

MEDIA STATEMENT

21 December 2018

Adani responds to claims about our employee

While it is not standard practice for us to comment on private matters relating to our employees, today we have made a formal complaint to the ABC about its reporting regarding one of our employees.

Our employee, who is an Indigenous woman and Traditional Owner, has been the target of an online smear campaign by opponents of our Carmichael Project.

Despite being aware of this, and provided with the facts in writing by our employee's legal representative, the ABC chose to publish a story that is factually incorrect and potentially defamatory.

To help clarify the facts of this story we have copied below the correspondence sent to the ABC from our employee's lawyer this morning.

It appears that you have blatantly disregarded a number of the clarification points in our earlier email, and that you have chosen to knowingly publish false and misleading content.

In that regard, we note (without limitation):

- 1. our client was not referred to ASIC for investigation; correctly, Mr Baskerville lodged a report with ASIC (which he is legally obligated to do) which said that there may be a possibility that there have been breaches of the Corporations Act 2001 (Cth);*
- 2. the company was not wound up over unpaid debts; correctly, our client, being mindful of her duties as a director, appointed an Administrator to review the company's position and to take appropriate action. The company was then placed into liquidation on the recommendation of the Administrator;*
- 3. the Administrator did not find that our client allowed the Company to trade whilst insolvent; correctly, Mr Baskerville suggested that the company may have traded whilst insolvent for a period (without certainty). Again, it is common practice for insolvency practitioners to make such a suggestion;*

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4. *when our client filed her affidavit, she was of the honest belief that the Company could pay its debts. The only real debt of the Company (save for our now outstanding fees) was a disputed debt allegedly owed to former advisers. Again, though, this debt was (and remains) in dispute;*
5. *there has been no insolvent trading claim brought against our client; and*
6. *you have only selectively published a portion of Adani's response to your request for a comment.*

*In the premises, we **demand** that you immediately correct the Article, and refrain from publishing any future material that is false, misleading or likely to mislead.*

Our client's rights remain reserved in all respects.

We await your confirmation that the Article has been corrected.

Regards,

Dean Alexander

Partner

ENDS

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