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ADMINISTRATIVE DECISIONS TRIBUNAL

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14 MAR 2012

ADMINISTRATIVE  
DECISIONS TRIBUNAL

**Division:** General

**Applicant:** Jason Bouman

**Respondent:** Australia Traffic Network Pty Ltd

**File Number:** 111095

**Statement of Jason Bouman**

1. I am the Applicant.
2. I am currently 40 years of age.
3. I initially worked for Australian Traffic Network ("ATN") as the NSW as the NSW Operations Manager.
4. In 2009 Slickdogs Productions Pty Ltd contracted to ATN to provide my services.
5. In 2009, I became the regular fill in reporter for Sally-Anne Ryan on the Channel 9 *Today* show, in the role of traffic reporter, providing traffic reports for television from the ATN helicopter. In addition to this task, I conducted traffic reports on behalf of the two radio stations 2SM and

Classic Rock 95.3 for ATN. I performed these radio reports from a home office at a rate of \$30 per hour.

6. In October 2009, I was then assigned as the full-time permanent Channel 9 traffic reporter by the ATN NSW Operations Manager, Mr Ian Wallace.
7. At the time of my appointment on Channel 9, Mr Wallace said words to the effect “Your appointment is ideal, given your previous experience as the Traffic Reporter from the 2UE helicopter for Mr Alan Jones”.
8. On 1 November 2009, I wrote to the National Operations Manager, Mr Jay Flood, to confirming my appointment as Helicopter Traffic Reporter for the *Today* show and to negotiate the rate of pay. A copy of this email is attached and marked as *Annexure 1*.
9. On 2 November 2009, Mr Flood replied to me via an email A copy of this email is attached and marked as *Annexure 2*.
10. From this point forward, all feedback from both the ATN and Channel 9 regarding my work in television traffic reporting was positive and encouraging. This positive feedback came from both Mr Wallace and Mr Flood. For example, when I commenced on Channel 9, I telephoned Mr Flood and had a discussion to the following effect:  
I said: “Mate is everything cool with Channel 9? Are you happy?”  
Mr Flood said: “Yes, mate, all good. Just keeping working on getting those good tight shots for the networks.”

11. I also received positive feedback from the NSW Operations Manager, Mr Ian Wallace, my direct manager. I regularly called Mr Wallace regarding my work on Channel 9. For example, on or about 22 March 2010, Mr Wallace and I had a discussion to the following effect:

I said: "Hey, Wal, is everything OK? Are you happy with my work? Have you heard any feedback off Channel 9?"

Mr Wallace said: "Champion, you're doing an excellent job. Don't you worry about a thing. Tommy (Tom Malone, Executive Producer, *Today* show) is an old mate of mine – we go back a long way. If there's ever a problem with you and Channel 9, I'll be the first to know. Tommy will ring me, mate, he's a straight shooter."

12. In January 2010, Mr Duane Strauss was confirmed as the permanent Channel 7 *Sunrise* reporter.

13. On 19 January 2010 I received the following emails from Mr Flood and Mr Pezzimenti. A copy of the email from Mr Flood is attached and marked as *Annexure 3*. A copy of the email from Mr Pezzimenti is attached and marked as *Annexure 4*.

14. After receiving these emails, on or about 15 February 2010, I telephoned Mr Jay Flood on his mobile. After exchanging pleasantries we had a discussion to the following effect:

I said: "Mate, we have been working really hard to make sure we have different shots for 9 and 7 after Pez's email."

Mr Flood said: "You guys have done a great job. I'm really happy. The shots are tight and interesting. Keep it up, more of the same."

15. Following this positive direction from Mr Flood, on many occasions I received emails and recorded copies of my on camera television work from Mr Flood, affirming the company's delight at the high standard of my television work.
- For example, on 3 July 2010, I received a TV spot and comment from Mr Flood that read, "Can't knock that - looking good!" A copy of this email is attached as *Annexure 5*.
  - I received a further email and TV spot on 22 September 2010 with a comment from Mr Flood saying, "Can't knock those pictures or reports boys - they look tight, interesting and focused - top job!!! You two have dragged the Sydney reports up tenfold since you started together - I can't fault your work these days!". A copy of this email is attached as *Annexure 6*.
16. On 9 June 2010, I wrote to Mr Flood seeking assurance about my future with Channel 9, as I was planning to buy an expensive pair of high quality aircraft headphones. Mr Flood replied on 13 June 2010 saying: "Just got back from a week off. No plans for any change mate – your [sic] doing a great job on radio and TV!" A copy of this email is attached as *Annexure 7*.
17. On or about 15 July 2010, I spoke to Mr Flood on the telephone. We had a discussion to the following effect:

I said: "These BOSE headphones are about \$2,000 and it's a lot to pay. I don't mind paying for them, but I'm just making double sure everything's cool with me on Channel 9."

He said: "I wish you didn't have to pay for them yourself, but I don't have the budget for them. I meant what I said in my email. You do an awesome job for us on Channel 9. You and Duane have taken Sydney to a new level."

18. On or about 20 October 2010, my work colleague Silvio Rolden pulled me aside in confidence. We had a discussion to the following effect:

He said: "Mate, you need to watch your back. Pez (Bill Pezzimenti) wants you off Channel 9. He wants a good looking young blonde."

I asked: "Who told you that?"

He said: "Steve (Woods) told me."

19. I contacted Mr Woods that afternoon at around 4.00pm. I was upset by the remark and its implications, and recounted to Mr Woods my earlier conversation with Silvio. We then had a discussion to the following effect:

He said: "You tell Silvio to fuck off and mind his own business. He doesn't know what he's talking about."

