

Dear Lynne,

In the afternoon of the 11th April 2023 after my public cross examination with Mr English, counsel assisting ICAC, I expressed to you verbally and via email and SMS that I felt I provided inaccurate evidence towards the end of the examination.

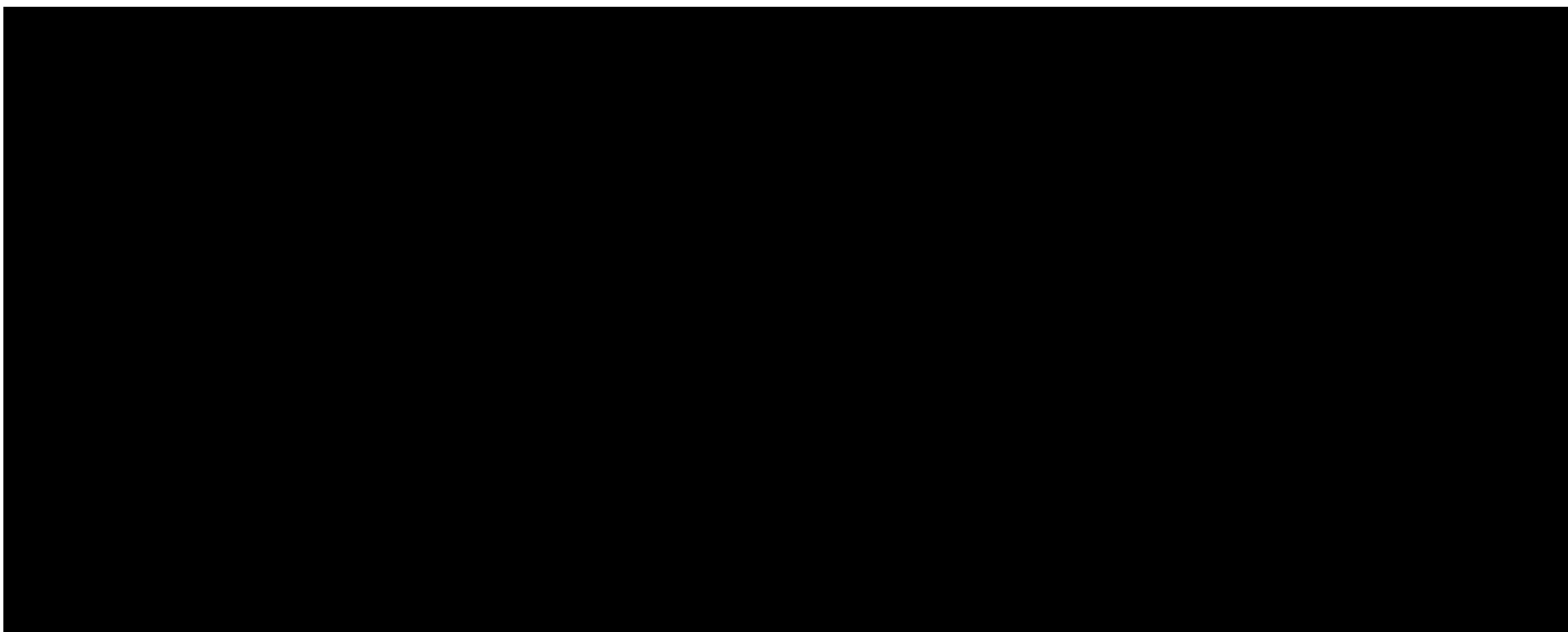
Your advice was to wait until the transcript was published to review the recorded evidence. On publishing of the transcript on the 13th April 2023, I then formed the strong conviction that I did provide inaccurate and incomplete evidence and below in the matrix is my revised evidence. Please note that any unintended lateness was pending your availability for review as I understood you were interstate on other matters.

I must state that before my attendance on the 11th April, I was suffering extreme anxiety and sleep deprivation, I decided to take medication two nights before my attendance at the hearing. [REDACTED]

[REDACTED] Unfortunately, as I took the medication close to the hearing and during the period the medication would take proper affect, it caused further anxiety, insomnia, dizziness, drowsiness, loss of appetite and fatigue which had an effect towards giving evidence. Before the last session, during the lunch break, I did not have an appetite and I went into the examination fatigued, compounding the effects of the medication. I stopped taking the medication after my appearance at the inquiry because of the physical side effects I experienced. See photos below.

Additionally, I felt intimidated with a barge of allegations put against me and answered my questions flippantly at the time, due to the affects mentioned above, without consciously asking for clarification to several question on pages 13 to 15 of the transcript between 2pm to 4pm on the 11th April.

My understanding of the questions towards the end was therefore aberrated and I therefore wish to correct my evidence as my answers were inaccurate and incomplete.



