

Subject: Gray Val - hoping you will agree to chat with me regarding Peter Slipper
I note that you worked on his 2010 election campaign and am doing some research on that particular campaign
If you could let me know whether you are willing to chat, I would appreciate it
My mobile is [REDACTED]
And I would be very happy to ring you if you are so inclined
Many thanks
Steve Lewis
News Limited

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No virus found in this message:
Checked by AVG - www.avg.com
Version: 2012.0.1913 / Virus Database: 2114/4857 - Release Date: 03/07/12



Karen Doane <karendoane@gmail.com>

FW: Karen

From: James Ashby <james@newaimage.com.au>
 Date: Sat, Mar 31, 2012 at 7:32 AM
 Subject: Fwd: Karen
 To: Karen Doane <karendoane@gmail.com>

James Ashby

Begin forwarded message:

From: "Slipper, Peter (Private)" <slipperp@aph.gov.au>
 Subject: FW: Karen
 Date: 31 March 2012 3:59:00 AM AEST
 To: "james@newaimage.com.au" <james@newaimage.com.au>

----- Original Message -----

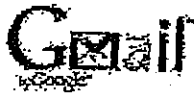
From: Slipper, Peter (Private)
 Sent: Friday, March 30, 2012 05:09 PM
 To: Ashby, James (P, Slipper, MP)
 Subject: Karen

James while Karen is good at what she does I am getting concerned at the number of sick days.
 In particular I'm concerned by the new approach of being uncontactable.
 Consequently things like columns can fall between the rails if no contact.
 How many days has she had off? She must be running out of sick days?
 Cheers Peter

Karen L Doane

Australia USA

SKype: karendoane



Karen Doane <karendoane@gmail.com>

Fwd: Karen

13 messages

James Ashby <james@newaimage.com.au>
 To: Karen Doane <karendoane@gmail.com>

Sat, Mar 31, 2012 at 7:32 AM

James Ashby

Begin forwarded message:

From: "Slipper, Peter (Private)" <slipperp@aph.gov.au>
 Subject: Fw: Karen
 Date: 31 March 2012 3:59:00 AM AEST
 To: "james@newaimage.com.au", <james@newaimage.com.au>

— Original Message —

From: Slipper, Peter (Private)
 Sent: Friday, March 30, 2012 05:09 PM
 To: Ashby, James (P: Slipper, MP)
 Subject: Karen

James, while Karen is good at what she does I am getting concerned at the number of sick days.
 In particular I'm concerned by the new approach of being uncontactable.
 Consequently things like columns can fall between the rails if no contact.
 How many days has she had off? She must be running out of sick days?
 Cheers Peter

James Ashby <james@newaimage.com.au>
 To: "Slipper, Peter (Private)" <slipperp@aph.gov.au>

Sat, Mar 31, 2012 at 7:43 AM

I'm uncertain as to how many sick days we're each allotted, but she's not sounded good anytime.
 I've had to call her to find out small bits of info in relation to media questions etc.

Karen has always made herself available when I've called which I appreciate, given how unwell she is. I'll discuss the columns with her Monday morning and make sure they're covered off in her absence.

James Ashby

On 31/03/2012, at 3:59 AM, Slipper, Peter (Private) wrote:

— Original Message —

From: Slipper, Peter (Private)
 Sent: Friday, March 30, 2012 05:09 PM

To: Ashby, James (P. Slipper, MP)
Subject: Karen

James while Karen is good at what she does I am getting concerned at the number of sick days. In particular I'm concerned by the new approach of being uncontactable. Consequently things like columns can fall between the rails if no contact. How many days has she had off? She must be running out of sick days?
Cheers Peter

Karen Doane <karendoane@gmail.com>
To: James Ashby <james@newimage.com.au>

Sat, Mar 31, 2012 at 9:15 AM

Fuck him!! I've only had one other day that I've taken despite being sick. This week was it.

As an FYI- we are given 111 hours for the year.

Sent from Karen! iPhone
(Quoted text hidden)

James Ashby <james@newimage.com.au>
To: "Slipper, Peter (Private)" <slipperp@aph.gov.au>

Sat, Mar 31, 2012 at 3:27 PM

I've spoken with Karen today and she's indicated she's back Monday. I'll ask her to liaise with Michelle over sick leave forms and have Michelle look at sick day entitlements.

I'm going to try and get some rest myself. I'm exhausted this week, I really need to make the most of the 2 days off to get some rest and recharge my batteries.

James Ashby

On 31/03/2012, at 2:28 PM, Slipper, Peter (Private) wrote:

What concerned me in particular was her group email effectively saying she was out of contact. I've never had anyone in the office ever who has accessed so much or perhaps exceeded allowable sick leave. I'm not comfortable with it.

From: James Ashby [mailto:james@newimage.com.au]
Sent: Saturday, March 31, 2012 08:43 AM
To: Slipper, Peter (Private)
Subject: Re: Karen

I'm uncertain as to how many sick days we're each allotted; but she's not sounded good anytime. I've had to call her to find out small bits of info in relation to media questions etc.

Karen has always made herself available when I've called which I appreciate, given how unwell she is. I'll discuss the columns with her Monday morning and make sure they're covered off in her absence.

James Ashby

On 31/03/2012, at 3:59 AM, Slipper, Peter (Private) wrote:

----- Original Message -----

From: Slipper, Peter (Private)
 Sent: Friday, March 30, 2012 05:03 PM
 To: Ashby, James (P. Slipper, MP)
 Subject: Karen

James while Karen is good at what she does I am getting concerned at the number of sick days. In particular I'm concerned by the new approach of being uncontactable. Consequently things like columns can fall between the rails if no contact. How many days has she had off? She must be running out of sick days?
 Cheers Peter

Karen Doane <karendoane@gmail.com>
 To: James Ashby <james@newimage.com.au>

Sat, Mar 31, 2012 at 8:55 PM

Howdy

Well, Natalia was off for nearly two weeks and is now on a week's holiday.

I've only taken one sick day other than this last week. Last Friday I managed media from home despite informing I was taking a sick day - and was receiving calls from Peter looking for you until around 8pm that night.

Why is he asking you to look after this?
 I have my doctor's note as well.

Sent from Karen's iPhone
 (Quoted text hidden)

Karen Doane <karendoane@gmail.com>
 To: James Ashby <james@newimage.com.au>

Sun, Apr 1, 2012 at 8:23 PM

What I find remarkable in these emails is that Peter is only expressing concerns about the possible use/overuse of sick time and not once has he been concerned about me and/or my health.

Speaks volumes about the man

Sent from Karen's iPhone

On 31/03/2012, at 4:27 PM, James Ashby <james@newimage.com.au> wrote:

(Quoted text hidden)

James Ashby <james@newimage.com.au>
 To: Karen Doane <karendoane@gmail.com>

Sun, Apr 1, 2012 at 8:36 PM

It's so hard to write anything to him because I have no respect any longer. It's all become a sickening mess. We'll both be right. We're only weeks away from an outcome with a bit of luck.

James Ashby
 (Quoted text hidden)

after me in any way as you can imagine.

Thanks

Kind regards

Karen Doane

Media Adviser [REDACTED]

The Hon Peter Slipper MP - Federal Member for Fisher

Speaker of the House of Representatives

Electorate Office - Phone: 07 5444 4888 Fax: 07 5452 6655

The Cartwright Centre, cnr Nicklin Way & Point Cartwright Drive, Buddina 4576

PO Box 1224, Buddina 4575

Canberra Office - Phone: 02 6277 4000 Fax: 02 6277 2050

Suite RG44 Parliament House, Canberra 2600

www.peterslippemhp.com.au

@PeterSlipperMP on Twitter

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Karen L. Doane

[REDACTED]
Australia USA

Skype: karen.doane

Affidavit

Federal Court of Australia

No: NSD580/2012

District Registry: New South Wales

Division: Fair Work

JAMES HUNTER ASHBY

Applicant

COMMONWEALTH OF AUSTRALIA and another according
to the Schedule
First Respondent

Affidavit of: Siobhan Michelle Keating
Address: 456 Lonsdale Street, Melbourne, Vic, 3000
Occupation: Legal Practitioner
Date: 3 July 2012

Contents

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4.	Annexure SK-4, being a draft subpoena to give evidence directed to Joanne Knox	26	45 - 49

Form 59, Rule 29.02(1)

Filed on behalf of Mr Peter Slipper, the Second Respondent

Prepared by Siobhan Keating, Legal Practitioner

Law firm Maurice Blackburn Lawyers

Tel (03) 9605 2831 Fax (03) 9258 9613

Email jbornstein@mauriceblackburn.com.au

Address for service Level 10, 456 Lonsdale Street, Melbourne, Vic, 3000

Siobhan Keating
Deponent

cepb...
Taken by 1

I, Siobhan Michelle Keating, of 456 Lonsdale Street, Melbourne, Legal Practitioner, affirm:

1. I am a solicitor in the employ of Maurice Blackburn Lawyers (Maurice Blackburn), which represents the Second Respondent in this proceeding ~~(the Proceeding)~~.
2. The statements set out in this affidavit are made from my information, knowledge and belief based on instructions given to me by the Second Respondent or from my own personal knowledge.

