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2 May 2013

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Private and Confidential

Dear Sir

**Re; Transport Workers Union of Australia and Tony Sheldon
Defamation and Injurious Falsehood.**

We act for the Transport Workers Union of Australia (“**TWU**”) and Tony Sheldon. Mr Sheldon is the Secretary of the TWU.

1. We have been provided with the following;
 - a. A copy of an article published by you on your website ‘Kangaroo Court Australia’ The article is titled “*Craig Thomson MP – Who’s paying his legal bills? Which union is it*” (“**First Publication**”). The date of the Publication is unclear, and;
 - b. A copy of an article published by you on your website ‘Kangaroo Court Australia’ on 1 May 2013. The article is titled “*Craig Thomson sets up slush fund but calls it a trust fund to pay his legal bills*”. (“**Second Publication**”).
2. The First Publication contains a number of imputations which would likely cause injury to the reputation of the TWU and Tony Sheldon.
3. Examples are as follows;
 - a. ...”*The mail is it that the Transport Workers Union (TWU) have stepped in with a slush fund to help with the reddie(s) needed to pay his legal expenses. The TWU is run by the well-known slush fund operator, fraudster, thief, money launderer and National Vice President of the Labor Party, Tony Sheldon.*

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There is also mail that the AWU might have also set up a slush fund on the side to help Craig Thomson...

- b. "...Tony Sheldon is the National Secretary of the Transport Workers Union (TWU) and is as corrupt as they come. This includes fraud, theft, setting up dodgy slush funds and laundering money out of NSW government departments and into Labor Party election accounts..."* and
- c. "...The bottom line is Craig Thomson cannot pay his own legal costs. So in steps the fraudster and money man Tony Sheldon who has close links to both the HSU and Labor Party to solve the problem..."* and
4. Example (a) above implies amongst other things that Mr Sheldon is a fraudster, thief, money launderer, and operates illegal funds both personally and on behalf of the TWU. It further implies that the TWU condones such activities. The imputations are entirely false, baseless and are strongly denied. They are extremely offensive to our clients.
5. Example (b) above implies amongst other things that Mr Sheldon is corrupt and engages in theft, fraudulent activities and money laundering. It further implies that the TWU is corrupt and condones theft, fraudulent activities and money laundering. These imputations are entirely false, baseless and are strongly denied. They are extremely offensive to our clients.
6. Example (c) above implies amongst other things that Mr Sheldon engages in fraudulent activities and is funding Mr Thompson's legal fees. When read in context with entirety of the First Publication, the implication is that Mr Sheldon and the TWU are paying for Mr Thompson's legal fees. These imputations are entirely false baseless and are strongly denied. They are extremely offensive to our clients.
7. The Second Publication refers to the TWU and has a link to the First Publication.
8. The First and Second Publication when read in their entirety imply amongst other things that the TWU and/or Mr Sheldon are corrupt, engage in illegal and/or fraudulent activities and are providing financial support to Mr Thompson in regard to his legal bills. These imputations are entirely false, baseless and are strongly denied. They are extremely offensive to our clients.
9. The scurrilous allegations in the First and Second Publications appear to have been made with a reckless disregard of the truth. You made no attempt whatsoever to contact the any official or employee of TWU including Mr Sheldon to speak with them about them the contents of the First and Second Publications prior to publication. There is no basis for any of the allegations and/or imputations. They are entirely false, baseless and are strongly denied. In these circumstances, the First and Second Publications give rise to a cause of action against you for defamation and/or injurious falsehood. There is no reasonable basis upon which a defamation action could be defended by you.
10. We demand that you do the following;

- a. immediately publish on your website a retraction of the First Publication and Second Publication in so far as they imply any improper conduct by Mr Sheldon and/or the TWU, and;
 - b. immediately publish on your website an apology to TWU its members and Official and to Mr Sheldon, and;
 - c. refrain from publishing any false and defamatory material regarding the TWU, its members and Officials officers, and/or Mr Sheldon.
11. We require a response setting out what steps have been taken to comply with the above within 48 hours of the date of this letter.
12. Should you not provide a satisfactory response and/or publish further false and defamatory material regarding our clients, they expressly reserve all their rights including commencing proceedings for defamation which may include seeking exemplary damages and indemnity costs. In the event that proceedings are commenced, they will rely upon this letter in any question of costs.
13. For the avoidance of doubt, this letter is to be construed as a “Concerns Notice” pursuant the *Defamation Act 2005 (NSW)* and its counterparts in other states and territories.

Yours faithfully



Michael Doherty (Enquiries: Tennille Baird - 02 8267 0953)
Special Counsel
MAURICE BLACKBURN