

I don't – well, put that to one side. Just think about what I'm asking you and answer it. Did you have an expectation, at the time of providing him with an alias and your phone number, that you would at some point receive a financial benefit?---At some point, yes.

Ah hmm. And what would the financial benefit be that you expected?
---There was no dollar figure expected.

10 No, no.---But what there, what there was was assistance in getting work for myself in future, whenever I create my own business – which I did – to be able to win work.

And so the – oh, I see. And the expectation was from, that Nima would help you do that?---Tony.

Tony would do that? Yes.

20 MS CATHCART: Thank you. When, Mr Sanber, when you said you thought Nguyen could potentially help you in future if you set up your own business, was the intention that he would act as a false employee of any future business of yours?---No. There, there was no – I'm, I'm struggling to explain this. There was no written, formal, agreed agreement. It was more of a "I've done for you, you do for me," right, without any specific details as to what that would be.

Just assistance in general - - -?---Yes.

- - - with not agreement as to what that assistance might be?---Correct.

30 Mr Sanber, if there were no employees in Mr Nguyen's company, and your evidence is that ASN would be set up to tender for Transport for NSW projects, how was it that they proposed to undertake any work with no employees?---Using contractors.

Right.---Subcontractors, sorry.

40 And you've told the Commission this was a conversation between yourself, Nima Abdi and Tony Nguyen that took place at a sandwich shop, is that correct?---Yes. That, the, the events that I recall in giving this evidence is that conversation. I'm - - -

Is it a singular conversation, Mr Sanber?---That's the one I'm remembering, it was a singular one. But I, there were other, other ones. I just don't recall exactly details of those ones right now. But - - -

THE COMMISSIONER: What was the substance of those other conversations? Just the substance. I'm not asking you for, you know, direct speech, but - - -?---Yeah, I, I think it was, I think we, we had more than one

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conversation about the ASN works that, that they were going to undertake. Or not the, sorry, the tender and – not the tender, I’m speaking using incorrect words, in being able to tender. It was more about, you know, speaking about the company’s capabilities, speaking about, like, like, question was asked previously how would it be done, you know, what contractors, you know, we’ve got access to, we can utilise, et cetera. When I say “we”, as in his, his company but - - -

10 During those conversations, was there any discussion about whether either you or Nima or indeed any other employee of Transport for NSW would be able to assist in ensuring that ASN got work?---I was not privy to any of those, so any of those conversations.

But you understood that they had taken place?---Yes.

And did you understand that Nima would be able to assist ASN in some way?---Yes.

20 And, as you understood it, how would that assistance - - -?---I, I wasn’t aware of how. I just, I was aware that he would render some assistance.

Right. That assistance being to at least try to ensure that ASN got some work?---Correct.

Thank you. Yes.

30 MS CATHCART: Mr Sanber, was there anyone else present at the sandwich shop when you had this conversation with Tony Nguyen and Nima Abdi?---No.

And you said that you expected at some point to receive the financial benefit. Is that correct?---Yes, although the details of that was not agreed.

40 And what were you going to be paid for?---That’s, this is where I was worried you were going, there was no specific I was going to be, get, get paid for something. It was more, I don’t know how else to, to explain it. It was more I do something for you for free and you will do something for free next time, that will, so I’m doing something for you now that will, to Tony, I’m going, I’m doing something for you, Tony, so that you will gain a financial benefit and you will come to my assistance in the future whenever it may be to offer the same assistance.

So your evidence is that you didn’t expect to be paid a financial benefit in cash or payment but the financial benefit you would receive is future assistance with any company that you would set up?---Correct. Yes.

I see.

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