

Form 59
Rule 29.02(1)

17/05/24
ON
JOHN HART JP
23 WALKERS LANE
BRIGHT 3741
JUSTICE OF THE PEACE FOR VICTORIA
REG. NO 12394

Exhibit Certificate

No. 18 of 20

Federal Court of Australia
District Registry: Melbourne
Division: General

First Prospective Applicant **The Game Meats Company Australia Pty Ltd**
A.C.N 095 440 823

Second Prospective Applicant **Eugene Christopher Tomasoni**

Third Prospective Applicant **Pauline Elizabeth Hohn**

Applicants

Prospective Respondent **Farm Transparency International Pty Ltd**
A.C.N 641 242 579

Respondent

This is the exhibit marked "ET8" now produced and shown to Eugene Christopher Tomasoni at the time of affirming his affidavit on 17th day of May 2024 before me:

Solicitor/Justice of the Peace/Commissioner of Declarations

Name (in full) : John Hart John Hart
17/05/2024

JOHN HART JP
23 WALKERS LANE
BRIGHT 3741
JUSTICE OF THE PEACE FOR VICTORIA
REG. NO 12394

Chris Neville

From: Chris Neville
Sent: Thursday, 16 May 2024 3:18 PM
To: wcoatsworth@seven.com.au
Subject: The Game Meats Company of Australia Pty Ltd, Eurobin
Attachments: 16052024150956-0001.pdf

Dear Colleagues

We advise that we act on behalf of The Meats Company of Australia Pty Ltd, Eugene Tomasoni and Pauline Hohn, directors of the company.

Please find attached correspondence for your attention.

We look forward to your response in due course.

Regards



Chris Neville
Director

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Date: 16 May 2024
Our Ref: Chris Neville/CN/120693
Direct Line: 46178100
Email: chris@condoncharles.com.au
Your Ref: 120693

Channel 7 (Seven Group Holdings)
C/- Warren Coatsworth, General Counsel

Email: wcoatsworth@seven.com.au

Dear Mr Coatsworth

RE: THE GAME MEATS COMPANY OF AUSTRALIA PTY LTD, EUROBIN

We act for The Game Meats Company of Australia Pty Ltd A.C.N. 095 440 823 ('the Game Meats Company') and its employees and for Pauline Hohn and Eugene Tomasoni, directors of the company.

It has come to our attention that the activist group Farm Transparency Project ('FTP') has done two things:

1. Obtained video footage of our client's business undertakings at the Game Meats Company, at 319 Hughes Lane, Eurobin; and
2. Made a formal complaint to the Department of Agriculture, Fisheries and Forestry ('the Department')

This footage was obtained without our client's knowledge, permission, authority or consent.

Our understanding is that after trespassing onto our client's premises FTP has unlawfully broken into and entered the abattoir and placed hidden video cameras in various locations around the abattoir.

Such video footage was obtained as a consequence of trespass and a criminal act committed by representatives or persons associated with or persons authorized by FTP (Farm Transparency International Ltd A.C.N 641 242 579 a company limited by guarantee) of which the principal officer is Christopher James Delforce or Chloe Ellen Walker. Such criminal activity included an offence or offences under section 7 of the

Surveillance Devices Act 1999 which carries a penalty of level 7 imprisonment and fines for natural persons and fines of 1200 penalty units for a body corporate.

The unlawful acts of FTP were yesterday referred to Victorian Police.

We are instructed that FTP may provide or may have already provided the footage to Seven via its operations or affiliated operations in Albury. We wish to put you on notice that the footage was obtained illegally and as a result of trespass and that our clients intend to issue proceedings against FTP to restrain publication of it.

Publication of the illegally obtained footage or as a result of the illegally obtained footage has the potential to cause enormous damage to our clients.

In respect of the Games Meat Company, given the illegal methods of obtaining the video by FTP, such behaviour by the persons who have obtained this footage has been plainly undertaken by FTP to maliciously interfere with the business of the Games Meat Company to its commercial detriment. Further, such behaviour undermines the Game Meat Company and its employees from maintaining privacy in their undertakings.

You should also note that in light of the complaint by FTP to the Department our client will be heard with respect to that complaint in due course. The Department has not made any allegations to date, however, should such allegations arise, our client will co-operate subject of course to its legal rights.

Accordingly we seek an undertaking from Channel 7 no later than 5 pm today, Thursday 16 May 2024 - that no publication of any story arising from this matter will be aired this evening and that it will not publish any story arising from this matter without first providing our office with 24 hours notice.

Should no such undertaking be received, we intend to seek the foreshadowed injunctive relief in the Melbourne Registry of the Federal Court of Australia without delay..

Further, if the undertaking reasonably sought in the circumstances is not received, we put you on notice that we may rely on this letter in respect to the matter of costs on an indemnity basis.

We look forward to receiving your urgent response.



Sincerely
CONDON CHARLES