3. [REDACTED]

4. [REDACTED]

Leave to Issue Subpoena to Produce Documents

5. [REDACTED]

6. [REDACTED]

(a) [REDACTED]

(b) [REDACTED]

[Signature]
Deponent

[Signature] 2
Taken by

(d) [REDACTED]

7. [REDACTED]

9. On Wednesday, 27 June 2012, I read an article which appeared in *The Australian* on that day with by-line by Matthew Franklin and Michael McKenna, titled 'Peter Slipper plot linked to top of the LNP Labor Fires Back in Speaker Row'. That article quotes Mr McIver as saying the words:

[REDACTED]

[REDACTED]

11: [REDACTED]

Depoient

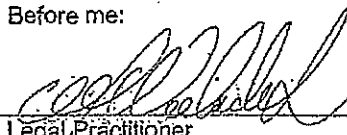
Taken by 3

24.

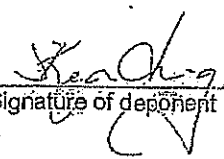
25.

26.

Affirmed by the deponent
at Melbourne
in Victoria
on 3 July 2012
Before me:


Legal Practitioner

WACLAW JOHN WIELADEK
of 456 Lonsdale Street, Melbourne
an Australian Legal Practitioner
within the meaning
of the Legal Profession Act, 2004.


Signature of deponent

SD580/2012

Division: Fair Work

Schedule

Applicant

First Respondent

Second Respondent

Federal Court of Australia

No: NSD580/2012

District Registry: New South Wales
Division: Fair Work

JAMES HUNTER ASHBY
Applicant

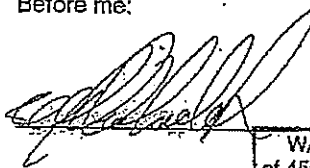
**COMMONWEALTH OF AUSTRALIA and another according
to the Schedule**
First Respondent

Affidavit of: Siobhan Michelle Keating
Address: 456 Lonsdale Street, Melbourne, Vic, 3000
Occupation: Legal Practitioner
Date: 3 July 2012

CERTIFICATE IDENTIFYING ANNEXURE

This is the annexure marked "SK-2" now produced and shown to Siobhan Michelle Keating at the time of affirming her affidavit on 3 July 2012.

Before me:



WACLAW JOHN WIELADEK
of 456 Lonsdale Street, Melbourne
an Australian Legal Practitioner
within the meaning
of the Legal Profession Act, 2004.

Annexure "SK-2"

**DRAFT SUBPOENA TO BRUCE
MCIVER**

Subpoena to produce documents

No. NSD580/2012

Federal Court of Australia

District Registry: New South Wales

Division: Fair Work

JAMES HUNTER ASHBY

Applicant

**COMMONWEALTH OF AUSTRALIA and another according
to the Schedule**

First Respondent

To: Bruce McIver, 66-68 Bowen Street, Spring Hill, Queensland, 4004

You are ordered to produce this subpoena or a copy of it and the documents or things specified in the Schedule. See next page for details.

Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.

Please read Notes 1 to 13 at the end of this subpoena.

The last date for service of this subpoena is . (See Note 1)

Date:

Signed by an officer acting with the authority
of the District Registrar

Issued at the request of Second Respondent, whose address for service is:

Place: Level 10, 456 Lonsdale Street, Melbourne, Vic 3000

Email: jbornstein@mauriceblackburn.com.au

Form 43B, Rule 24.13(1)(b)

Filed on behalf of	Mr Peter Slipper, the Second Respondent		
Prepared by	Siobhan Keating, Legal Practitioner		
Law firm	Maurice Blackburn Lawyers		
Tel	(03) 9605 2831	Fax	(03) 9258 9613
Email	jbornstein@mauriceblackburn.com.au		
Address for service	Level 10, 456 Lonsdale Street, Melbourne, Vic 3000		

Details of subpoena

You must comply with this subpoena:

- (a) by attending to produce this subpoena or a copy of it and the documents or things specified in the Schedule below at the date, time and place specified for attendance and production; or
- (b) by delivering or sending this subpoena or a copy of it and the documents or things specified in the Schedule below to the Registrar at the address below, or if there is more than one address below, at any one of those addresses, so that they are received not less than 2 clear business days before the date specified for attendance and production.

Date, time and place at which you must attend to produce the subpoena or a copy of it and documents or things, unless you receive a notice of a later date or time from the issuing party, in which case the later date or time is substituted:

Date:

Time:

Place: Registry, Federal Court of Australia
Level 17, Law Courts Building
Queen's Square
SYDNEY NSW 2000

Address, or any address, to which the subpoena (or copy) and documents or things may be delivered or posted:

The Registrar
Federal Court of Australia
New South Wales District Registry
Law Courts Building

Schedule

The documents and things you must produce are as follows:

All documents evidencing or recording or constituting communications in the period from 1 February 2012 to 27 April 2012 (inclusive) between:

- (a) Bruce McIver and James Ashby; and
- (b) Bruce McIver and each of:

- (1) James Ashby
- (2) Malcolm Brough
- (3) Karen Doane
- (4) Anthony McClellan

in so far as the communication relates to Peter Slipper, Karen Doane and/or James Ashby; and

- (c) Any communication between Bruce McIver and any member of the Liberal National Party of Queensland and any member of the Liberal National Party of Queensland in relation to Mr Ashby and/or Ms Doane and/or relating to proposals or requests for employment for any member of Mr Slipper's staff.

Notes**Last day for service**

1. You need not comply with the subpoena unless it is served on you on or before the date specified in the subpoena as the last date for service of the subpoena.

Informal service

2. Even if this subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the subpoena, actual knowledge of the subpoena and of its requirements.

Addressee a corporation

3. If the subpoena is addressed to a corporation, the corporation must comply with the subpoena by its appropriate or proper officer.

Conduct money

4. You need not comply with the subpoena in so far as it requires you to attend to give evidence unless conduct money sufficient to meet your reasonable expenses of attending as required by the subpoena is handed or tendered to you a reasonable time before the date your attendance is required.

Production of subpoena or copy of it and documents or things by delivery or post

5. If this subpoena requires production of the subpoena (or a copy of it) and a document or thing, instead of attending to produce the subpoena (or a copy of it) and the document or thing, you may comply with the subpoena by delivering or sending the subpoena (or a copy of it) and the document or thing to the Registrar:
 - (a) at the address specified in the subpoena for the purpose; or
 - (b) if more than one address is specified - at any of those addresses;so that they are received not less than 2 clear business days before the date specified in the subpoena for attendance and production, or if you receive notice of a later date from the issuing party, before the later date or time.
6. If you object to a document or thing produced in response to this subpoena being inspected by a party to the proceeding or any other person, you must, at the time of production, notify the Registrar in writing of your objection and of the grounds of your objection.
7. Unless the Court otherwise orders, if you do not object to a document or thing produced by you in response to the subpoena being inspected by any party to the proceeding, the Registrar may permit the parties to the proceeding to inspect the document or thing.

Production of a number of documents or things

8. If you produce more than one document or thing, you must, if requested by the Registrar, produce a list of the documents or things produced.

Production of copy instead of original

9. You may, with the consent of the issuing party, produce a copy, instead of the original, of any document that the subpoena requires you to produce.
- 9A. The copy of a document may be:
- (a) a photocopy; or
 - (b) in an electronic form that the issuing party has indicated will be acceptable.

Applications in relation to subpoena

10. You have the right to apply to the Court:
- (a) for an order setting aside the subpoena (or a part of it) or for relief in respect of the subpoena; and
 - (b) for an order with respect to your claim for privilege, public interest immunity or confidentiality in relation to any document or thing the subject of the subpoena.

Loss or expense of compliance

11. If you are not a party to the proceeding, you may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the subpoena.

Contempt of court - arrest

12. Failure to comply with a subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.
13. Note 12 is without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a subpoena) or otherwise, to enforce compliance with a subpoena.