I said: "I'm not trying to get anyone in trouble."

He said: "Jase, when you were off for those couple of days I shot a tape of Michelle (Gutierrez) over to Tommy (Malone). Tommy said, 'only Michelle for a couple of days as a fill in, and then we want Jason back.' Tommy loves your work, Jase. Don't stress, you're safe."

20. During the months of November and December 2010, while Mr Duane Strauss (Traffic Reporter with the *Sunrise* program on Channel 7) and I were together aboard the helicopter for our morning traffic reports, I began to discover a steady stream of audition material left in the helicopter. The audition tapes contained a series of younger females (numbering around half a dozen) in what looked like they were auditioning for the role of traffic reporting for Channel 9.
  
21. Mr Strauss and I worked together for almost two years and had developed a very close working relationship. After witnessing what appeared to be numerous girls auditioning for my television traffic reporting job, on or about 18 November 2010 (while flying in the helicopter for our morning traffic reports), Mr Strauss said words to the following effect to me: “Mate, I have a bad feeling. I think they’re going flick you. You need to watch your back. Look at Michelle (Gutierrez) getting so much attention from Steve. I think they want to put a hot young blonde in here and they’re grooming her.”
  
22. On or about 19 November 2010, I telephoned Mr Woods later that day and we had a discussion to the following effect:  
I said: “Mate, we’re getting in the chopper day after day and finding girls trying out for my gig. Duane thinks I’m going to get the arse and you’re going to put Michelle on.”  
Mr Woods said: “Jase, I’ve told you before, you’re safe. Tommy loves you. They’re (the auditions tapes) to fill in for Vic.”
  
23. However, I noticed that on the audition tapes Duane (Strauss) and I found left in the helicopter’s tape recorder from the day before, every one of the

younger females auditioning as a Traffic Reporter were exclusively reading out my Channel 9 *Today* show commercial tag at the conclusion of their audition.

24. The next morning, Mr Strauss said words to the effect to me: “Mate, Steve rang me yesterday and ripped me a new one for saying to you that I think they’re going to get rid of you. He went nuts. I told Woods that I was just looking out for a mate”.

25. On or about 25 November 2010, Mr Woods summoned me to his office and spoke to me about industry rumours that Jason Morrison was to take on the role of breakfast announcer at 2UE. We had a discussion to the following effect:

Mr Woods said: “Pez (Mr Pezzimenti) has been discussing moving you onto 2UE with me. Pez sees this as your next step in the company. He thinks you have a much older sound and would be a better fit on 2UE.”

I asked: “Will I still be on Channel 9 as well?”

Mr Woods said: “That won’t change. Please keep these possible changes confidential as they affect others too.”

I said: “No problems.”

26. On or about 19 January 2011, Mr Woods summoned me to his office. We had a discussion to the following effect:

Mr Woods said: “Bill (Pezzimenti) is really fixed on this idea of moving you onto 2UE. How would you feel about going onto 2UE? Peter Brennan (2UE PD) really wants you to move there.”

I said: "I'll do it, but it's from the chopper and with Channel 9 as well, OK?"

Mr Woods said: "It'll be 2UE and Channel 9 from the chopper. I know how important Channel 9 is to you. I think in the long term Bill (Pezzimenti) sees the TV roles for younger people, like Duane (Channel 7 Traffic Reporter), someone with the younger look, groovy with spiky hair. While I say that, Jase, I don't want you to panic. I still see you on Channel 9 for the next couple of years at least."

27. On or about 3 February 2011, I visited Mr Woods in his office and we had a discussion to the following effect:

I asked: "Any more news from Pez (Mr Pezzimenti) about me going onto 2UE?"

Mr Woods said: "No, its gone quiet. Jase, just keep doing what you're doing. I don't want you to worry."

28. On or about 15 February 2011, Mr Woods asked to see me in his office. We had a conversation to the following effect:

He said: "Jase, I'm really sorry that I seem like I'm sending you mixed messages, but, Bill is back on this thing again about you going onto 2UE. I don't want you to worry, but I need you to know... I'm just trying to be really up front with you here... in the long term Bill thinks you're too old for Channel 9. He sees the role for someone younger, and more cool looking like Duane. Bill thinks your next move is 2UE because of your older sound, Jase. But nothing is set in stone. Bill seems to be changing his mind every day. I don't



want you to stress about this, but I think you'll definitely end up on 2UE."

29. On 23 February 2011, Mr Woods telephoned me at approximately 3.00pm to discuss issues with commercial tags. After this discussion, a conversation took place to the following effect:

I asked: "Any more word from Bill (Pezzimenti) about Channel 9? This is becoming pretty stressful with all the chopping and changing."

Mr Woods said: "It's all gone quiet. Jase, I don't want you to worry about Channel 9. While I wouldn't see you doing it in 10 years, as I've said before, in the long term Bill (Pezzimenti) sees younger people doing the TV stuff. You'll be right for the next couple of years. Don't worry, Jase."

30. On the same afternoon (23 February 2011) at approximately 5.00pm, I rang Mr Woods' Manager, Jay Flood. We had a discussion to the following effect:

I said: "Mate, you've always been very good to me and upfront with me. I'm not trying to go over Steve's (Mr Woods) head here, but he keeps telling me every second day Bill (Pezzimenti) wants me off Channel 9. He tells me that Bill wants someone younger like Duane and that Bill wants me on 2UE. In the next moment, he then he tells me I'm safe for the next couple of years. I'm confused, and all this stuff is starting to play with my head. Can you please just tell me what's going on."

