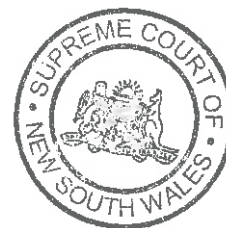


FILED
02 FEB 2017



NOTICE OF MOTION

COURT DETAILS

Court	Supreme Court of New South Wales
Division	Common Law
List	Defamation
Registry	Sydney
Case number	2016/383575

TITLE OF PROCEEDINGS

First plaintiff	Jane Doe 1
Number of plaintiffs	2
Defendant	Shane Dowling

FILING DETAILS

Person seeking orders	Jane Doe 1 and Jane Doe 2 plaintiffs
Legal representative	Martin O'Connor, Addisons
Legal representative reference	MOC:RMK
Contact name and telephone	Richard Keegan, +61 8915 1075
Contact email	richard.keegan@addisonslawyers.com.au

PERSON AFFECTED BY ORDERS SOUGHT

Shane Dowling, the defendant

HEARING DETAILS

This motion is listed at

9:30 Am on 10/2/17

ORDERS AND DECLARATIONS SOUGHT

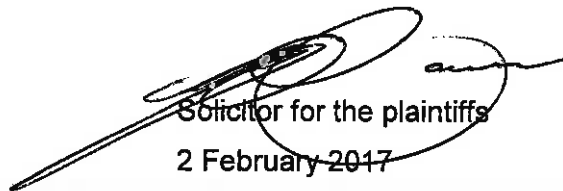
- 1 A declaration that the defendant was in contempt of Court for breach of the orders of the Court made in these proceedings on Wednesday 21 December 2016, pursuant to the statement of charge subscribed to this motion and marked "A".
- 2 A declaration that the defendant has committed the offence provided for in s 16 of the *Court Suppression and Non-publication Orders Act 2010* (NSW) by contravening the suppression order made by the Court in these proceedings on Wednesday 21 December 2016, pursuant to the statement of charge subscribed to this motion and marked "A".
- 3 That the defendant be punished for contempt (including as provided for in s 16 of the *Court Suppression and Non-publication Orders Act 2010* (NSW)).
- 4 An order that the defendant pay the plaintiffs' costs of this motion forthwith and on an indemnity basis.
- 5 Such further or other order as the Court thinks fit.

SIGNATURE

Signature of legal representative

Capacity

Date of signature


Solicitor for the plaintiffs
2 February 2017

NOTICE TO PERSON AFFECTED BY ORDERS SOUGHT

If you do not attend, the court may hear the motion and make orders, including orders for costs, in your absence.

REGISTRY ADDRESS

Street address

Supreme Court of NSW, Law Courts Building, 184 Phillip Street, Sydney

Postal address

Supreme Court of NSW, GPO Box 3, Sydney NSW 2001

Telephone

1300 679 272

“A”

STATEMENT OF CHARGE

(Part 55 rule 7 of the Supreme Court Rules 1970)

COURT DETAILS

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Registry	Sydney
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TITLE OF PROCEEDINGS

First plaintiff	Jane Doe 1
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FILING DETAILS

Person seeking orders	Jane Doe 1 and Jane Doe 2 plaintiffs
Legal representative	Martin O'Connor, Addisons
Legal representative reference	RMK:MOC
Contact name and telephone	Richard Keegan, +61 8915 1075
Contact email	richard.keegan@addisonslawyers.com.au

Charge

1. On 21 December 2016, the Court made the following orders:
 - 1) That, on the undertaking of the plaintiffs' solicitor to pay the filing fee, leave be granted to file in Court:
 - a. The statement of claim; and
 - b. This notice of motion.
 - 2) That this motion be returnable instanter.
 - 3) That the plaintiffs be given leave to commence and continue these proceedings by the pseudonyms Jane Doe 1 and Jane Doe 2.

- 4) Pursuant to s 7 of the Courts (Suppression and Non-Publication Orders) Act, 2010 (NSW), the names of the plaintiffs are not to be published without the leave of the Court by reason of s 8(1)(e) of that Act in connection with these proceedings.
- 5) By 8pm, Wednesday 21 December 2016, the defendant remove the names of the women appearing in the fourth paragraph of the article entitled "Seven CEO Tim Worner and Amber Harrison Sex Scandal Statement in Full" (21 December 2016 Article), which appears at pages 10-18 of Confidential Exhibit RMK-1 to the affidavit of Richard Michael Keegan sworn 21 December 2016.
- 6) The defendant be restrained, until further order, from publishing:
 - a. The imputations particularised in paragraph 5 of the statement of claim filed herein;
 - b. The 21 December 2016 Article in any form which includes the names of the plaintiffs.
- 7) Service of the plaintiffs' motion, affidavit of Richard Michael Keegan, statement of claim and a copy of these orders is to be effected by emailing them to the defendant's email address "shanedowling@hotmail.com" and "shanedowling1@bigpond.com" by 6pm, Wednesday 21 December 2016.
- 8) Nothing in these orders prevents the service of enforcement of them, or the defendant from obtaining legal advice in respect of these proceedings.
- 9) The matter is listed before Campbell J at 10am on Friday 23 December 2016.
- 10) The sealed copy of these orders is to bear the notice referred to in UCPR 40.7(3).