Federal Court of Australia

NSD580/2012

District Registry: New South Wales

Division: Fair Work

Schedule

JAMES HUNTER ASHBY
Applicant

COMMONWEALTH OF AUSTRALIA
First Respondent

PETER SLIPPER
Second Respondent

Federal Court of Australia

No: NSD580/2012

District Registry: New South Wales

Division: Fair Work

JAMES HUNTER ASHBY
Applicant

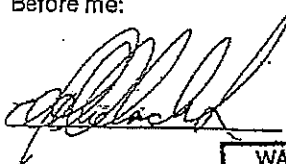
**COMMONWEALTH OF AUSTRALIA and another according
to the Schedule**
First Respondent

C. Affidavit of: Siobhan Michelle Keating
Address: 456 Lonsdale Street, Melbourne, Vic, 3000
Occupation: Legal Practitioner
Date: 3 July 2012

CERTIFICATE IDENTIFYING ANNEXURE

This is the annexure marked "**SK-3**" now produced and shown to Siobhan Michelle Keating at the time of affirming her affidavit on 3 July 2012.

C. Before me:



Annexure "SK-3"

WACŁAW JOHN WIELADEK
of 456 Lonsdale Street, Melbourne
an Australian Legal Practitioner
within the meaning
of the Legal Profession Act, 2004.

**SECOND RESPONDENT'S
AMENDED POINTS OF CLAIM**

Federal Court of Australia

No: NSD580/2012

District Registry: New South Wales

Division: Fair Work

JAMES HUNTER ASHEY
Applicant**COMMONWEALTH OF AUSTRALIA** and another according
to the Schedule
First Respondent**Second Respondent's Amended Points of Claim****Relevant persons**

1. The Second Respondent is the Federal Member for Fisher in the State of Queensland, was, from 24 November 2011, appointed to the position of Speaker of the House of Representatives and has, since that time, sat as an Independent Member of Parliament (Slipper).
2. The Applicant (Ashby) is employed by the First Respondent (the Commonwealth) as a member of Slipper's staff, having commenced such employment on or about 10 December 2011.
3. At all material times Karen Doane was, and is, employed by the Commonwealth as a member of Slipper's staff (Doane).
4. Malcolm Brough (Brough):
 - (a) is a former Federal Member for Longman in the State of Queensland;
 - (b) is currently the Chairman of the Liberal National Party of Queensland (LNP) Fisher Federal Divisional Council;
 - (c) since at least mid 2011, has publicly declared an intention to stand against Slipper for pre-selection as the LNP candidate for Fisher at the next federal election;

Filed on behalf of	Mr Peter Slipper, the Second Respondent		
Prepared by	Josh Bornstein, Legal Practitioner		
Law firm	Maurice Blackburn Lawyers		
Tel	(03) 9605 2831	Fax	(03) 9258 9613
Email	jbornstein@mauriceblackburn.com.au		
Address for service	Level 10, 456 Lonsdale Street, Melbourne, Vic, 3000		

4345053

(d) on or about 14 June 2012 confirmed that he will seek pre-selection as the LNP candidate for election as the member for Fisher at the next federal election,

5. At all material times Steve Lewis was, and is, a journalist employed by News Limited (Lewis).
6. At all material times Anthony McClellan was, and is, a public relations or media adviser and provides strategic media management service through an organisation known as AMC Media (McClellan).
7. At all material times Mark McArdle was, and is, the LNP Member for Caloundra, and is, and since 3 April 2012 has been, the Queensland Minister for Energy and Water Supply (McArdle).
8. At all material times Bruce Molver was, and is, the President of the LNP (Molver).
9. At all material times Michael Harmer (Harmer) was, and is, the Chair of Harmers Workplace Lawyers (Harmers), which represents Ashby in these proceedings.
10. This proceeding is an abuse of the Court's process because:
 - (a) the predominant purpose of Ashby's conduct in bringing this proceeding against Slipper, in combination with Doane, Brough, Lewis, McClellan, Harmer and/or Harmers, was
 - (i) to vilify Slipper;
 - (ii) to expose Slipper to opprobrium and scandal;
 - (iii) to bring Slipper into disrepute; and/or
 - (iv) to destroy or seriously damage Slipper's reputation and standing, and his political position and career;

in order to advance the political interests of the LNP and/or Brough, and by those means to enhance or promote Ashby's and Doane's prospects of advancement or preferment within, or at the hands of, the LNP;

(b) this proceeding was commenced and prosecuted in a manner that is seriously and unfairly burdensome, prejudicial and damaging to Slipper, or is productive of serious and unjustified trouble and harassment, in that:

- (i) no steps of any kind had been taken by Ashby to raise or resolve any dispute with Slipper prior to the dissemination of the allegations made in the proceeding by means of the publication of the Originating Application;
- (ii) the allegations that were set out in the Originating Application were disseminated to the media for publication before any notice of those allegations was given to Slipper and at a time when, to the knowledge of Ashby, Slipper's capacity to respond to the media reports of those allegations was substantially inhibited because he was overseas;
- (iii) Ashby abandoned some of those allegations after they had been widely reported in the media
- (iv) the proceeding is vexatious and fails to disclose a reasonable cause of action against Slipper; and
- (v) in the alternative to (iv), the claims made against Slipper in the proceeding are manifestly weak, and the damage that Ashby's claims to have suffered is illusory or trivial; both absolutely and relative to the damage inflicted on Slipper as a consequence of the commencement of the proceeding and the manner in which it has been prosecuted; and

(c) for the reasons given in (a) and (b), this proceeding was commenced and prosecuted in a manner that:

- (i) brings the administration of justice into disrepute; and
- (ii) used the processes of the Court as an instrument in a calculated and orchestrated political and public relations campaign which had as its objects the purposes referred to in (a);

in connection with which Slipper relies upon the facts and matters referred to hereafter in these points of claim.

The period prior to Ashby's employment on Slipper's staff

11. Ashby commenced providing media management services to Slipper in or about mid 2011.
12. From at least on or about 10 October 2011 Ashby:
 - (a) encouraged or induced Slipper to believe that they were friends, and to act towards Ashby as though they were friends;
 - (b) encouraged or induced Slipper to believe that Ashby supported Slipper politically;
 - (c) encouraged or induced Slipper to believe that Ashby opposed Brough politically, and wished to assist Slipper to resist any political challenge by Brough;
 - (d) encouraged or induced Slipper to believe that Ashby only had Slipper's interests at heart;
 - (e) frankly discussed his homosexuality with Slipper;
 - (f) engaged Slipper in light-hearted banter, that occasionally included sexual comments.

Particulars

At present Slipper intends to rely on Short Message Service messages and iPhone Chat messages (text messages) between Slipper and Ashby, and between Ashby and other persons including Slipper's wife Inge (Inge), set out in a spreadsheet extracting all text messages from Ashby's iPhone as contained in annexure RDM-3 to the affidavit of Rodney David McKemmish sworn on 24 April 2012 (the spreadsheet), and in particular, on the following text messages identified by reference to the number assigned to each message on the spreadsheet:

- 10056 and 10057 between Ashby and Slipper dated 10 October 2011,
- 10081 and 10086 from Ashby to Slipper dated 10 October 2011,
- 10183-10199 between Ashby and Slipper dated 11 October 2011,

- 10316-10323 between Ashby and Slipper dated 13 October 2011,
- 10376-10382 between Ashby and Slipper dated 13 October 2011,
- 10420-10427 and 10435-10436 between Ashby and Slipper dated 14 October 2011,
- 10428-10434 between Slipper and another person dated 14 October 2011,
- 11080-11090 between Ashby and Slipper dated 25 October 2011,
- 11241-11254 between Ashby and Slipper dated 28 October 2011,
- 11444-11445 between Ashby and Slipper dated 3 November 2011,
- 11584-11586 between Ashby and Slipper dated 7 November 2011,
- 11590-11592 between Ashby and another person dated 7 November 2011,
- 11935 from Ashby to Slipper dated 19 November 2011,
- 12054, 12072 and 12080-12081 between Ashby and Slipper dated 24 November 2011,
- 12107-12108 from Ashby to Slipper dated 25 November 2011,
- 12095-12096 and 12109-12110 between Ashby and Inge dated 25 November 2011, and
- 12193-12199 between Ashby and Slipper dated 4 December 2011,

10 December 2011 to 2 February 2011

13. On or about 10 December 2011 Ashby attended Slipper's home for dinner with Slipper and Inge during which Ashby accepted an offer of the employment referred to in paragraph 2.
14. For the whole of the period from 10 December 2011 until 20 April 2012 Ashby continued to conduct himself towards Slipper in the manner described in paragraph 12, encouraged and induced Slipper to believe that he was loyal to Slipper and

committed to serving, promoting and advancing Slipper's political career, and gradually introduced into his exchanges with Slipper occasional ribald language and sexual innuendo.

