

**NSW ICAC  
EXHIBIT**

Third Horizon Consulting Partners  
Level 41  
100 Miller Street  
North Sydney  
NSW 2060

Anthony Courtman

February 18<sup>th</sup>, 2013

Dear Neville,

As per my discussion separately with both Steve Metzmacher and yourself this morning, I am writing to you to provide a factual account of my dealings with Joe Camilleri, who was recently terminated from RailCorp. I spoke to Steve and yourself this morning as I wanted to provide a full disclosure of my relationship and dealings with Joe Camilleri. I wanted to make a full disclosure so that any concerns (perceived or otherwise) in relation to the nature of my dealings with Joe are transparent and open and in the hope that once fully understood, are seen in the appropriate context and nothing untoward. I commit to providing full cooperation with both Third Horizon, TfNSW/RailCorp or any other party necessary as I have nothing to hide.

Joe and I have had a relationship since my time at RailCorp where I worked closely with Joe on implementing reform within the organisation. Joe was particularly supportive during a challenging time during my stay at RailCorp and as a result I feel a certain degree of moral indebtedness towards him.

Joe and I have remained in periodic contact both on a personal and professional level since my leaving RailCorp. From my ongoing personal relationship with Joe I was aware, based on conversations that we had, that he had an ongoing legal issue relating to his daughter which was still of concern and had put financial pressure on Joe. On or around 13 August 2012 (I only know the date as it's the date I have confirmed is the date I withdrew the loan money from the bank), Joe contacted me by phone stating that he was in financial difficulties and asked me if I could lend him some money to assist in covering the costs of the ongoing legal issue. Joe expressed that he needed the money in a hurry as he was late on payments he had already deferred. I asked Joe whether he could obtain the money elsewhere such as family or other friends which he said he could not as he already borrowed from some of them. From the clear distress in Joe's voice I could tell he needed help and purely from the basis of wanting to help a friend in need I reluctantly agreed to lend Joe the money on the basis that it was a personal loan from me and had nothing to do with either organisation that we worked for. I agreed to lend Joe \$3,000 which I provided to him either that day or the next. The agreement was that the money would be repaid to me on resolution of the matter which was hopefully to be within a few weeks.

I did not disclose the issue with Third Horizon at the time of the loan as I did not consider it necessary to do so. I loaned the money to Joe as a friend in need. At all times I loaned the money in my personal capacity and the loan had no relevance to nor did it undermine the work I performed for Third Horizon or the work Third Horizon performed for RailCorp. In addition, at the time of the loan Joe was not involved in any procurement activity with Third Horizon (nor has he been to the best of my knowledge) and while Joe was involved in maintenance reform generally, he was distant from the areas we were pursuing. I also note that Joe was not the purchaser for RailCorp and to the best of my knowledge Joe would not have played a part in the decision making process.

As I demonstrated today, as soon as cause arose for me to declare the loan I did so. I have always considered my loan to Joe and our dealings to be on a purely personal level and for this reason I have seen no need to

disclose the loan to Third Horizon.

Third Horizon has been asked to bid by RailCorp on two separate pieces of work in the last 6 months which I have had some exposure to, as outlined below;

- One for the benchmarking review where I sent a letter saying that Third Horizon withdrew from the tender on the basis that it was not well aligned to where we could best assist which was indeed the reason; and
- Two for the piece relating to a WCCL program management role which while Third Horizon was successful, Joe was not involved with the tender at all, as far as I am aware.

If a circumstance had arisen where Third Horizon intended to bid and for which I was aware of, or suspected Joe was to be involved with, I would have immediately declared my loan to Joe as I believe at that point in time there may have been a potential and/or perceived conflict of interest. As this never arose I did not believe that I had an obligation to declare anything.

Since the time of the loan I have contacted Joe on two separate occasions to confirm the timing of the repayment of the loan. The last occasion I contacted Joe was several weeks ago in January where Joe intimated that he would repay me in February. The delay was due to the matter still not being resolved.

Yesterday, Sunday 17 February Joe contacted me on my mobile to let me know he had been dismissed from RailCorp for breach of code of conduct. I told him that I heard something to that effect on Thursday but wasn't aware of the circumstances. Joe informed me that he had been dismissed because he hadn't declared a significant loan from a person at UGL and that when asked he hadn't shared the information to the investigation team who were looking into the loans.

Joe informed me that he had borrowed money from around 30 people including a number of current and previous colleagues; I was just one of those. He said my name had not arisen during discussions but he believed it was on the list of debtors to repay that he has sent his daughter. I explained to Joe that given the situation I thought it imperative that I inform my employer and provide full disclosure in relation to the matters, as soon as possible, as I did not want there to be any incorrect perceptions regarding my dealings with him. I told Joe that I would disclose to my employer the nature of my dealings which are as set out above, I consider to be a short-term loan intended to help out a mate who was in need (exactly why I think the other people lending Joe money did the same thing).

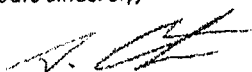
In relation to the loan, I would like to make it clear that I acknowledge that no other Third Horizon person had any knowledge of the loan. If there is any concern regarding my actions they are my actions personally as a mate of Joe's who tried to help him out of a tough spot. At no stage have I or would I have ever sought to leverage my loan to Joe to gain any advantage for myself or Third Horizon. I believe my loan to Joe is a personal transaction unrelated to my employment and my duties to Third Horizon.

I also note that from a Third Horizon perspective my actions were prior to my formal appointment as a Director of Third Horizon.

Finally I would like to apologise for the inconvenience the situation has caused the firm and again offer my full cooperation to any party (Third Horizon, ICAC, NSW Department of Premier and Cabinet and/or RailCorp) in order to resolve the situation. If Third Horizon considers it will be beneficial or worthwhile for me to contact ICAC, NSW Department of Premier and Cabinet and/or RailCorp, I will be happy to do this. The information I have provided to Steve and you and as set out above is a full and frank account of my dealings with Joe in relation to my loan to him. I believe my actions have been of a personal nature and separate to my employment with Third Horizon.

If you require any further details from me, please do not hesitate to contact me.

Yours sincerely,



Anthony Courtman