



Our Ref: GP/172185-6

Reply to: Sydney Office

18 August 2022

Investigator
NSW Independent Commission Against Corruption
GPO Box 500
SYDNEY NSW 2001

Attention: [REDACTED]

By Email: [REDACTED]@icac.nsw.gov.au

Dear [REDACTED]

Ching Waa Uy – Operation Gally E19/0569

I refer to the statutory notice under s.22 of the ICAC Act which you sent to me as an email attachment on 5 August last. I confirm that Mr Uy is attempting to recover the specified video material.

I conferred with Mr Uy about the s.22 Notice and other matters last Friday afternoon with the assistance of an interpreter. I had a brief telephone conversation with him earlier this week. [REDACTED]

[REDACTED]

[REDACTED]

In relation to the various questions that you have posed, I am instructed to respond as follows:

1. Mr Uy has no recollection of being at the Rhodes Waterside Shopping Centre between 3:00 pm and 5:00 pm on 25 July 2018.

| Sydney | Canberra | Newcastle | Perth |
|---|--|--|---|
| Level 12, 59 Goulburn Street Sydney PO Box 20074 World Square NSW 2002 DX 11556 SYDNEY DOWNTOWN Tel: +61 2 9264 9111 | Level 8, 224 Bunda Street Canberra PO Box 131 Civic Square ACT 2608 DX 5656 CANBERRA ACT Tel: +61 2 6188 3600 Fax: +61 2 6188 3601 | Level 1, 16 Bull Street Cooks Hill PO Box 475 The Junction NSW 2291 Tel: +61 2 6188 3600 Fax: +61 2 6188 4299 | Level 28, AMP Tower, 140 St Georges Terrace Perth 6000 Tel: +61 2 6188 3600 |

2. Whilst Mr Uy has no recollection of such a meeting, having regard to the telephonic records, he does not deny that his mobile phone was used between 3:00 pm and 5:00 pm on 25 July 2018 within the Rhodes Waterside Shopping Centre.
3. Although he does not recollect the specified meeting, Mr Uy does recall having met with Mr Badalati and Mr Hindi on one or two occasions at the Rhodes Waterside Shopping Centre to catch up for coffee. He also recalls meeting with Mr Badalati there (without Mr Hindi) on one occasion. They discussed the Burwood and Rhodes Chinatown precincts which Mr Badalati and Mr Hindi wanted to replicate in Hurstville.
4. As to Rhodes Foreshore Park, Mr Uy now does not recall if they actually went to that park, or simply looked over it towards the Rhodes skyline.
5. Mr Uy admits that the proposed hotel in the Landmark Square development was a topic of discussion at their meetings. It was thought that a hotel would be ideal for Hurstville given its proximity to the airport.
6. Mr Uy did not take any photos or videos at their meetings which typically lasted 30 to 40 minutes.
7. The meetings took place at the Oliver Brown coffee shop. Mr Uy recalls then walking along the street to a gym near Chinese restaurants.
8. Mr Uy denies that he provided any money to Mr Hindi, at the park, or at all.
9. Mr Uy denies that he provided any money to Mr Badalati, at the park, or at all.
10. Mr Uy concedes that, as at 19 April 2016, it was his expectation or hope that, if the Landmark Square development was approved, he or Gencorp would obtain a portion of the projected profit to be made by the One Capital Group. However, he does not agree that the projected profit was to be as much as the amount specified.
11. Mr Uy agrees that he or GenCorp was to receive 20% to 30% of the projected profit net of tax.

I **attach** the telephone transcript of a conversation between Mr Uy and John Yuen on 25 July 2018 at 11:45:01. I now have been informed that there has been a mis-translation in that the English words (middle east) do not appear in the Chinese script. The proper translation of the Chinese symbols is "China Happy" although only part of the symbol for "China" appears. I am informed that the mis-translation may have been caused by the App on Mr Uy's phone which utilises simplified Chinese script. As a Hong Konger, Mr Uy typically uses classic traditional Chinese script. I am instructed that Mr Uy was intending to convey the meaning *Fat Happy Chinese Buddha* as the word "Chinese" is to be textually inferred before the word "Happy" and the Buddha appears in the background of the photo. The actual translation certainly is not "Fat", middle east". Your own enquiries should confirm that to be the case.