Particulars

At present Slipper intends to rely on text messages between Slipper and Ashby set out in the spreadsheet, and in particular, on the following text messages identified by reference to the number assigned to each message on the spreadsheet:

- 12447-12466 and 12468-12469 between Ashby and Slipper dated 27 December 2011 in which Ashby tells Slipper "I'm going to smack u! Arrhhhhhhhh", "Lenny use to call me the lovable CUNT at Gowinta cause I knew how to play the game", "You're cruising for a bruising" and "Cool. Let's fuck them up the arse instead.";
- 12776 from Ashby to Slipper in which Ashby refers to Slipper as "U big softy";
- 12868-12873 and 12880-12883 between Ashby and Slipper dated 14 January 2012;
- 12994-12995, 12999-13000, 13013-13014 between Ashby and Slipper dated 20 January 2012;
- 13055-13057 between Ashby and Slipper dated 21 January 2012;
- 13084-13085 from Ashby to Slipper dated 22 January 2012;
- 13122 from Ashby to Slipper dated 22 January 2012 in which Ashby states "we're here for u mate";
- 13135 from Ashby to Slipper dated 23 January 2012 in which Ashby states "I can near bet my nuts you'll be harassed over it tonight";
- 13375-13379 between Ashby and Slipper dated 31 January 2012;
- 14242-14292 between Ashby and Slipper dated 26 February 2012 in which Ashby tells Slipper: "I have made it clear to u before that I have

your best interest at heart", "I would not bring you into disrepute thru my actions. If I felt my actions would have an impact on u or the speakers role I would resign. I am proud of the fact I took on this role against all advice from the LNP", "I am more than loyal", "We are all working for your re election", "I have no respect for Mal Brough and never will", "I would not put myself or you in a position of question", "I have never been dishonest with you Peter. My core values from a young working age has always included complete honesty. I don't hide things on a professional basis from u. If mistakes or decisions are made I will always man up and tell u. I would tell anyone. I am a grown man who's worked in positions of integrity for many years. I will not alter my professionalism now that I work sideline to a politician. Karen and I have only one priority, your office and future political career. You know how hard we work on that. I have not let you down once. U don't want an office of weak staff like Richard. I'm strong and u knew full well my relationship (good and bad) with the LNP. I see the good and bad in them for sure. Don't let the party or the haters detract from the good work youre achieving. Stay true to course and you'll run a very strong race in 18 months. Independence means u don't have to watch your back. Just look forward and never backwards", and, "No need for any further angst. I will consult with u on any future requests for assistance from outsiders".

15. At all material times on and from 1 February 2012, after Ashby alleges that Slipper directed him to make future contact with Slipper through another member of Slipper's staff (being Tim Knapp) in paragraph 17(d)(i) of the Statement of Claim served by Ashby on 15 May 2012 (the Statement of Claim), Ashby continued to communicate directly with Slipper, and was not required to contact Slipper indirectly through Tim Knapp or any other person.

Particulars

At present Slipper intends to rely on text messages between Slipper and Ashby set out in the spreadsheet from 1 February 2012 and in particular, on the following text message identified by reference to the number assigned to each message on the spreadsheet: 13451-13459 between Ashby and Slipper dated 1 February 2012.

2 February 2012 to 20 April 2012

16. From at least 2 February 2012, Ashby's conduct towards Slipper, as set out in paragraph 14, was duplicitous and deceitful.
17. On or about 2 February Ashby met secretly with McArdle and discussed with McArdle Ashby's plans to make allegations against Slipper to the effect later made in the Originating Application, conduct which Ashby deliberately concealed from Slipper.

Particulars

At present Slipper intends to rely on the following text messages between Ashby and McArdle set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 13460-13462 between Ashby and McArdle dated 2 February 2012,
 - 14902 from Ashby to McArdle dated 26 March 2012.
18. From at least 2 February 2012 Ashby had conceived or begun to consider commencing the proceedings in the knowledge that such action would inflict damage against Slipper and empower Slipper's political opponents including Brough and/or the LNP, conduct which Ashby deliberately concealed from Slipper.

Particulars

At present Slipper intends to rely on the following text messages between Ashby and McArdle, and Ashby and another person, set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 13505-13506 between Ashby and another person named 'Tania' dated 4 February 2012, in which Tania advised Ashby to "pass the text forward in hard copy only to Mark - let him move it forward. Backup phone, delete messages, put in safe and let it be. A smoking gun usually means someone has already been shot! Don't let it be you - please"; and Ashby states that "it will empower someone else definitely".

- 14902 from Ashby to McArdie dated 26 March 2012 in which Ashby states that "I've decided to press ahead with what I spoke to u about some weeks ago".

19. On or about 26 February 2012 Ashby and Slipper exchanged text messages in which Slipper raised with Ashby his actions in supporting an LNP candidate in the Queensland elections, and in which Ashby duplicitously and deceitfully reiterated his loyalty to Slipper.

Particulars

At present Slipper intends to rely on text messages between Slipper and Ashby set out in the spreadsheet, and in particular, on the following text message identified by reference to the number assigned to each message on the spreadsheet:

- 14242-14292 between Ashby and Slipper dated 26 February 2012 in which Ashby tells Slipper: "I have made it clear to u before that I have your best interest at heart", "I would not bring you into disrepute thru my actions. If I felt my actions would have an impact on u or the speakers role I would resign. I am proud of the fact I took on this role against all advice from the LNP", "I am more than loyal", "We are all working for your re election", "I have no respect for Mal Brough and never will", "I would not put myself or you in a position of question", "I have never been dishonest with you Peter. My core values from a young working age has always included complete honesty. I don't hide things on a professional basis from u. If mistakes or decisions are made I will always man up and tell u. I would tell anyone. I am a grown man who's worked in positions of integrity for many years. I will not alter my professionalism now that I work sideline to a politician. Karen and I have only one priority; your office and future political career. You know how hard we work on that. I have not let you down once. U don't want an office of weak staff like Richard. I'm strong and u knew full well my relationship (good and bad) with the LNP. I see the good and bad in them for sure. Don't let the party or the haters detract from the good work youre achieving. Stay true to course and you'll run a very strong race in 18 months. Independence means u don't have to watch your back. Just look forward and never backwards", and "No need for any

further angst. I will consult with u on any future requests for assistance from outsiders".

20. Ashby decided to commence the proceedings on or about 26 March 2012, a decision that he deliberately concealed from Slipper.

Particulars

At present Slipper intends to rely on the following text messages between Ashby and McArdle set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 14902 from Ashby to McArdle dated 26 March 2012 in which Ashby states that "I've decided to press ahead with what I spoke to u about some weeks ago".

21. From at least about 29 March Ashby unlawfully communicated and sent extracts of the diary kept by or on behalf of Slipper in connection with the performance of his duties as a member of Parliament and as Speaker of the House of Representatives to Brough, knowing that the material so communicated would be used in an attempt to inflict damage on Slipper and, thereby to promote the interests of Brough and the LNP at Slipper's expense. Ashby deliberately concealed this conduct from Slipper.

Particulars

At present Slipper intends to rely on the following text messages between Ashby and Brough set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 15021-15023 between Ashby and Brough as follows:

Brough: Can that be emailed James it is hard to read

Mal.brough2@bigpond.com

Ashby: Done. Coming thru in minutes

Brough: Thanks

Ashby: Will need to get daily print outs tomorrow with greater detail.

22. On or about 29 March 2012, Ashby and Doane exchanged SMS messages in which Ashby states that "we've been chosen to take this journey for some bizarre reason", and Doane states that "I need to secure my deal or will need to work a plan B".

Particulars

At present Slipper intends to rely on the following text messages between Ashby and Doane set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 15001 and 15010 between Ashby and Doane dated 29 March 2012.

23. On or about 30 March 2012 Ashby and Doane met with a person named 'Jackie'.

Particulars

At present Slipper intends to rely on the following text messages between Ashby and Doane set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 15006-15013, 15015-15016 between Ashby and Doane dated 29 March 2012.