(the 21 December Orders).

2. The defendant is the sole owner and publisher of the website located at www.kangarocourtfaustralia.com (the **Website**).
3. On 21 December 2016, the defendant was served with a sealed copy of the 21 December Orders by email in accordance with order 7.
4. The defendant was aware of the 21 December Orders:
 - a. Having been served as set out above; and
 - b. Because he published the 21 December Orders on the Website at the following URL:
 "https://kangarocourtfaustralia.files.wordpress.com/2016/12/2017396_1_jd-orders.pdf".

5. On 21 December 2016, in contumacious disobedience and contravention of Order 4 of the 21 December Orders, and thereby committing the offence of contravention of suppression order provided for in s 16 of the *Court Suppression and Non-publication Orders Act 2010* (NSW), the defendant disclosed and published the matters referred to in Order 4 made on 21 December 2017, namely, the names of plaintiffs.
6. From 8pm on 21 December in contumacious disobedience of Order 5 of the 21 December Orders, and thereby committing a contempt of the court, the defendant failed to remove the names of the women appearing in the fourth paragraph of the article entitled "Seven CEO Tim Worner and Amber Harrison Sex Scandal Statement in Full "(**21 December 2016 Article**), which appears at pages 10-18 of Confidential Exhibit RMK-1 to the affidavit of Richard Michael Keegan sworn 21 December 2016.
7. From 8pm on 21 December in contumacious disobedience of Order 6(a) of the 21 December Orders, and thereby committing a contempt of the court, the defendant published the imputations particularised in paragraph 5 of the statement of claim.
8. From 8pm on 21 December in contumacious disobedience of Order 6(b) of the 21 December Orders, and thereby committing a contempt of the court, the defendant published the 21 December 2016 Article in a form which includes the names of the plaintiffs.

Particulars

- (a) From 8pm on 21 December 2016, the defendant continued to publish the 21 December 2016 Article on the Website which published and disclosed:
 - a. The names of the plaintiffs; and
 - b. The imputations particularised in paragraph 5 of the statement of claim.
- (b) On 21 December 2016 at approximately 11pm the defendant published an article on the Website, containing links to the following documents:
 - a. The 21 December Orders;
 - b. The statement of claim filed 21 December 2016;
 - c. The confidential exhibit to the affidavit of Richard Michael Keegan dated 21 December 2016.

(Second Article)

- (c) By publishing the Second Article, the defendant thereby disclosed and published:
 - a. The names of the plaintiffs;

- b. The imputations particularised in paragraph 5 of the statement of claim; and
 - c. The 21 December 2016 Article.
- (d) On 27 December 2016, the defendant published an article on the Website entitled “Kangaroo Court of Australia 2016 Christmas and New Year Post” which republished the Second Article, thereby disclosing and publishing:
- a. The names of the plaintiffs;
 - b. The imputations particularised in the statement of claim; and
 - c. The 21 December 2016 Article.

(Third Article)

- (e) On 2 January 2017, the defendant published an article on the Website which published and disclosed:
- a. The names of the plaintiffs;
 - b. The imputations particularised in paragraph 5 of the statement of claim; and
 - c. The 21 December 2016 Article.

(Fourth Article)

- (f) On 21 January 2017 the defendant published an article on the Website which published and disclosed:
- a. The names of the plaintiffs;
 - b. The imputations particularised in paragraph 5 of the statement of claim; and
 - c. The 21 December 2016 Article.

(Fifth Article)

- (g) The defendant on his Facebook account (<https://www.facebook.com/kangarocourtsofaustralia>) published the 21 December 2016 Article, the Second Article, the Third Article, the Fourth Article and the Fifth Article thereby disclosing and publishing:
- a. The names of the plaintiffs;
 - b. The imputations particularised in the statement of claim; and
 - c. The 21 December 2016 Article.

(h) The defendant on his Twitter account (https://twitter.com/Kangaroo_Court), published the 21 December 2016 Article, the Second Article, the Third Article, the Fourth Article and the Fifth Article thereby disclosing and publishing:

- a. The names of the plaintiffs;
- b. The imputations particularised in the statement of claim; and
- c. The 21 December 2016 Article.

SIGNATURE

Signature of legal representative

Capacity

Date of signature



Solicitor for the plaintiffs
2 February 2017

REGISTRY ADDRESS

Street address

Supreme Court of NSW, Law Courts Building, 184 Phillip Street, Sydney

Postal address

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