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And if we scroll down, you can just see, if we go down to page 2, this has been compiled. It's difficult to see but this is your bank statement or the entries relating to your bank statement. And you can see where it's coloured how it's been done. And just so you're aware of how the spreadsheet's created. So if we go back up to page 1, please, is it your evidence that you would pull out 85% or whatever you determined was the applicable percentage in cash following your receipt of this money and you'd give it to Nima Abdi, would you?---150% I gave them 85%.

30 Sorry?---I'm, I'm, I'm emphasising that I gave them 85%. Now, you can evaluate here that - - -

It comes up to about 78% in total.---Yeah, well, because my, I used to do work for my dad. My dad used to give me money and he used to give me cash money and I used to supplement that. So where you see here on the 12th of the tenth, I did chores around the house for him and all that stuff. So I added to that. Rather than withdraw it all, I would add onto it and then give it to Nima. So those two, 118 and 150, I don't know about this \$40. I think that was for me to buy things. But those, and, yeah, so those are the, the \$90 was for something else. So it, it, I did give them, I did give Nima 85%.

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Just want to add or clarify that 118 refers to \$1180 and 150 refers to the \$1550 withdrawals items referred to in the evidence displayed on the 11th April 2023. I supplemented these withdrawals with cash given to me by my Father for maintenance, repairs and chores I did for his home over the weekends. The cash I provided to Mr Abdi was 85% on these occasions and on all other occasions.

<p>30 MR ENGLISH: 140. Thank you, Chief Commissioner. So if that can be brought on the screen, please, Exhibit 140? So you see you were asked some questions here. "You were employed, were you not, on this secondary project as the design manager?" And you said, "Ah hmm." You were asked, "Do you have qualifications as a design manager?" And you said, "It was reviewing designs, yeah, so there was, what do you call it, just drawings to be reviewed. And because I had that practice of doing that within the TAP projects, I was a good fit." Then you were asked, "You don't have any specific design qualifications?" "No, but I, I, I understood constraints,</p> <p>40 design constraints." And then you were asked, "And you did actually undertake the work that you were paid for?" And you said, "Yes." Now,</p> <hr/> <p>11/04/2023 [REDACTED] 1250T E19/1595 (ENGLISH)</p> <hr/> <p>that was plainly untrue, wasn't it?---It was untrue and that's why I wanted to qualify it at the beginning and my lawyer sent an email too, to your lawyers.</p>	<p>It was untrue that I didn't do the work only, but out of my own paranoia I feared retributions from others involved if I stated I didn't do work. I then thought it would be the best thing to do to change my evidence before the beginning of my public hearing. My lawyer sent an email to an ICAC Senior Lawyer several days before my appearance at the hearing who advised I may do this in the public hearing.</p>

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MR ENGLISH: And if that can be brought on the screen, please? Here you're asked some questions about your time sheets and there's a reference to 123 hours on your income, sorry, this isn't the time sheets. I withdraw that. This is in relation to a spreadsheet you prepared. Do you know what I'm talking about? I can show it to you shortly if you like.---The income 1 and income 2 one?

Yeah.---Yeah.

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11/04/2023
E19/1595

[REDACTED]
(ENGLISH)

1251T

And it was asked, "Is it the case that anyone was receiving a portion of your second income as a kickback for providing you with the work in the first place?" And your answer was, "No." That was untrue, wasn't it?---Yeah, that's untrue.

The kickback was provided to me as I was approached with the idea. I clarified the details of the Chandler Mcleod work in my opening statement. Before my private hearing out of my own paranoia, I feared retributions from others involved if I stated I didn't do the work and gave others the money. I then thought it would be the best thing to do to change my evidence before the beginning of my public hearing. My lawyer sent an email to change my evidence to an ICAC Senior Lawyer several days before my appearance who advised I may do this in the public hearing.

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[REDACTED]
(ENGLISH)

1255T

All right. And are you aware that - no, I withdraw that. It may be submitted against you, Mr [REDACTED], that you assisted Mr Abdi to have Mr Gayed removed from the Wollstonecraft project so that he could be replaced with Mr Aziz. What do you say about that?---I don't, I don't know about his replacement. But, yes, Nima was a bit upset that Gayed was on that project.

And so you assisted him in seeking to have Mr Gayed removed from that project, is that right?---I tried to, yes.

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Okay. And that was at Mr Abdi's direction, was it?---I think it was twofold. It was, it was him and also, based on my understanding of his past, what risk the project was.

My answer is inaccurate and incomplete as I became confused about sequences and document references which were not clarified by Mr English. I should have asked for clarification.

