

### Opening of Plea – Mr Thomas

1. Jason Moran (“Moran”) and Pasquale Barbaro (“Barbaro”) were shot dead in a carpark at the Cross Keys Reserve in Pascoe Vale South at about 10.30am on Saturday, 21 June 2003. They were in a van and were about to drive 10 children home from a football clinic. The children were seated in the rear seats of the van, Moran was in the driver’s seat and Barbaro was beside him. Mr Andrews had been dropped off a short distance away by Mr McGrath. Mr McGrath had run up to the driver’s side window and fired through it with a sawn off shot gun. Mr Andrews dropped the shot gun and then used a hand gun on his victims before he fled to his car which he had left in a nearby street.
2. The target of the attack was Moran; Barbaro just happened to be in the wrong place at the wrong time. Carl Williams (“Williams”) bore great enmity towards Moran as he and his brother, Mark Moran, had shot Williams in the stomach at Gladstone Park some years earlier (13 October 1999). Since that time Williams had resolved to kill both brothers and had engaged Mr Andrews and Mr McGrath to carry out the execution for him. He desired that it take place as closely as possible to the anniversary of Mark Moran’s murder, Williams having shot him on 15 June 2000.
3. Mr Thomas (“the Prisoner”) counselled and procured Moran’s murder. He supplied one of the weapons used, the shot gun, cutting it down knowing it would be used in the

planned murder, and supplied information to Williams, Mr Andrews and Mr McGrath as to Moran's whereabouts so that Moran might be located and then murdered by Mr Andrews and Mr McGrath. The Prisoner assisted Williams maintain Mr Andrews in an apartment at [REDACTED] prior to the murder and subsequently as part payment for the murder. The Prisoner also agreed to assist Williams in providing an alibi for him for the time of the murder, the two men going to a pathology clinic for blood tests in Prahran.

4. The Prisoner has made a detailed statement about his part in the murder. He has indicated that he is prepared to give evidence in accordance with his statement at the forthcoming trial of Williams.