24. On or about 30 March 2012 Ashby and Doane exchanged SMS messages as follows:

Doane: I hear ya.... I encourage you to contact Murray (Marie�#xDE09;. You need to keep everyone onside and have options. Not sure if State will be your future, or that you'll want it to be, so the more options the better. I really want the Sports portfolios that is my passion and I know it on many levels so I would be perfect (even if I do say so myself) when you get to it, please send thru Jackie's email info. I'll cc you into anything. Chat soon �#xDE0F;

Doane: Howdy, you awake? Just got a text that state staffing isn't the decision of the minister... Do you think Jackie has influence? I would think yes?!?�#xDE01;

Ashby: Hmm interesting. I had no idea of that rule... I bet the likes of Jacki and Bruce McIver have some influence. Jacki is definitely a key player in the party these days. To arrange a lawyer for \$1 of that caliber is a big thing in my mind.

Doane: Agreed. It is also due to the barrister's ties to the LNP and the way this will tip the govt to Mal's and the LNP's advantage. Definitely a good move for us to meet with him so he gets to know us other than w the black mark from being w Peter!!

Doane: Hope I've said thank you enough????!! I am really appreciative James

Ashby: Yeah I totally agree. We are fixing the black mark � � you don't have to thank me Karen. I think we're equally supportive for one another. We compliment one another nicely. I'm very pleased u have been on board even though we've both been thru so much shit.

Doane: I'm counting down the days; it makes it easier � �. BTW- please shot me his email so I can send thru an updated CV this weekend. � � � � for a great position w decent \$\$

Ashby: Mal.brough1@bigpond.com

Doane: Coollo. I have to send one to Andrew as well. Are you have you already given him yours? I know you've said you don't do resumes � �

Ashby: Lol I will have to put something together over the weekend. I haven't written a resume, so I better get learning @

Doane: Happy to help if u like?! Google CV/resume templates as that will help, it did for me. Off to sleep, chat on the weekend � �

Ashby: Sounds great. Night.

Particulars

At present Slipper intends to rely on the following text messages between Ashby and Doane set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 15049-15061 between Ashby and Doane dated 30 March 2012.

25. It is to be inferred from the facts and matters set out in paragraphs 22, 23 and 24 that:

- (a) Jackie was associated with the LNP,
- (b) Ashby and Doane discussed with Jackie obtaining assistance from the LNP including by arranging and paying for legal representation for Ashby to commence the proceeding; and
- (c) Ashby and Doane had conceived and were executing a plan that, by Ashby commencing the proceeding against Slipper, they would erase the "black mark" of their association with Slipper, and secure preferment for themselves within or by the hand of the LNP (the plan).

26. Ashby and Doane deliberately concealed the plan and their conduct in executing the plan from Slipper at all times until the commencement of proceedings.

27. On or about 1 April 2012 Ashby and Doane exchange SMS messages as follows:

Doane: Hwdy! Could you please send thru Mal's mobile again? I want to text after I send thru my CV. Hope you had a good weekend ☺

Doane: Muchos gracias mi amigo ��

Ashby: Which is your private number? I can't differentiate between your private and work numbers. I want to ensure I only send texts to your private phone. ��

Doane: [REDACTED] Is my private numba ��

Doane: The email for Mal doesn't seem to work. I have; Mal.brough1@bigpond.com. Do you have something different?

Ashby: Whoops it's Mal.brough2@bigpond.com sorry bout that. My fault.

Particulars

At present Slipper intends to rely on the following text messages between Ashby and Doane set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 15094-15102 between Ashby and Doane dated 1 April 2012.

28. It is to be inferred from the facts and matters set out in the preceding paragraph that Brough was a party to the plan to secure preferment for Ashby and Doane within or by the hand of the LNP.
29. On or about 1 April 2012 Doane sent her resume to Brough pursuant to the plan.

Particulars

At present Slipper intends to rely on the following text message between Ashby and Doane set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 15124 from Ashby to Doane dated 2 April 2012.

30. On or about 2 April 2012 Ashby and Doane exchange SMS messages as follows:

Doane: I want to balance your harassment charge with one of my own. He is demeaning, aggressive and w his bcc's unprofessional at the very least. However I don't want to diminish your claim in any way. As you said last night, both claims may strengthen the case. I might look for a lawyer myself. If we don't have contact soon.

Ashby: Yeah I will contact Mal again today. Failing that I will make contact with someone myself as well.

Doane: Mal did email me confirming he forwarded my CV and received confirmation that I should receive a call in the next day or two. He also said if I wasn't successful to contact him again. Great result

Ashby: Excellent. I'm pleased u have put that resume out so soon.

Doane: Let me know if you want so help putting yours together. I had my amazing friend help me as I was like you!

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Ashby: Yeah I'd really like that. U let me know when it suits u and we'll do it over a home cooked dinner at mine if u like.

Particulars

At present Slipper intends to rely on the following text messages between Ashby and Doane set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 15124-15127 from Ashby to Doane dated 2 April 2012.

31. From on or about 2 April 2012 Ashby was in communication with Lewis with a view to assisting Lewis in his inquiries into Slipper's alleged misuse of travel entitlements, and with the object of inflicting damage on Slipper, conduct which Ashby deliberately concealed from Slipper at all times until the commencement of proceedings. In the course of those communications, on or about 9 April 2012 Ashby unlawfully communicated and sent, or caused to be communicated or sent, extracts of Slipper's private diary to Lewis knowing that to do so was contrary to Slipper's interests.

Particulars

At present Slipper intends to rely on the text messages and telephone records between Ashby and Lewis and Doane set out in the spreadsheet, and in particular, on the following text messages identified by reference to the number assigned to each message on the spreadsheet

- 15176 from Lewis to Ashby dated 4 April 2012 in which Lewis stated that "We will get him!!",
 - 15223-15224 between Ashby and Lewis dated 6 April 2012,
 - 15233-15235 between Ashby and Doane dated 6 April 2012,
 - 15265 (between Lewis and Ashby) and 15274 (between Ashby and Doane) dated 9 April 2012.
32. On or about 10 April 2012 Ashby was absent from work on sick leave. Ashby falsely informed Slipper and Slipper's office that he was unable to attend work because he was sick. Ashby did so in order to deliberately conceal from Slipper that in fact Ashby was travelling to Sydney to stay at a hotel paid for by News Limited and to meet with

Lewis and Harmers, including in connection with the commencement of the proceeding.

Particulars

At present Slipper intends to rely on the following emails and text messages between Ashby and ~~other persons~~ Deane, including those set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- On 10 April 2012, Ashby sent Slipper an email stating: "I visited the doctor and they've insisted I have 2 weeks off. I am really concerned with my health at the moment and they're even more so. I will make sure Michelle gets a copy of the doctors certificate this week. I will ask Will to drop it in on his way past if possible. I'll be in touch."
 - 15283 and 15285 from Slipper to Ashby dated 10 April 2012,
 - 15288-15289, 15292-15293, 15296-15297, 15301-15302, 15303-15305 between Ashby and Lewis dated 10 April 2012 in which Lewis states "I will sort out payment" and "Just tell hotel to book u in again and News will sort".
 - 3074 (Chat message) from Ashby to another person in which Ashby states "Lots going on. Just a quick note to say its all about to erupt. Stories likely to start coming out in Thursday's paper. Sexual harassment case likely to come out next week. Legal team meeting me in Sydney at 8pm pro bono."
 - 15322, 15332-15335, 15337-15339 between Slipper and Ashby dated 12 April 2012 in which, in response to an inquiry by Slipper as to the state of Ashby's health, Ashby told Slipper that he was "Pissing blood. Lots of it. Not well", and that he was having tests because "Don't want to risk anything serious".
33. On or about 10 April 2012 Harmers advised Ashby that he should have security measures in place to protect him from threats to his safety or life in connection with the commencement of the proceeding, a proposition which was manifestly nonsensical.

Particulars

At present Slipper intends to rely on the following text message between Ashby and another person set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 15326 from Ashby to another person dated 11 April 2012.
34. On or about 12 April 2012 Harmiers procured for McClellan to manage Ashby's contact with the media, including Lewis, or otherwise recommended that Ashby procure the services of McClellan in this regard.

Particulars

At present Slipper intends to rely on the following text message between Ashby and Doane and McClellan and Lewis set out in the spreadsheet and identified by reference to the number assigned to each message on the spreadsheet:

- 15346, 15348-15350, 15355 between Ashby and Lewis dated 12 April 2012,
- 15340, 15344-15345 from Ashby to Doane dated 12 April 2012,
- 3148, 3150-3154 and 3158-3159 (Chat messages) between McClellan and Ashby dated 12 April 2012.

