



DPP

Commonwealth Director of Public Prosecutions

7 March 2006

Our Reference:
Operation Rhodium

RI 719/Tom
c/- Australian Federal Police
Sydney

Dear Sir

OPERATION RHODIUM: PROCEEDS OF CRIME PROCEEDINGS

I confirm that the Director has taken action pursuant to the Proceeds of Crime Act 2002 (the Act), in respect of the amounts of \$825,100 and \$53,572 which you have advised are the proceeds of the sale of cocaine.

I confirm that on the basis of the information which has been provided to this office by the Australian Federal Police (AFP), no other action will be taken in relation to the balance of your identified property, including the amount of \$758,370.01. That decision is subject to the condition that that information provided by you to the AFP is a full and truthful account of the source of the balance of your property. Should the Director receive credible and reliable information which in any way indicates that your account has not been full and truthful, then he reserves the right to reconsider whether further action under the Act is appropriate.

Yours faithfully



J Jolliffe
Deputy Director

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SYDNEY OFFICE

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COMMONWEALTH OF AUSTRALIA

**DIRECTOR OF PUBLIC PROSECUTIONS ACT 1983
SECTION 9(6D)**

TO: **Registered informer RI 719**

I, **DAMIAN JOHN BUGG, QC**, the Director of Public Prosecutions of the Commonwealth of Australia, hereby undertake pursuant to section 9(6D) of the *Director of Public Prosecutions Act 1983* that you will not be prosecuted (whether on indictment or summarily) in respect of any acts or omissions specified in the Schedule hereto that constitute, or may constitute, an offence against a law of the Commonwealth provided always that you comply with the conditions to this undertaking specified hereunder:

SCHEDULE


- (i) your acts or omissions in respect of the importation of a commercial quantity of cocaine on 8 October 2004 and the possession of that cocaine and the proposed importation of a commercial quantity of cocaine in May 2005; and
- (ii) your acts or omissions in dealing with money or other property being the proceeds of crime or that was intended to become an instrument of crime between about 1 June 2004 and about 9 May 2005; and
- (iii) your acts or omissions concerning the transfer of money overseas between about 1 June 2004 and about 9 May 2005.

CONDITIONS

1. That you give evidence as and when called upon to do so in the proceedings (including but not limited to committal proceedings, trials and sentence proceedings) arising from the prosecutions following the investigations known as Operation Rhodium / Mocha including, but not limited to, proceedings against Shayne HATFIELD, Ian CHALMERS, Ryan CHANDLER, Michael HURLEY, Leslie MARA, Sean NORTH, Robert PAVAN, David DOWE, Anthony STEVENS, Ronald HAMER, Stephen SEVASTOPOULOS, Mario ALEXANDRIDIS, Fawaz ELMIR, Joe ZAITER, Gilbert GEDEON, Norman NIASS, Donald MURR, and Lindsay RUTTER.
2. That the evidence you give is given truthfully, accurately and withholding nothing of relevance.

This undertaking does not apply to proceedings against you in respect of the falsity of any evidence you may give.

DATE: 21st February 2006


DAMIAN JOHN BUGG QC
DIRECTOR OF PUBLIC PROSECUTIONS

COMMONWEALTH OF AUSTRALIA
DIRECTOR OF PUBLIC PROSECUTIONS ACT 1983
SECTION 9(6)

TO: **Registered Informer RI 719**

I, **Damian John Bugg QC**, the Director of Public Prosecutions of the Commonwealth of Australia, hereby undertake pursuant to section 9(6) of the *Director of Public Prosecutions Act 1983* that:

- (a) any answer you give, or statement or disclosure you make, in the course of giving evidence in the proceedings specified in the Schedule;
- (b) the fact that you disclose or produce a document or other thing in the said proceedings; or
- (c) any information, document or other thing that is obtained as a direct or indirect consequence of an answer you give, a statement or disclosure you make, or a document or thing you disclose or produce in the said proceedings;


will not be used in evidence against you in any criminal or civil proceedings in a Federal Court or in a court of a State or Territory other than in proceedings in respect of the falsity of any evidence you may give.

SCHEDULE

Proceedings against those defendants charged and those who may be charged as a result of the investigation known as Operation Rhodium / Mocha in connection with the following offences:

- (i) alleged offences relating to the importation of cocaine contrary to the Customs Act 1901; and
- (ii) alleged offences contrary to Part 10.2 of the Criminal Code.

DATE: 21st February 2006


DAMIAN JOHN BUGG QC
DIRECTOR OF PUBLIC PROSECUTIONS