As I will need to make submissions along those lines, please indicate if the Commissioner requires further sworn evidence from Mr Uy, to that effect.

I also confirm that Mr Uy believes the photograph of the cash on the ironing board was taken well before 2018, contrary to the suggestion made to him by Counsel assisting, which he is attempting to confirm from the original source.

Yours faithfully
Chamberlains Law Firm



G V Patterson
Special Counsel & Associate Director
Acc Spec (Advocacy, Dispute Resolution & Personal Injury)
Email: gary.patterson@chamberlains.com.au



ACCREDITED SPECIALIST
ADVOCACY



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| 5 | WeChat | wxid_t6dr20noki6z22 phillip | wxid_qrdkmgid9efg22 John Yuen | Timestamp: 25/07/2018 11:45:01 AM(UTC+0) | Direction: Outgoing Body: 肥。中乐 Participants: <table border="1"><thead><tr><th>Participant</th><th>Delivered</th><th>Read</th><th>Played</th></tr></thead><tbody><tr><td>wxid_qrdkmgid9efg22 John Yuen</td><td></td><td></td><td></td></tr></tbody></table> Source Extraction: File System (1) Status: Sent Message Type: App Message | Participant | Delivered | Read | Played | wxid_qrdkmgid9efg22 John Yuen | | | | | | |
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| 6 | WeChat | wxid_t6dr20noki6z22 phillip | wxid_qrdkmgid9efg22 John Yuen | Timestamp: 25/07/2018 11:45:13 AM(UTC+0) | Direction: Outgoing Body: 你已另有 Participants: <table border="1"><thead><tr><th>Participant</th><th>Delivered</th><th>Read</th><th>Played</th></tr></thead><tbody><tr><td>wxid_qrdkmgid9efg22 John Yuen</td><td></td><td></td><td></td></tr></tbody></table> Source Extraction: File System (1) Status: Sent Message Type: App Message | Participant | Delivered | Read | Played | wxid_qrdkmgid9efg22 John Yuen | | | | | | |
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| 7 | WeChat | wxid_qrdkmgid9efg22 John Yuen | wxid_t6dr20noki6z22 phillip | Timestamp: 25/07/2018 11:48:57 AM(UTC+0) | Direction: Incoming Body: 請通知肥佬。看他是否肯幫阿梅忙 Participants: <table border="1"><thead><tr><th>Participant</th><th>Delivered</th><th>Read</th><th>Played</th></tr></thead><tbody><tr><td>wxid_t6dr20noki6z22 phillip</td><td></td><td></td><td></td></tr></tbody></table> Source Extraction: File System (1) Status: Read Message Type: App Message | Participant | Delivered | Read | Played | wxid_t6dr20noki6z22 phillip | | | | | | |
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| 8 | WeChat | wxid_t6dr20noki6z22 phillip | wxid_qrdkmgid9efg22 John Yuen | Timestamp: 2/08/2018 4:27:39 PM(UTC+0) | Direction: Outgoing Body: 中东突然前二星期。要求。。因为最后一次会全部完成。但那个女。却需借一进入反。。。上星期大戦。中东。肥肥拼命。。。昨天報子大段出來 Participants: <table border="1"><thead><tr><th>Participant</th><th>Delivered</th><th>Read</th><th>Played</th></tr></thead><tbody><tr><td>wxid_qrdkmgid9efg22 John Yuen</td><td></td><td></td><td></td></tr></tbody></table> Source Extraction: File System (1) Status: Sent Message Type: App Message | Participant | Delivered | Read | Played | wxid_qrdkmgid9efg22 John Yuen | | | | Translation "middle east" suddenly two weeks ago. Requested... Because the last meeting all things have been completed. However the female arranged a group of people to turn it over... Big fighting last week. Middle east, Fat Fat fought their life... Yesterday's newspaper had a large paragraph. | | |
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| wxid_qrdkmgid9efg22 John Yuen | | | | | | | | | | | | | | | | |