

SHIRE OF YORK	
FILE	AS. RMT. 281
OFFICER	INITIALS
Ray	
20 FEB 2013	
130395	
REFERRED TO COUNCIL	
DATE	INITIALS

AS Boyle
PO Box 190
YORK WA 6302

19th February, 2013

Chief Executive Officer
Shire of York
PO Box 22
YORK WA 6302

Dear Ray

**APPLICATION FOR LEGAL COSTS PAYMENT –
DEFAMATION CLAIM INITIATED BY S&H SAINT**

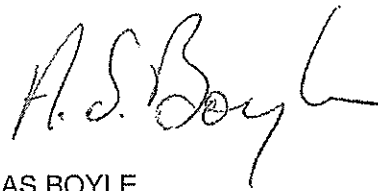
I hereby apply to Council for approval to obtain legal advice and representation, if necessary, in the above claim and for the Shire of York to meet any associated costs for this legal advice/representation.

1. The claim relates to action taken at the September 2012 Ordinary Council meeting in my position as President of the Shire of York in the section of the meeting detailed as 'Announcements by the Shire President without Discussion.'
2. I request that McLeods, Barristers & Solicitors be engaged to provide legal advice/representation on this matter.
3. The nature of legal representation to be sought is for advice, preparation of a response to the action and representation in Court if the matter proceeds to this stage.
4. The estimated cost of the legal representation is in the range of \$1,000 to \$12,000 at this stage however it may extend to \$30,000 if the matter extends to a Court Hearing.
5. I consider that this financial support be provided by the Shire of York as the statements I made specifically related to the good governance of the district as a whole as evidenced by community concerns expressed about the actions by the Saint's and the cost burdens they had placed on the community by their repetitious claims, questions and actions.
6. I hereby declare that the statements made and actions taken in relation to S&H Saint were made in absolute good faith and my belief that the statements were and are true and I did not act unlawfully or improperly in this matter as I was acting for the benefit of the community as a whole to end the extraordinary amount of time, resources and funds consumed by S&H Saint for absolutely no community benefit.

7. I certify that I have read and understand the Department of Local Government Guideline No. 14 – Legal Representation for Council Members and Employees.
8. I formally and unequivocally agree that in the event that costs are awarded against the applicants these funds shall be payable to the Shire of York as reimbursement of any costs incurred from this matter.

In support of this request for financial support on this action I confirm my advice that my actions were taken to provide benefit for the community as a whole and any actions taken and statements made were done in complete good faith and in the belief that all comments made were the truth.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A.S. Boyle' with a stylized flourish at the end.

AS BOYLE
SHIRE PRESIDENT