Mr Flood said: “Bill (Pezzimenti) and Chris (Thornton) think you look bad on Channel 9. I’ve been fighting to save you for two and a half years. I keep saying to them, Jase does a great job for us, Channel 9 are really happy and Ian Holland (Macquarie Radio) is happy. Why fiddle with it if everything’s good? Bill told me it’s not up to Channel 9. It’s up to us to put someone on who looks decent.”

I asked: “When will I finish?”

Mr Flood replied: “In 4 to 6 weeks.”

I asked: “Who’s taking over?”

Mr Flood said: “We’re bringing Amelia (Oberhardt) down from Brisbane. Penny’s been on maternity leave, which has been an opportunity for us to put her in there to get her up to speed, so I can finally fix the problem with Bill (Pezzimenti) and Chris (Thornton).”

31. I rang Mr Woods immediately after Mr Flood told me I was finishing on Channel 9. I was very angry and upset. We had a discussion to the following effect:

I said: “Why the hell have you been telling me for months that I’m safe on Channel 9 for the next few years, yet now suddenly I finish in six weeks?”

He said: “What do you mean? This is the first I’ve heard of it.”

I said: “Well, that’s what Jay (Flood) has just told me. I’m gone in six weeks. They’re putting some young girl from Brisbane on. What, have I got a head like a dropped fucken’ pie?”

He said: “I didn’t know”.

I hung up to end the conversation.

32. On 17 March 2011, I had breakfast with Brian ‘Sando’ Sanders who works for the Southern Cross Austereo radio network, covering reports for the *Kyle and Jackie O Show* (2Day FM), and *The Grill Team* now with Matty Johns (2MMM FM). We had a discussion to the following effect:

I said: “I am so pissed off with Steve (Woods). He’s looked me in the eye for months saying Channel 9’s yours for at least another couple of years and all this crap about Pez (Mr Pezzimenti).”

Sando said: “Mate, you haven’t seen what they’re really saying about you.”

I said: “What do you mean?”

Sando said: “Mate, I don’t really want to tell you. It’s bad, it’s really bad. It’s not Steve (Woods).”

I said: “You can’t just say that and not tell me. Come on.”

Sando said: “Steve (Woods) called me in yesterday when you were waiting in the car. Steve said to me, “Sando, this is not about me and Jason. If you only knew what I’ve been dealing with here. If only you could see the SMS messages and the emails I’ve received from Pez (Mr Pezzimenti). Let me show you something, Sando. He then showed me a text message on his phone that he had received from Bill Pezzimenti. The text message read: “Tell me, what are you doing about getting that fucking fat old cunt off Channel 9?. I told him fucking hell mate, that’s bad. He said that’s a mild one. I’ve got a heap of them. Have a look at this. He then opened his email

and showed me a series of derogatory emails regarding you. I told him I shouldn't be seeing this and then left his office."

I said: "What else?"

Sando said: "That's all I'm saying. It's too terrible."

33. On 3 March 2011, after I had finished my morning traffic duties, Mr Woods summoned me to his office. Mr Woods then showed me a future roster for ATN Sydney reporters. This was visible to me on his laptop. Mr Woods and I then had a discussion to the following effect:

Steve said: "What I'm about to show you must remain confidential."

I said: "OK."

Steve said: "This is my plan, Jase. You'll do 2UE, Classic Rock, and a New FM. Morrison really wants to get you onto 2UE. What I want you to do is make 2UE's reports like a mini news bulletin. I want you to cut in callers, use Duane (Strauss) from the chopper over stuff. Make it really punchy. And as you can see here, (Paul) Latter ends up doing all the regionals. You see where I'm going here. This is my chance to deal with another problem and put that cunt in his box. Hopefully he'll get the shits and fuck off all together."

I said: "Steve, it's not humanly possible to record callers, edit them, put them to air on 2UE and at the same time record Classic Rock and ring Newcastle. And 2UE's like 2GB with Wally. They can come to you anytime. You've got to be ready."

He said: "You'll be right, Jase. You're a pro."

I said: "Mate, I'm gonna pull the pin, I think. This can't work, and doing that to Paul (Latter), you know what he's like. He'll be

after my blood. I've been through enough with all the Channel 9 stuff.”

He said: “Leave him to me, Jase. I don't want you to resign now. I want you to go away and think about it and come back to me in a couple of days.”

I said: “OK.”

34. On 3 March 2011 I went back into Mr Woods’ office. Mr Woods and I had a discussion to the following effect:

I said: “I've decided I'm leaving.”

He said: “OK.”

35. My position at ATN became untenable for the following reasons:

- Mr Woods was proposing a role which was impossible to execute. I had already raised my concerns regarding this role and, based on Mr Woods’ response, determined that my potential for failure was high and would be regarded as a blight on my professional standing. This was particularly hurtful, as I was aware that the decision was not being made for reasons relating to my performance, but rather my age.
- Mr Woods seemed unable to offer any clear guarantees, but rather adopted a ‘leave it to me’ posture. His cavalier attitude seemed to be in keeping with the same cavalier attitude that had brought me to a position of great professional embarrassment as the ATN attempted to

change my role because of my age. I was personally left hurt and traumatised.

- My demotion from a high profile breakfast television program to a collection of struggling radio programs was likely to cause personal and professional humiliation. I had contributed to the success of Channel 9's breakfast television program and, because of my age, was being asked to accept a lesser role, even though Channel 9 were happy with my performance.