The manner in which the proceeding was commenced

35. On 16 April 2012 a number of newspaper articles were published in Lewis' name containing allegations of excessive travel expenses incurred by Slipper.
36. The Originating Application under the Fair Work Act 2009 (the Originating Application) was filed in the NSW District Registry of the Federal Court of Australia on 20 April 2012.
37. At 9.54pm on Friday 20 April 2012, Slipper received an email from Harmiers notifying him that the Originating Application had been filed.
38. The email referred to in the preceding paragraph was the first time Slipper had received any notice of the allegations contained in the Originating Application.

39. At the time Slipper received the email referred to in the preceding paragraph he was in New York, a fact which was known to Ashby, and which substantially inhibited Slipper's capacity to respond to any of the allegations in the Originating Application.
40. At 7.18pm on Friday 20 April 2012, Slipper received an email from Lewis with the subject heading "Peter - can u pls call me urgently on [REDACTED], stating "We are running a story involving allegations of sexual harassment - the allegations coming from one of your staff members ... There are also allegations of potential fraud against the Commonwealth, according to court documents. Phone me asap. Steve Lewis".
41. On 20 April 2012, being the same day when the Originating Application was filed, a representative of the Daily Telegraph newspaper applied to the Registry of the Court for access to Court documents in these proceedings, namely the Originating Application, and was granted access to the Originating Application on 20 April 2012. It is to be inferred that, on or before 20 April 2012, the Daily Telegraph newspaper, and Lewis in particular, was informed that the Originating Application would be or had been filed with the Court. At the time of Lewis' e-mail, no request had been made to the NSW District Registry by any person or entity to inspect the Court file in relation to the proceeding, or any document in it. No such request was made until the morning of Monday 23 April 2012. It is to be inferred that a copy of the Originating Application, or information as to its contents, was provided to Lewis by or on behalf of Ashby.
42. Slipper left New York to return to Australia at 6.45pm on 20 April 2012. Upon arriving at Los Angeles airport at 10pm, Slipper was approached by members of the Australian media, including television crews, who questioned him about the proceeding. On arrival at Brisbane airport, Slipper was met by a large number of journalists who questioned him about the proceeding.
43. In the result, it is to be inferred that Ashby and/or McClellan and/or Hammers, or another person acting on Ashby's behalf, informed members of the media, including Lewis, that the Originating Application would be or had been filed with the Court, provided a copy of the Originating Application to members of the media, including Lewis, before it was emailed to Slipper as referred to in paragraph 37.
44. In the alternative to the preceding paragraph, Ashby and/or McClellan and/or Hammers, or another person acting on Ashby's behalf, informed members of the

media, including Lewis, that the Originating Application would be or had been filed with the Court, provided a copy of the Originating Application to members of the media, including Lewis, at the same time or soon after (on 20 April 2012) it was emailed to Slipper as referred to in paragraph 37.

45. The communication to the media release of fact that the Originating Application had been filed in the Court to the media in the manner referred to in paragraphs 43 or 44 was:

- (a) intended to procure the maximum news coverage of the allegations contained in the Originating Application, including by ensuring or maximising the prospect of those allegations being published in the weekend newspapers in order to reach the widest newspaper readership;
- (b) intended to achieve the object in (a) at a time when, to the knowledge of Ashby, Slipper was overseas and without access to legal advice and was thus substantially inhibited in responding to the media reports of the allegations contained in the Originating Application; and
- (c) pursuant to the objects in (a) and (b), calculated to expose Slipper to the maximum degree of vilification, opprobrium, sensation and scandal, and to cause maximum damage to his reputation, to the political advantage of the LNP and Brough.

46. Ashby did not effect personal service of the Originating Application on Slipper in accordance with the rules of the Court until 15 May 2012, almost four weeks after the proceeding had commenced and the Originating Application had been released to the media, and thereby widely publicised.

The abandonment of allegations

47. The Originating Application comprised a Form 81 and was not supported by a statement of claim or affidavit. It contained allegations of five categories of unlawful conduct by the Respondents as follows:

- (a) allegations of sexual harassment by Slipper against Ashby in the period January 2012 – March 2012 (Sexual Harassment Allegations);
- (b) allegations of a sexual relationship between Slipper and another member of his staff in 2003 (2003 Allegations);

- (c) allegations of a contravention of section 351 of the FW Act (**351 Allegations**);
- (d) an allegation that the Applicant's contract of employment had been breached (**Breach of Contract Allegation**); and
- (e) in support of the Breach of Contract Allegation, an allegation that Slipper had fraudulently misused his travel entitlements (**the Criminal Allegations**).

48. As Ashby intended, the allegations referred to in the preceding paragraph received significant national and international media coverage over the weekend of 21 and 22 April 2012, and thereafter.

49. The Originating Application contained the following statement:

The allegations contained in the Application are supported by sworn/affirmed evidence and, in the case of text messages, by independent forensic Information Technology assessment and report.

50. Pursuant to an order of the Court on 18 May 2012 Ashby produced the material referred to in the preceding paragraph, namely, an affidavit of James Hunter Ashby; and two affidavits of Rodney McKemmish (**the sworn evidence**).

51. The statement referred to in paragraph 49 was false, in that the 2003 Allegations were not supported by the sworn evidence.

52. On or about 15 May 2012, two days prior to the first directions for the proceeding, Ashby filed the Statement of Claim in which he abandoned the 2003 Allegations and the Criminal Allegations.

53. In the result, by making, providing to the media and subsequently abandoning the allegations referred to in the preceding paragraph Ashby and Harmers intended to expose Slipper to the maximum degree of vilification, opprobrium, sensation and scandal, and to cause maximum damage to his reputation, to the political advantage of the LNP and Brough.

Genuine Steps

54. On 20 April 2012 Ashby filed an Applicant's Genuine Steps Statement in which it was asserted that (1) "The matter is urgent", and (2) "The matter involves aspects of

victimisation. Alerting the Respondents to the matter would only increase the opportunity for victimisation."

55. As Ashby knew or ought to have known, the assertion referred to in the preceding paragraph is false and untenable in that:

- (a) the majority of the impugned conduct is alleged to have occurred on or before 1 February 2012;
- (b) after the alleged conduct referred to in (a) Ashby remained in the workplace without complaint for a further 6 weeks;
- (c) no acts of "victimisation" are pleaded or alleged in the Statement of Claim;
- (d) to the extent that the Statement of Claim alleges adverse action was taken by Slipper directing Ashby to communicate with him through another staff member, any such direction was manifestly never enforced or followed as described in paragraph 15, and Ashby continued to attend for work and perform his duties as usual and without reprisal or recrimination for more than 6 weeks after the alleged unlawful conduct;
- (e) Ashby manifestly did not regard, and had never regarded himself as being 'victimised' by Slipper in any way that required any remedy or correction, urgent or otherwise, in that he engaged in light-hearted mutual banter of a sexual nature with Slipper in the manner described in paragraphs 12 and 14;
- (f) in the period after 1 February 2012 until the commencement of the proceeding Ashby was engaged in a calculated, duplicitous and deceitful scheme to undermine Slipper to the advantage of the LNP and Brough, and thereby to secure his own prospects of advancement or preferment with the assistance of Slipper's political opponents, in the manner described in paragraphs 16 to 34; and
- (g) for the purpose of engaging in the scheme as described in the paragraphs referred to in (f), Ashby took advantage of his continued employment as a member of Slipper's staff, was grossly disloyal to Slipper, was duplicitous and deceitful in his dealings with Slipper and betrayed the trust and confidence that Slipper had reposed in Ashby and that Ashby had carefully cultivated since mid-2011.

Choice of forum

56. The Statement of Claim substantially consists of the Sexual Harassment Allegations.
57. Ashby made no attempt to utilise the Commonwealth's policy and procedure for complaints about sexual harassment, namely, the "Bullying, Harassment and Workplace Violence Policy and Procedure for MOP(S) Act Employees" which establishes a procedure for employees such as Ashby to make confidential reports of sexual harassment.
58. In addition, if Ashby had genuine complaints (which is denied) then he could have sought redress by lodging a complaint alleging that he had been sexually harassed by Slipper with the Australian Human Rights Commission under the Australian Human Rights Commission Act 1986 (the AHRC Act). He did not do so. If he had done so his complaint would have been subject to a process of conciliation involving a compulsory conference to be held in private pursuant to s 46PK of the AHRC Act.
59. Ashby elected not to lodge a complaint referred to in the preceding paragraph or to attempt to resolve his complaints by utilising the Commonwealth's internal procedures referred to in paragraph 57 in order to better achieve the object of exposing Slipper to vilification, opprobrium, sensation and scandal and reputational damage as described in paragraph 45.