My concern was the risk to the project as it was highlighted from me by others I questioned in April 2020, who did have direct involvement with Mr Gayed, that he would not be a good fit. I then suggested an alternative in April and to cover my concern as this being my first project leadership role in TfNSW. I wanted to de-risk the project for it to run successfully and Mr Abdi must have had his own plan which was contrived in conjunction with my genuine concerns to de-risk the project. I do not ever remember having any knowledge of the plan to substitute Gayed with Aziz and knowingly assist Mr Abdi with such a plan. Mr Abdi confirmed that I did not know about any attempted plans to replace Mr Gayed with Mr Aziz during his hearing on the 17th April 2023.

I explained this earlier in my hearing when asked when I understood about Mr Abdi's manipulation and explained to the chief commissioner that on listening to the hearing it made sense that Mr Abdi was on a desperate attempt at seeking information from others via manipulation to justify a cut of the profits as Mr

	<p>Abdi was losing control due to Aiden Cox's involvement in RJS.</p> <p>The emails I sent to Mr Gayed during a possession in October 2023 regarding the poor lighting was a genuine concern and it was raised to me by specialists in TfNSW first. This included TfNSW site surveillance offers and safety manager/officer who each pointed me to this issue as a safety risk and who instigated the concern to me which I reacted upon. This was therefore not an attempt to oust Gayed from his role as it was raised by others and was not contrived. Mr Aziz was either on the way out to work for MTR or left Downer.</p>
<p>20</p> <p>Okay. And it may be submitted against you that each time you sent materials to your Hotmail address, that was - and when I say materials, I should say the materials I took you to earlier this morning, the Transport for NSW materials - that was at Mr Abdi's request. What do you say about that?---I, I just remember the, the one that I, that I discussed, the last four BOQs. But I, I can't remember the previous ones or whether it was his request or not.</p> <p>30</p> <p>Well, you don't have any recollection of honestly reviewing any of those materials I took you to at a library, do you?---The Wollstonecraft and Canley Vale ones, yes.</p> <p>At an actual library, you had a look at those, did you?---Well, whether it's at a library or home on a computer.</p> <p>Whether or not you might have had a look at them at home or a library, you still passed them on to Mr Abdi, is that fair?---I, I did, yes.</p>	<p>I was confused about this question because I thought the reference was about the BOQs only as these are considered TfNSW documents as they are prepared for and submitted to TfNSW. On reading the transcript, the question seems targeted as a catch-all question to any materials I sent to my Hotmail address. I have provided, due to my confusion and misunderstanding an inaccurate and incomplete answer.</p> <p>The TfNSW Materials shown before me i.e. the REF email and attachments I forwarded onto my Hotmail address was not in my recollection a request by Mr Abdi. Mr Smith was wanting me to fill the answers to the publicly displayed REF as he knew I was the PM for the Wollstonecraft which may have contained questions that needed addressing. I sent it to myself as an attempt to read it and provide feedback over the weekend as it required some thought as I may have been busy working on other aspects of the project including any handover from other projects I was on.</p>

	<p>I strongly object to any proposition that “I did not honestly review any materials” as I did review materials I sent to myself in order to either complete tasks, learn and develop an understanding of project inputs and issues and develop a reasoning to better place myself in a informed position during meetings, and to raise issues or gain help from others. I did this infrequently to build on my learning of all aspects of civil construction work which I had limited experience with. This included requesting to attend possessions on projects I was not involved with to learn of civil works.</p> <p>The only recollection of items I sent to Mr Abdi via whatsapp text message were the four BOQs in 6th August as I remember the act of doing it due to my emotional reaction towards Mr Abdi, as I have stated at in details at the start of my attendance to the public hearing on the 11th April 2023.</p> <p>The preceding BOQs in July 2023 and August 3rd 2023 I do not remember the act of sending to Mr Adbi and therefore cannot confirm the act to definitively confirm if I did. They may have been from another source however I am not sure.</p>
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40 And when you submitted that Mr Abdi may have received those bills of quantity that I took you to earlier from the R drive, that was untrue, wasn't

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[REDACTED]
(ENGLISH)

1256T

it?---I did, I did, it was untrue but I did tell him he could pick it up from there.

My understanding was that this question referred to the BOQs I sent to Mr Abdi on the 6th August 2020.

The only recollection of items I sent to Mr Abdi via whatsapp text message were the four BOQs in 6th August as I remember the act of doing it due to my emotional reaction towards Mr Abdi, as I have stated at the beginning of me providing evidence on the 11th April 2023 in order to clarify my evidence as during my private hearing. Before my private hearing out of my own paranoia, I feared retributions from others involved. My Lawyer informed the chief inspector of this before my private hearing. I did refer Mr Abdi download the BOQs from the R drive on the 6th August 2020 but he didn't want to be linked.

The preceding BOQs in July 2023 and August 3rd 2023 I do not remember the act of sending to Mr Abdi and therefore cannot confirm the act to definitively confirm if I did. They may have been from another source however I am not sure.