

**CAV**  
**CHRONOLOGY**  
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**Exhibits 1103 to 1132**

arbitration whatsoever.

**Senator CARR**—So you are not able to establish that? I will ask a general question of the Telstra representatives. How is it that you think claimants are able to establish the dollar amounts of their losses if they do not have access to all of the documentation?

**Mr Armstrong**—That is not a proposition that Telstra puts.

**Senator SCHACHT**—It is true that you do not put the proposition. The process of accessing different information means that it is very difficult for claimants to make an accurate assessment, because the information on which they can base an accurate assessment does not come across, does it?

**Mr Benjamin**—The claimants would know how their business was performing. They are able to put in figures which show when they think the business might have been affected.

**Senator SCHACHT**—Mr Benjamin, from my knowledge of the settlements reached, Telstra has accepted whatever the claim may have been. Your offer has always been under 10 per cent of the claim, usually five per cent of the claim.

**Mr Benjamin**—We have not operated on any basis that says that the offer should be—

**Senator SCHACHT**—I know that there is not a foregone conclusion, but the fact is that whatever the claim may be, even after the end of mediation, arbitration, or whatever, even after your first offer—indeed, even with claims that run into millions—your offer usually never gets into six figures. It is usually \$10,000 or \$20,000 or \$30,000, even though someone may be claiming \$3 million. That might be an extraordinarily stupid claim with no basis. However, I find a consistent pattern: people's claims for loss of their business may run into millions, but Telstra only offers \$50,000, \$30,000, \$160,000 or \$20,000. The percentage figure is very small. I am not saying that the claims that run into millions have any more validity than your counter-offers, but there seems to be an extraordinary difference if you are talking about the economic impact on the business. You do not even accept that.

**Mr Ward**—We distinguish between the percentages that are calculated from what the independent arbitration comes up with and what Telstra may offer during the process—

**Senator SCHACHT**—There have been approximately 130 cases, but I take the case of Mr Honner. He is not a CoT case. He has made a claim—and he is on the record now—for close to \$2 million or over \$2 million. He has put in a claim that is based on an