36. In the days leading up to me finishing on Channel 9, Mr Woods spoke to me and made undertakings to me regarding ongoing freelance work with ATN, and discussed many options. I had discussions with Mr Woods to the following effect:

Mr Woods said: "Jase, I don't want to lose you. I can throw a stack of casual work your way. For a start, all of Sando's 2DAY FM fill ins, because Kyle won't let anyone else fill in. Also, there's a heap of stuff at TMC over Easter. And there's always weekend work. How would you go working the camera? I've got Vic (Larusso) taking a heap of time off and I don't have any real options there. What about C91.3?"

I said: "I can probably speak to Phil about a leave pass. He's pretty cool."

Mr Woods said: "Well, how about you email me your resignation and in that include some options and rates. I can then forward it to Jay (Flood) and Pez (Mr Pezzimenti) to get it signed off."

I said: "OK, done."

37. Despite this, I had no further opportunities with ATN after 25 March 2011.

38. My last day on Channel 9 was 25 March 2011.

39. At the time of termination Slickdogs Productions Pty Ltd was invoicing ATN \$1000.00 per week plus GST. I was paid \$750.00 per week by Slickdogs Productions Pty Ltd.

40. An article appeared in the Sydney Morning Herald (SMH) on 26 March 2011 which covered my ending on Channel 9. A copy of the article is attached as *Annexure 8*.

41. On or about 28 March 2011, I had a discussion with Mr Woods to the following effect:

He said: "Jase, I'm very disappointed that you were not more up front with us about your relationship with Andrew Hornery (SMH Journalist).

I said: "What do you mean?"

He said: "You should have disclosed that he's (the SMH reporter) a good mate of yours."

I said: "That's not true, Steve."

He said: "Well Alf (Paranihi) confirmed it, when I showed him the article."

I said: "Steve, he used to do a segment on Mix (106.5FM) with me and Sammy when I worked there. I haven't laid eyes on the guy since I left there in '95. I hardly

call that a good mate. A good mate is someone you have a beer with every couple of weeks.”

42. After numerous attempts to contact Mr Woods, I finally spoke with him on the telephone on the morning of 14 April 2011. We had a discussion to the following effect with Mr Woods:

I said: “What you guys did to me was wrong. I’ve been sacked a hundred times, Steve, this is showbiz, but this is the first time I’ve copped it in the neck for doing a good job and being told I look too old. You have no integrity. Stop slandering me about the Herald thing too.”

Mr Woods said “You had a responsibility to disclose your relationship with the Journalist. Pez (Mr Pezzimenti) is fuckin’ pissed big time. You’ll never work for ATN again. Make sure you give your key back.”

Mr Woods was yelling for the majority of our conversation. He was extremely aggressive and abusive, and hung up on me in the end.

43. Immediately after this phone call, I sent an email to Mr Woods. I also copied Mr Flood and Mr Pezzimenti into this email. A copy of this email is attached as *Annexure 9*.
44. The allegation in my email was never refuted by Mr Woods, Mr Flood or Mr Pezzimenti, who also received the email. The only response I received to my email was from Mr Woods,. A copy of this email is attached as *Annexure 10*.



45. On 14 April 2011, after receiving this email from Mr Woods, I telephoned Mr Flood. We had a very friendly and frank conversation. We had a discussion to the following effect with Mr Flood:

I said: "Can you please stop Steve from slandering me to anyone who will listen? I'm really hurt and disappointed for the reasons you and Steve told me I was being taken off Channel 9. It's not right, Jay. I'm really upset and I'm considering my legal options."

Mr Flood said: "Jase, at the end of the day it wasn't about how anyone looked. It was just us looking after the affiliates and giving Channel 9 what they wanted. In the beginning, they (Channel 9) wanted a girl to give them a point of difference from Channel 7, so we had Sal and then you took over from her. We're just going back to what they wanted at the start. "I'm just telling you this as a mate. I didn't want Steve (Woods) from the start. It was Pez's decision in the end. The guy's a dickhead and Pez knows it now. It's been one stuff-up after another and I always have to clean up his mess. Pez is furious with him about how he had handled your situation with Channel 9. He's lost our total confidence and support."

46. On 3 November 2011, I spoke on the telephone with Mr Tom Malone, Executive Producer of the Channel 9 *Today* show. Mr Malone was very nice to me and told me he had nothing at all to do with my departure. We had a discussion to the following effect:

Mr Malone said I've heard they're blaming me for you leaving. It's ATN, and it had nothing to do with me. I

didn't have a problem with you. No-one ever contacted me about you leaving."

47. He then double checked his emails from around the time I had finished with Channel 9. He confirmed he had received no emails regarding the matter, and said, "The last person I spoke to from there (ATN) was Jay Flood about 18 months ago and Bill Pezzimenti three years before that about (other matters)." Mr Malone again told me he had no issues with me or my work, and we politely finished the call.
48. On 16 May 2011, I wrote to ATN. A copy of my correspondence is attached as *Annexure 11*.
49. I received a reply from Mr Worobow via email on 30 May 2011, dated 29 May 2011. A copy of this correspondence is attached as *Annexure 12*.
50. I send a response letter to Mr Worobow on 31 May 2011. A copy of this correspondence is attached as *Annexure 13*.
51. I received further correspondence from Mr Worobow dated 3 June 2011. A copy of this correspondence is attached as *Annexure 14*.
52. To date, I have had a net loss of \$50,000.
53. The impact of the decision by the Australian Traffic Network has caused me great mental anguish which, as a result, has caused me to seek professional medical support. It has also caused me hurt feelings, public embarrassment and humiliation.

