or masked version of the document containing the information that is the subject of the claim of LPP.

B. As to previous claims of commercial-in-confidence made by Crown:

3. The VCGLR is aware that your client may have redacted certain documents provided to the VCGLR on the basis of commercial confidence. It is requested that you provide unredacted copies of all documents which have been redacted on the basis of commercial confidence, including but not limited to:

1. Crown Resorts Limited, Meeting of the Board of Directors on 22 February 2017 (Agenda);
2. Crown Resorts Limited, Meeting of the Board of Directors on 22 February 2017 (Minutes);
3. Crown Resorts Limited, Meeting of the Board of Directors on 27 April 2017 (Agenda);
4. Crown Resorts Limited, Meeting of Board of Directors on 27 April 2017 (Minutes);
5. Risk Management Committee, Memorandum regarding Report Against Material Risks dated 8 May 2015;
6. Risk Management Committee, Meeting of the Committee on 13 May 2015 (Minutes);
7. Risk Management Committee, Memorandum regarding Report Against Material Risks dated 17 June 2016;
8. Risk Management Committee, Memorandum regarding Report Against Material Risks, Agenda Item 3 – Report Against Material High Risks, dated 9 November 2015;
9. Crown Resorts Limited, Report Against Material High Risks dated 30 April 2015;
10. VIP International Strategy Workshop, Planning for Financial Year 2017 dated April 2016;
11. Crown Resorts Limited, Financial Plan & Budget – Financial Year 2015 to 2018, dated 29 May 2014;
12. Document CWN.530.001.0072;
13. Document CWN.530.001.0073;
14. Document CWN.510.001.0545;
15. Document CWN.510.001.0546;
16. Document CWN.514.035.2262;
17. Document CWN.514.035.2263;
18. Document CWN.514.035.2264;
19. Document CWN.508.003.0270;
20. Document CWN.508.003.0139;
21. Document CWN.508.003.0140;
22. Document CWN.508.003.0069;
23. Document CWN.508.003.0113;

24. Crown Resorts Limited, Meeting of the Board of Directors on 27 April 2017 (Agenda), pages 20-21;

If, however the redactions were made on the basis of LPP which is not waived, please indicate so in accordance with paragraph 2(b) above.


C. Other witness statements referred to in your letter of 28 January 2020

4. In respect of the other witness statements referred to in your letter of 28 January 2020, provide copies of the:
 - a. expert report of Professor Margaret Lewis dated 9 December 2019; and
 - b. addendum to expert report of Professor Margaret Lewis dated 19 December 2019.

Crown is required to provide this information by **5pm on 5 March 2020**.

Please contact me on [REDACTED] if you have any queries.

Yours sincerely


Adam Ockwell
Director, Compliance

Cc: Joshua Preston, Chief Legal Officer, Crown Resorts Ltd