No reasonable cause of action

60. The Statement of Claim fails to disclose a reasonable cause of action against Slipper in that it:
- (a) fails to identify any relevant workplace right within the meaning of s 341 of the Fair Work Act 2009 (FW Act);
 - (b) fails to identify any relevant adverse action within the meaning of s 342(1) of the FW Act; and
 - (c) fails to identify any grounds for alleging accessorial liability on the part of Slipper pursuant to s 550 of the FW Act in that it fails to plead that Slipper had actual knowledge of essential facts of the alleged contraventions of the FW Act including: (1) that the relevant conduct caused Ashby detriment; (2) that Slipper treated Ashby differently because of Ashby's sex or sexual preference; (3) that Slipper treated

other employees who were not men or homosexual differently, and (4) that Ashby had or exercised a relevant workplace right.

61. In the alternative to the preceding paragraph, the Statement of Claim discloses a case against Slipper that is so weak that it would be unfairly oppressive to allow Ashby to continue to prosecute the proceeding against Slipper, having regard to all of the facts and matters discussed above.
62. Even if the Statement of Claim disclosed a prima facie cause of action against Slipper (which is denied), any relief that Ashby could in that event have reasonably expected to obtain against Slipper would be illusory or trivial, and out of all reasonable proportion to the damage that the commencement and prosecution of the proceeding was calculated to inflict on Slipper.
63. Slipper may rely on further matters to establish the abuse of process alleged following the return of subpoenas and the exchange of evidence by the parties.

24-26 June 2012



Slobhan Keating
Legal Practitioner
Maurice Blackburn Lawyers
Solicitors for the Second Respondent

These points of claim were prepared by Ian Neil SC and David Chin, Counsel for the Second Respondent, on the instructions of the Second Respondent.

Affidavit

Federal Court of Australia

No: NSD580/2012

District Registry: New South Wales

Division: Fair Work

JAMES HUNTER ASHBY

Applicant

**COMMONWEALTH OF AUSTRALIA and another according
to the Schedule**
First Respondent

Affidavit of: Siobhan Michelle Keating

Address: 456 Lonsdale Street, Melbourne, Vic, 3000

Occupation: Legal Practitioner

Date: 5 July 2012

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I, Siobhan Michelle Keating, of 456 Lonsdale Street, Melbourne, Legal Practitioner, affirm:

- I am a solicitor in the employ of Maurice Blackburn Lawyers (Maurice Blackburn), which represents the Second Respondent in this proceeding (the Proceeding).

Form 59, Rule 29.02(1)

Filed on behalf of Mr Peter Slipper, the Second Respondent

Prepared by Siobhan Keating, Legal Practitioner

Law firm Maurice Blackburn Lawyers

Tel (03) 9605 2831

Fax (03) 9258 9613

Email jbornstein@mauriceblackburn.com.au

Address for service Level 10, 456 Lonsdale Street, Melbourne, Vic, 3000


Deponent


Taken by

2. The statements set out in this affidavit are made from my information, knowledge and belief based on instructions given to me by the Second Respondent or from my own personal knowledge.
3. [REDACTED]
4. [REDACTED]
5. Also on 4 July 2012 I became aware of a radio interview given by Mr Steve Lewis (Lewis) to broadcaster Chris Smith on 2GB radio.
6. On 4 July 2012 I downloaded a digital recording of that interview from the web address
http://www.2gb.com/index2.php?option=com_newsmanager&task=view&id=12477. I then caused that interview to be transcribed. Annexed hereto and marked SK-2 is a copy of the transcript of that interview.

Affirmed by the deponent
 at Melbourne
 in Victoria
 on 5 July 2012
 Before me:

[Signature]
 Signature of deponent

[Signature]
 Legal Practitioner

KAMAL AROUQUE
 of 456 Lonsdale Street, Melbourne
 an Australian Legal Practitioner
 within the meaning
 of the Legal Profession Act 2004

Federal Court of Australia

NSD580/2012

District Registry: New South Wales

Division: Fair Work

Schedule

JAMES HUNTER ASHBY
Applicant

COMMONWEALTH OF AUSTRALIA
First Respondent

PETER SLIPPER
Second Respondent

Federal Court of Australia No: NSD580/2012

District Registry: New South Wales
Division: Fair Work

JAMES HUNTER ASHBY
Applicant

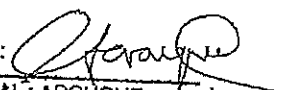
COMMONWEALTH OF AUSTRALIA and another according
to the Schedule
First Respondent

Affidavit of: Siobhan Michelle Keating
Address: 456 Lonsdale Street, Melbourne, Vic, 3000
Occupation: Legal Practitioner
Date: 5 July 2012

CERTIFICATE IDENTIFYING ANNEXURE

This is the annexure marked "SK-2" now produced and shown to Siobhan Michelle Keating at the time of affirming her affidavit on 5 July 2012.

Before me:


PAMALA AROUQUE
of 456 Lonsdale Street, Melbourne
an Australian Legal Practitioner
affirm me meaning
of the Legal Profession Act 2004

Annexure "SK-2"

A copy of an audio transcript
of an interview given by Mr
Steve Lewis

Radio Interview - Transcript

Chris Smith, Broadcaster The man who broke the story in the Telegraph is National Political Correspondent, Steve Lewis. Steve, good afternoon.

Steve Lewis: Good afternoon Chris how are you?

CS: I'm very, very well. How long have you been sitting on this one?

SL: Well...

CS: A year?

SL: I have been reporting on Mr Slipper and his abuse of the public purse for about two years I guess.

CS: Okay, but on the allegations that came forward on Saturday, for how long?

SL: The Court documents they were filed on Friday.

CS: Wow.

SL: You're asking me when I became aware of them and you know the background and mate as much as I'd like to tell you I'm obviously not going to go into any of that detail, you can appreciate that.

CS: James Ashby...did you go to him or did he come to you?

SL: Again I don't want to go into detail about that. Let's just say that we've been in contact for some time.

CS: Has anyone spoken to the taxi driver, Steve?

SL: To the taxi driver? Sorry which taxi driver?

CS: The man who was working with Peter Slipper to take those cab dockets?

SL: Oh I see, yes right the gentleman referred to in the documents...I'm not sure that they have and I'm not sure that this person...I mean I don't know if they are a taxi driver or not.

CS: How do you see this going? Clearly Ashby's allegations will be played out in a High Court, sorry a higher Court and probably it would take a fair amount of time to ascertain the truth or thereabouts but as for cab charge dockets I see this...even Anthony Albanese said an hour ago, pretty simple, go and check 'em.

SL: Yeah, look it's not that...I don't think it's that simple to be honest. I think there is ample evidence of a systematic abuse of the parliamentary entitlements by Mr Slipper and the allegations that Mr Ashby raises in the documents folder in the Federal Court last Friday I believe are but tip of the iceberg and I believe the Department of Finance which is responsible for entitlements and indeed the Australian Federal Police have a responsibility and a duty to have a serious forensic and examination and investigation of

Mr Slipper and his entitlements. I would be very happy to help them... I would be very happy to show them plenty of examples where I believe it can be proven that he has breached the entitlement and...or...

CS: The sequence of events though is the Finance Department needs to send a brief to the Australian Federal Police before the AFP go to you, is that right?

SL: Look, I'm not quite sure what it is... I mean the Department of Finance every month sends every Federal MP a copy of their statement for the month in regards to their travel; and that Federal MP or Senator has to sign off on that and say 'yes, I did all this travel, yes it was all within entitlement' and where they pick up mistakes and mistakes were made by the Department of Finance, then that Federal MP or Senator basically notifies the Department and the Department makes those changes. So every month Peter Slipper and every other Federal MP have to sign off on their entitlements for that particular month. The Department of Finance, when they believe there is a breach of entitlement, then they'll go to that MP and either ask for the money to be returned or if it's a more serious matter then they might go to the AFP; I'm not aware that there are too many examples where the Department of Finance goes to the AFP by the way.

CS: Okay, on a political basis, are we really closer to an earlier election because I get the feeling, hang on a second, Julia Gillard, the government has the presiding vote with the speaker now in place, it doesn't matter what happens to Peter Slipper and they've got 15 months to hang onto that power.