54. I am a single father, and this has also caused financial hardship on my young family.

55. I attach the following documents provided by ATN as *Annexure 15*:

- (a) email from Pezzimenti to Woods and Flood of 6 December 2010;
- (b) email of Flood to Pezzimenti and Woods of 8 December 2010.

A handwritten signature in black ink, appearing to read 'Jason Bouman', written over a horizontal line.

Jason Bouman

14 March 2012

**From:** Jason Bouman [mailto:jason@jasonbouman.com]  
**Sent:** Sunday, 1 November 2009 9:31 AM  
**To:** 'Jay Flood'  
**Subject:**

## Annexure 1

Dear Jay,

I hope this email finds you well mate.

I am writing you with Wally's blessing.

Regarding the breakfast 2CH/Channel 9.

I want to do this gig for you fulltime.

I believe this will end your constant headaches with Ian Holland. The CH assistant Program Manager, Mathew Pardy is also a friend of more than 20 years which would help to make sure I deliver what they want.

Kayley Harris has just joined the breakfast show and I worked with her in the Hans and Kayley days at WSfm. I also have a very strong relationship with her.

I can also cover any other station for you like I have several times when for you, eg when Sando has holidays.

I cant do arvo's permanently as I am battling a lung disease and traveling twice a day would be a big strain on me.

Being straight with you, the stumbling block for me is the money.

If you hire me you wont have to look for a new person every second week and I am extremely loyal, honest and hard working.

For this position I am asking \$200 per day.

I am a contractor so you'll pay no super, workers comp, payroll tax, holidays etc.....This is a substantial saving for ATN.

Doing the sums you offered me 70K for morning and Arvo's.

If I just do mornings it will cost you under 50 a year talking holiday leave time into account.

Macca doing arvo's at \$30 per hour, \$90 per day will take him to about 21,600 taking into account a few weeks leave per year.

If it's no I understand...You're the boss mate.

However I believe given the figures I have thrown at you it still makes up to about 70k per year so you don't loose.

I will be your most loyal contractor if you decide this works for you.

If this is not an option for you I will continue to work for you in good faith mate.

Warm Regards,

Jason

## Annexure 2

**Jason Bouman**

---

**From:** Jay Flood [jay.flood@trafficnet.com.au]  
**Sent:** Monday, 2 November 2009 10:43 AM  
**To:** 'Jason Bouman'  
**Cc:** ian.wallace@trafficnet.com.au  
**Subject:** RE:

Jason,

I'm happy with that mate - your very good at what you do and an asset to ATN.

Wally will make the roster changes and get you on the AM shift ASAP.

We'll have to play it by ear with CH/Nine - if it works for them it can work for us.

Talk soon,

Jay



**JAY FLOOD** National Operations Manager

o: +617 3204 1243 f: +617 3203 0937

m: 0438 919 759

e: jay.flood@trafficnet.com.au

Hangar 1, Boomerang Court, Redcliffe Aerodrome, QLD 4020



**BIG  
MEDIA**

----- Forwarded message -----

From: **Jay Flood** <jay.flood@trafficnet.com.au>

### **Annexure 3**

Date: Tue, Jan 19, 2010 at 6:21 PM

Subject: FW: Siamese Twins Today and Sunrise 0730

To: monkeyboyduane@gmail.com, Jason Bouman <jason@jasonbouman.com>

Duane / Jason,

See the attached mp3 of this mornings traffic.

Firstly, nice variety of pictures and good camera work - 3-4 shots in a report is perfect - remember to talk about what the viewers are seeing if you can.

We do need to make sure we deliver completely different pictures to Today and Sunrise - they can be the same roads but different angles are required, you'll need another 30 - 40 seconds of tape per half hour at least.

Any Q's - let me know,

Jay

-----Original Message-----

**From:** Bill Pezzimenti [mailto:[bill.pezzimenti@trafficnet.com.au](mailto:bill.pezzimenti@trafficnet.com.au)]

**Annexure 4**

**Sent:** Tuesday, 19 January 2010 3:58 PM

**To:** [jay.flood@trafficnet.com.au](mailto:jay.flood@trafficnet.com.au)

**Cc:** Ian Wallace

**Subject:** Siamese Twins Today and Sunrise 0730

So why is the visual and report almost exactly the same on Ch 9 and Ch 7 at exactly the same time- *are we purposely trying to lose our TV business?*

If Duane is running the camera – he needs to be directed fast.

Where is the quality control?

## Annexure 5

**Jason Bouman**

---

**From:** Jay Flood [jay.flood@trafficnet.com.au]  
**Sent:** Thursday, 3 June 2010 4:21 PM  
**To:** 'Jason Bouman'  
**Subject:** FW: CH9 20100603 0756.wmv  
**Attachments:** CH9 20100603 0756.wmv

Can't knock that - looking good!

