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MinterEllison

29 May 2018

BY EMAIL

Mr Stephen Berriman
Director, Compliance
Victorian Commission for Gambling and Liquor Regulation
Level 3, 12 Shelley Street
RICHMOND VIC 3001

Dear Mr Berriman

Confidential : VCGLR China Investigation - detention of Crown group staff in China

1. Thank you for your letter dated 28 May 2018.
2. Your letter seeks an urgent response on the matters raised in paragraph 22 and 23. This letter is in response to that request.
3. By way of clarification, paragraph 41 of our letter dated 17 May 2018 referred to the overall email traffic and documentary records of Crown and media reports on all subjects pertaining to or affecting Crown's business, not just its China operations. To put the point more clearly, the material relating to Crown's China operations is only a small proportion of the material it has relating to all of its operations globally.
4. As you are aware from earlier correspondence (including Crown's response to the notice dated 2 February 2018), many of the emails in Crown's possession are stored on back up tapes, which need to be restored before their contents can be viewed (or electronically searched). Crown has been restoring selected tapes that may contain materials required to be discovered in the class action. This restoration process remains ongoing.
5. Crown recently filed an affidavit in the class action deposing to the logistical (and timing) difficulties associated with this restoration process. In short, tapes can only be restored one at a time, and it takes approximately 5 business days to restore one tape. Once a tape is restored, the entire contents of mailboxes of interest contained on the tape need to be extracted to a database in which they can be viewed.
6. Because of the time it takes to restore individual tapes, the process of restoring all tapes from the period that is relevant in the litigation (and is the subject of the VCGLR's focus) will take many more months to complete.
7. Crown has endeavoured at all times to comply fully with the notices it has received from the VCGLR in connection with this investigation. For this purpose, it has undertaken extensive searches of its records, including 'key word' searches of electronic records that are available to it otherwise than on back up tapes, and reviewed a large volume of documents.
8. Separately, as foreshadowed in Crown's earlier correspondence, and primarily for the purpose of discovery of documents in the class action, some material restored from back up tapes has been uploaded into a litigation support electronic database with enhanced search functionality. This has been done (at substantial cost) over the course of several months, with the assistance of external, forensic electronic expertise.
9. Some of the material that has been uploaded into the database has been reviewed for the purposes of making the first tranche of discovery in the class action (which will be made



imminently). In the course of undertaking this review, we have identified a small number of documents for discussion with Crown as to whether they may fall within notices that were issued by the VCGLR before these electronic files were available in a form that could be viewed. We anticipate being in a position to provide to the VCGLR by the end of this week copies of such of these documents as Crown considers to fall within the scope of notices previously issued.

10. In relation to responding to the balance of your letter, we look forward to receiving a copy of the transcript of interview of Michael Chen. A number of the matters traversed in your letter were addressed in that interview.
11. If you have any query in relation to any aspect of the above, you are welcome to call the writer or Mr Josh Preston of Crown.

Yours faithfully
MinterEllison



Richard Murphy
Partner

Contact: Richard Murphy T: [REDACTED]

OUR REF: RDM 1147099