Jay Flood  
National Operations Manager

Hanger 1, Boomerang Crt, Redcliffe Aerodrome, QLD, 4021 T +617 3204 1243 / M +61438 919 759

[jay.flood@trafficnet.com.au](mailto:jay.flood@trafficnet.com.au)      [www.trafficnet.com.au](http://www.trafficnet.com.au)

-----Original Message-----

**From:** Chris Greaves [mailto:[chris.greaves@trafficnet.com.au](mailto:chris.greaves@trafficnet.com.au)]  
**Sent:** Thursday, June 03, 2010 4:19 PM  
**To:** [jay.flood@trafficnet.com.au](mailto:jay.flood@trafficnet.com.au)  
**Subject:** CH9 20100603 0756.wmv

No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 9.0.819 / Virus Database: 271.1.1/2911 - Release Date: 06/03/10  
04:25:00



## Annexure 6

**Jason Bouman**

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**From:** Jay Flood [jay.flood@trafficnet.com.au]  
**Sent:** Wednesday, 22 September 2010 5:53 PM  
**To:** 'Duane Strauss'; 'Jason Bouman'  
**Subject:** FW: Emailing: CH7 20100922 0756 .wmv, CH9 20100922 0756.wmv  
**Attachments:** CH7 20100922 0756 .wmv; CH9 20100922 0756.wmv

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Can't knock those pictures or reports boys - they look tight, interesting and focused - top job!!! You two have dragged the Sydney reports up tenfold since you started together - I can't fault your work these days!

Jay Flood  
National Operations Manager

Hanger 1, Boomerang Crt, Redcliffe Aerodrome, QLD, 4021 T +617 3204 1243 / M +61438 919 759  
[jay.flood@trafficnet.com.au](mailto:jay.flood@trafficnet.com.au)      [www.trafficnet.com.au](http://www.trafficnet.com.au)

-----Original Message-----

**From:** Chris Greaves [<mailto:chris.greaves@trafficnet.com.au>]  
**Sent:** Wednesday, September 22, 2010 4:03 PM  
**To:** [jay.flood@trafficnet.com.au](mailto:jay.flood@trafficnet.com.au)  
**Cc:** 'Chris Thornton'; 'Shashi Mathew'  
**Subject:** Emailing: CH7 20100922 0756 .wmv, CH9 20100922 0756.wmv

The message is ready to be sent with the following file or link attachments:

CH7 20100922 0756 .wmv  
CH9 20100922 0756.wmv

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 9.0.851 / Virus Database: 271.1.1/3148 - Release Date: 09/22/10 04:34:00

## Annexure 7

Jason Bouman

---

**From:** Jay Flood [jay.flood@trafficnet.com.au]  
**Sent:** Sunday, 13 June 2010 9:01 PM  
**To:** <jason@jasonbouman.com>  
**Subject:** Re: headphones

Jas

Just got back from a week off.

No plans for any change mate - your doing a great job on radio and TV!

Jay

that will keep these creative young minds active. Or for \$500 we can buy an array of play and sporting equipment to inspire our 'young stars' of the future."

The charity also wanted to raise \$3000 to build a vegetable garden at the school, located in one of the harshest desert climates in the country.

"Can you believe that the cost of a lettuce alone in Elliott is \$10!" the website says. "Up until last year, they didn't even own a toothbrush... now they do!"

Er, not quite.

PS called Elliott's principal, **Colin Baker**, who said his school was "well funded" by both the federal and state governments.

"A young staff member from here addressed a Rotary club in Brisbane a year ago and she was approached afterwards by a lady saying she knew a group that might be interested in doing something for the school. We didn't ask for anything," an unimpressed Baker told PS.

"But they were only interested in having a photo opportunity with the kids. I told them we didn't need a vegetable garden. They said they would send trainers and get a photo of the kids wearing them but I never heard from them again."

Gold Coast businessman **Dave Sutor** said he

contributed about \$8000 to the charity last December but was still waiting for a receipt.

"We are in a very difficult position now, especially as it appears the charity was unregistered. We did it in good faith that everything was legitimate," he told PS.

Neither Zaetta nor her manager returned calls to PS this week.

*Herald* interview. While there is no dispute it falls on April 13, it is not clear how old the broadcaster will turn. Many believe it could be his 70th. Jones is uncharacteristically coy on the subject, telling PS: "I was brought up to believe that we should treat people as if every



Jason Bouman and, above, Alf Paranihi.

## Grounded by a pretty woman

Channel Nine's *Today* traffic reporter, **Jason Bouman**, knows the *Kasey Chamber's* hit *Am I Not Pretty Enough?* all too well.

Especially after Bouman, 39, resigned from the Australian Traffic Network, accusing its management of replacing him in the helicopter with a pretty blonde 24-year-old from Brisbane, **Amelia Oberhardt**.

From Wednesday Oberhardt will take to the skies for *Today*. She told PS this week she had been busy studying Sydney street directories in preparation.

"Do I really have a face like a dropped pie?" Bouman quizzed one of his colleagues at ATN's Bankstown hangar, which produces the traffic reports free for *Today* and sells deals to advertisers who pay \$800-a-pop to have their brand read out during Bouman's reports. The revenue is then split between ATN and Nine.

ATN's operations manager, **Steven Woods**, denied

**Mika Mora**. In the middle of her 83rd birthday party she doused herself with a jug of water. Her son Philippe explained:

"Mum is always provocative and frankly we were just glad she didn't moon the guests!"



Bouman's "looks" had resulted in him being taken off *Today's* traffic reports. It was about "matching particular people with particular affiliates".

But Bouman remains adamant it was about "finding someone decent looking".

He rejected an offer by ATN to do radio traffic reports - off camera - telling friends he "felt too embarrassed".

He is not the first. PS reported in 2006 on **Alf Paranihi**, the former *Sunrise* traffic reporter, who was told by ATN management he was too heavy to fly. Paranihi went on a crash diet to frantically shed kilos to stay in the helicopter.

A year ago Paranihi, who hopes to "one day star in a Broadway musical", was finally replaced by the younger, more svelte **Duane Strauss**, the face of Perisher ski resort.

denied there had been a rift with her former tight-hand woman, **Sophie Baker**, who unexpectedly split from the business recently. "I love Sophie to death," Barrett insisted. Baker declined to comment.

## COLUMN 8

"Alison Waters's Italian guide had every right to be proud of his English skills," writes Col Nicholson, of Hawks Nest (Column 8, Thursday). "Taking advantage of the shade of trees can quite legitimately be called 'taking umbrage', even though it is a somewhat quaint use of the word. Yes, the expression 'taking umbrage' means taking offence, and it's hard to see any link between taking offence and taking to the shade of trees. But there is a clue in an alternative meaning of umbrage - a shadowy appearance, semblance or suspicion of something." Hmm. Could the word "umbrella" be the missing link?

"Today I made an inquiry at Sydney City Council regarding the chiming of the GPO clock," writes **Jim Hammond**, of Avalon. "The young man who answered my call had never heard of the GPO, let alone its beautiful clocktower. 'Are you from Sydney?' I asked. 'Oh yes,' he answered. 'Well, it's in Martin Place,' I told him. 'Thanks' came his reply. Readers might be interested to know that apparently the clock chimes are due to reactivated shortly."

"Your colourful surnames reminded me of a situation we had at Maclean High School in the '90s," writes Steve McKenzie, a teacher, of Yamba, "where we had Nathan Black, Nathan Grey, Nathan Green, Nathan White and Nathan Brown all in the same year. My colleague even had all the coloured Nathans in the one class."

"My grandson Sam, aged 5, came for a sleepover last week," writes **Lesley Litchfield**. "He hopped into bed with me (on pop's side) and we talked into the night. Things went quiet for a while, then a little voice said: 'Mardi (his name for me), do you know your prayers?' 'Of course, darling, do you know yours?' 'Oh yes,' he said and proceeded to pray, finishing with 'Amen'. Then he quietly asked me 'Mardi, did you know if you don't finish with AMEN, it won't SEND?'"

IT'S ALL GOOD

FREE AGENT

We may be getting close to...

## Annexure 9

**From:** Jason Bouman [<mailto:jason@jasonbouman.com>]  
**Sent:** Thursday, 14 April 2011 12:07 PM  
**To:** 'Steven Woods'  
**Cc:** [jay.flood@trafficnet.com.au](mailto:jay.flood@trafficnet.com.au); [bill.pezzimenti@trafficnet.com.au](mailto:bill.pezzimenti@trafficnet.com.au)  
**Subject:** RE: Key

Steve,

I am extremely disappointed by your treatment of me and you ceasing my relationship with ATN.

When I finished 9 we discussed many options for me to continue my relationship with ATN.

This was to commence with me covering TMC for you over Easter. This work for not forthcoming and you ignored many of my attempts to make contact with you.

We agreed I would continue to cover Sando when he's away as I have always been Kyle's preferred fill in person. Jay is aware of Austereo's preference for me.

I also offered to cover any TV fills for Vic, and 9 and 7 if people are away. You accepted this offer to the point you asked how I would feel about using the camera solo to which I assured you I was totally comfortable with.

Today we finally spoke after multiple attempts by me to contact you.

You were extremely aggressive and accused me of planting the SMH article and from there our conversation went bad. I did not plant that article. I was contacted as I told you when it happened.

It's actually was not great publicity for me Steve, an article saying I'm too old and washed out for channel 9 in a Sydney newspaper and I can assure you the phone hasn't been ring with offers as a result.

This was however consistent with the messaged you conveyed to me since last year that "Bill thought I was too old for 9, and wanted someone young and groovy, spiky hair etc". I could go on.

Can you please stop your negative comments about me especially regarding the newspaper article being linked to me as the source. It's a small industry and this continued to filter back to me. I value my excellent reputation don't appreciate being slandered by you.

Regards,

Jason

## Annexure 10

**Jason Bouman**

---

**From:** Steven Woods [steven.woods@trafficnet.com.au]  
**Sent:** Thursday, 14 April 2011 12:29 PM  
**To:** 'Jason Bouman'  
**Cc:** jay.flood@trafficnet.com.au; bill.pezzimenti@trafficnet.com.au  
**Subject:** RE: Key

Jason.

I didn't say you planted the article I merely said I felt you should have disclosed your relationship to the reporter on a personal level,

Secondly, I was not the one threatening legal action and nor was aggressive

Thirdly I have not made negative comments about you

Steven

# Annexure 11



May 16<sup>th</sup>, 2011

Mr Bill Pezzimenti  
Managing Director  
Australian Traffic Network  
Level 42 Northpoint  
100 Miller Street  
North Sydney NSW 2060      "without prejudice"

Dear Mr Pezzimenti,

Following the cessation of my tenure with the Australian Traffic Network, please find attached a complaint form I have prepared for the Anti-Discrimination Board of NSW as a result of the conduct of both the Australian Traffic Network and yourself.

If you would like to meet with a view towards resolving all issues as detailed in this documentation, on a without prejudice basis, please contact me in writing at the above address.

If a resolution cannot be reached with fourteen days of the date of this letter, or if no response is received within that time period, I shall forward my complaint directly to the Anti-discrimination Board.

I look forward to hearing from you.

Kind Regards,

A handwritten signature in black ink, appearing to be 'Jason Bouman', written over a faint, illegible typed name.

Jason Bouman

# Annexure 12



The Australian Traffic Network

29 May 2011

**VIA EMAIL**

Mr. Jason Bouman  
[REDACTED]

Dear Mr. Bouman:

Please be advised I am the Executive Vice President of Business and Legal Affairs for The Australia Traffic Network. I am receipt of your letter dated 16 May 2011 to Mr. Bill Pezzimenti.

The Australia Traffic Network prohibits discrimination of any kind. Anyone committing such acts will be dealt with swiftly and appropriately. Please be advised that I personally will immediately conduct a thorough investigation of the claims set forth in your letter in consultation with our local counsel.

In order to conduct a thorough and fair investigation it will be necessary for me to conduct interviews with the individuals you have made your allegations against. While every attempt will be made to keep the investigation confidential, it may also be necessary to discuss the matter with other individuals. If this occurs, we will do so sensitively. Upon completion of our investigation, we will advise you of the results.

You advise in your letter that you would welcome a discussion about your complaint. I think that this is appropriate so that we can discuss your allegations in more detail. This will then enable us to take the necessary steps to investigate the matter. Would you be available Thursday, June 2<sup>nd</sup>, at 10am (Sydney time)? If that time is acceptable, please let me know what number I may call you at.

I also note your comments about your wish to resolve this matter. Before we can do this, we need to investigate the matter thoroughly. Once the investigation is complete we can discuss this. In the meantime, can you please advise us what it is you are seeking?

If you have any questions, please let me know. I may be reached by email at [REDACTED] or by phone at [REDACTED].

Very truly yours,

Gary Worobow

cc: Mr. Bill Yde  
Minter Ellison

## Annexure 13

"Without Prejudice"

Dear Mr Worobow,  
Thank you for your letter dated 29th May, 2011.

For your reference, I have now formally sent my complaint to the Anti Discrimination Board Of NSW over the weekend as I had not received a response from Mr Pezzimenti with the 14 days specified. This was prior to receiving your correspondence.

If we can resolve all matters, my offer remains to withdraw my complaint.

I welcome your resolve to thoroughly investigate the discrimination against myself by the Australian Traffic Network and your Sydney Management team. I wish you well with your investigation. I tried to resolve these issues with Mr Woods (NSW Operations Manager) on several occasions and received a less than sympathetic response.

I ask that you address any question you have to me in writing for my consideration and deliberation. My aim is to answer swiftly and honestly on a without prejudice basis.

I hope to be reinstated to my position as the Channel 9 Traffic Reporter which ended as a result of the discrimination. I am also seeking full pay for the loss of income from the cessation of my employment up until my recommencement of my tenure with the Australian Traffic Network.

I would also seek further undertakings from the company that the behaviour of management in this matter has been corrected, and that all parties can move forward in a positive manner.

I am a single dad with shared care of children aged 9 and 11 and losing this position has caused great financial hardship on my family. I have also suffered intense emotional pain, hurt and trauma from the discriminatory behaviour of the Australian Traffic Network and it's management team. I am under the care of a clinical psychologist for this.

I look forward to your prompt reply,  
Yours Sincerely,  
Jason Bouman





The Australian Traffic Network

3 June 2011

VIA EMAIL

Mr. Jason Bouman

Dear Mr. Bouman:

I am in receipt of your correspondence dated 30 May 2011. Please be advised that when I conduct an investigation I conduct it in a timely manner as I deem appropriate. I will not be subject to arbitrary dates put forth by you. You should also be aware that 14 days from the date of your letter (May 16) was May 30th. I responded on May 29<sup>th</sup>.

You have refused to make yourself available to me to interview regarding your claims. My investigation to date has found no evidence of discrimination and the company does not believe it has any liability arising from your complaint. As a result, the company does not believe any compensation should be negotiated for settlement. Further, the company rejects your offer to reinstate your position. I would like to remind you that you resigned from your contract for services. Further, as you have chosen to forward your complaint to the Anti-discrimination Board, I feel it is now best for the resolution of this matter to now be conducted through the proper administrative channels.

Lastly, I would like to remind you that any information obtained by you during your engagement with the company regarding the company, its business, clients and operations is proprietary confidential information that belongs to the company. Any improper disclosure or misuse of such information will be dealt with accordingly.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Gary Worobow', written in a cursive style.

Gary Worobow

cc: Mr. Bill Yde  
Minter Ellison

# Annexure 15(a)

Gary Worobow

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From: Bill Pezzimenti [bill.pezzimenti@trafficonet.com.au]  
Sent: Monday, December 06, 2010 9:53 PM  
To: 'Steven Woods'; 'Jay Flood'  
Subject: CH9 Sid  
Attachments: CH9 20101129 0830.wmv

Awful- what are you guys doing to make Ch 9 good TV- he looks like a mug!

## Annexure 15(b)

-----Original Message-----

From: Jay Flood [<mailto:jay.flood@trafficnet.com.au>]

Sent: Wednesday, 8 December 2010 6:31 AM

To: Bill Pezzimenti

Cc: Steven Woods

Subject: Re: CH9 Sid

I can't view it but I'm guessing it's Jason Bouman doing a report?

There are pros and cons - I think put simply pros are Bouman on radio, cons are Bouman on TV. We can add operation costs and get him off TV immediately? ( we always try to avoid this). We don't have anyone in the current paid reporting group that can slot in, we do have casuals?

On 06/12/2010, at 6:53 PM, "Bill Pezzimenti"

[bill.pezzimenti@trafficnet.com.au](mailto:bill.pezzimenti@trafficnet.com.au) wrote:

> Awful- what are you guys doing to make Ch 9 good TV- he looks like a mug!

>

> <CH9 20101129 0830.wmv>