SL: Well look, a number of things on that. There are a number of Labour MPs who I've spoken with who are very, very concerned, not just about the allegations but about the sense or the perception that the government is somehow defending Peter Slipper. Of course it was the government, this government, that basically put Slipper into the role as speaker in late November and there were concerns that this stench, it's just got so bad that it is further damaging the Labour party, which of course is sitting on a primary vote of around 29% so it is in all sorts of trouble as it is. Rob Oakeshot, one of the two cross-bench independents who supported Julia Gillard after the August 2010 election has said or suggested this morning that he may be prepared to consider support for a no confidence motion when Parliament resumes in May when the budget comes up, so you know I think that suggests that things may be... we may be entering a very interesting period in terms of the stability of the Parliament and the ability of the government to survive.

CS: And no doubt a few more stories from you to come on similar issues. Right thank you very much and congratulations on quite a story on Saturday.

SL: Thank you very much. Cheers.

CS: Okay, Steve Lewis, the National Political Correspondent for the Daily Telegraph

Affidavit

Federal Court of Australia

No: NSD580/2012

District Registry: New South Wales

Division: Fair Work

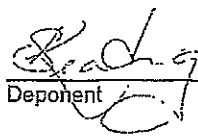
JAMES HUNTER ASHBY
Applicant

**COMMONWEALTH OF AUSTRALIA and another according
to the Schedule**
First Respondent

Affidavit of: Siobhan Michelle Keating
Address: 456 Lonsdale Street, Melbourne, Vic, 3000
Occupation: Legal Practitioner
Date: 19 July 2012

Document number	Details	Paragraph	Page
1.	Affidavit of Siobhan Michelle Keating affirmed 19 July 2012	1 - 22	1 - 7
2.	Annexure SK-1 being a copy of correspondence from Harmers Workplace Lawyers to Maurice Blackburn dated 28 May 2012	4	8 - 10
3.	Annexure SK-2 being a copy of an affidavit of Mr Rodney McKemmish affirmed 24 April 2012	5	11 - 45
4.	Exhibit SK-3 being the CD exhibited to the affidavit of Mr Rodney McKemmish affirmed 24 April 2012 and marked as RDM-2	5	46

Form 59, Rule 29.02(1)

Filed on behalf of Mr Peter Slipper, the Second RespondentPrepared by Siobhan Keating, Legal PractitionerLaw firm Maurice Blackburn LawyersTel (03) 9605 2831Fax (03) 9258 9613Email jbornstein@mauriceblackburn.com.auAddress for service Level 10, 456 Lonsdale Street, Melbourne, Vic, 3000

Deponent


Taken by

5.	Exhibit SK-4 being the CD exhibited to the affidavit of Mr Rodney McKemmish affirmed 24 April 2012 and marked as RDM-3	5	47
6.	Annexure SK-5 being a copy of an e-mail and attached correspondence from Harmers Workplace Lawyers sent to Maurice Blackburn sent at 6:10pm on Tuesday 3 July 2012	7	48 – 51
7.	Annexure SK-6, being a copy of an e-mail without its attachment sent by Siobhan Keating to Kamna Muddagouni internally at Maurice Blackburn and dated 2 July 2012	17	52 – 53
8.	Annexure SK-7 being a copy of an e-mail without its attachment sent by Kamna Muddagouni to Siobhan Keating and dated 2 July 2012	18	54 - 55

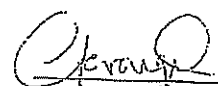
I, Siobhan Michelle Keating, of 456 Lonsdale Street, Melbourne, Legal Practitioner, affirm:

1. I am a solicitor in the employ of Maurice Blackburn Lawyers (**Maurice Blackburn**), which represents the Second Respondent in this proceeding (**the Proceeding**).
2. The statements set out in this affidavit are made from my information, knowledge and belief based on instructions given to me by the Second Respondent or from my own personal knowledge.

Affidavit of Rodney McKemmish

3. On 18 May 2012, Justice Rares made an orders in relation to the Proceeding (18 May Order) including an order that the Applicant serve the documents referred to on page 14 of the originating application filed on 20 April 2012, save for any documents in respect of which a claim for legal professional privilege is made.
4. On or about 29 May 2012 Maurice Blackburn Lawyers received by post correspondence from Harmers Workplace Lawyers (Harmers) dated 28 May 2012 (**the 28 May 2012 Correspondence**). Annexed hereto and marked **SK-1** is a copy of that correspondence.
5. Attached to the 28 May 2012 Correspondence were:
 - (a) an affidavit of Rodney David McKemmish sworn 24 April 2012, including two exhibits to the affidavit in the form of two CD Rom disks marked RDM-2 and RDM-3 respectively (**the McKemmish affidavit**); and


Deponent

 2
Taken by

- (b) an affidavit of Michael Daniel Harmer affirmed 28 May 2012 (the Harmer Affidavit).

Annexed hereto and marked SK-2 is a copy of the McKemmish Affidavit. I hereto exhibit as SK-3 a CD Rom which is the same CD Rom exhibited to the McKemmish Affidavit marked RDM-2. I hereto exhibit as SK-4 a CD Rom which is the same CD Rom exhibited to the McKemmish Affidavit and marked RDM-3.

6. Since the exhibits marked SK-3 and SK-4 were provided to Maurice Blackburn by the Applicant, the contents of those CD Roms have not been copied onto any other CD Rom.

Correspondence with Harmer's Workplace Lawyers in relation to HR Daily Publication

7. [REDACTED]

Preparation of Various Spreadsheets of Communications

8. On or around 6 June 2012, I handed to Ms Emeline Gaske (Gaske), a lawyer in the employ of Maurice Blackburn, the two CD Roms marked as exhibits SK-3 and SK-4. I said to her words to the following effect:

"We are instructed to bring an interlocutory application seeking to strike out the proceeding on the grounds that it constitutes an abuse of process. There is material on at least one of these CDs that supports such an application. RDM-3 contains a spreadsheet of text, chat and MMS messages. I need you to review every message in that spreadsheet in the period 1 January 2012 to 20 April 2012 to identify any material that supports the contention that this proceeding was brought for the purpose of harming our client, or providing assistance to the LNP. There appears to be surrounding messages that lend support. Look for communications with Karen Doane's number along with any that reference these issues, but are to unknown numbers. If you aren't sure whether a message is relevant or not, err on the side of putting it in. Talk to me if you need to.

The second CD is a forensic image of Ashby's iPhone. Please talk to IT and find out how we can access the data on it".

SK-2
Deponent

Harmer
Taken by

9. On or around 10 June 2012 Gaske e-mailed to me a link to a spreadsheet. By "link" I am referring to a link to the central Maurice Blackburn server where all documents relevant to file work are saved. This central server ensures that multiple lawyers can open and amend a single version of a document, and prevents multiple versions of copies of documents being created. The effect is that once a lawyer saves a document into the system, any other lawyer can open that same document. These documents can be shared by a link which can only be opened by someone logged into the Maurice Blackburn IT system.
10. After opening the spreadsheet by clicking on the link, I made minor formatting amendments by:
 - a. changing the font;
 - b. inserting border lines to delineate the messages more clearly; and
 - c. inserting a header row so that the names of the columns appear on each page of the spreadsheet when printed.

I did not make any other changes to the schedule. I did not alter the content of any of the messages recorded in that schedule.
11. I printed out the spreadsheet described above and included it as annexure SK-22 to the affidavit that I affirmed on 12 June 2012.
12. On Monday 2 July 2012, I instructed Ms Kamna Muddagouni (Muddagouni), a Trainee Lawyer in the employ of Maurice Blackburn, to create an updated spreadsheet of communications contained in exhibit SK-4.
13. I said to Muddagouni words to the following effect:

"I need you to undertake two tasks. First, I need you to create a second version of a spreadsheet that I will e-mail to you. Do not amend the version I send you, create a different spreadsheet. Please add to that spreadsheet each of the SMS messages or Chat messages referred to in our Amended Points of Claim that does not already appear in the Spreadsheet. To do that, you will need a CD that has a spreadsheet of SMS, MMS and Chat messages on it. Do not delete or amend the original messages in any way, other than to format them in the same way as the spreadsheet that I will e-mail you shortly."


Deponent


Taken by

14. My reference to "a CD" in my discussion with Muddagouni was a reference to exhibit SK-4. My reference to "a spreadsheet" in my discussion with Muddagouni was a reference to the document that is SK-22 to my affidavit affirmed on 12 June 2012.
15. I then said words to the following effect:
- "Once you have added each of the messages, I then need you to add a new column and insert into that column the number that matches the number assigned to the original message on the CD".*
16. I then handed to Muddagouni the CD marked RDM-3, which is exhibit SK-4.
17. Shortly after the discussion referred to in paragraphs 13 to 15, I sent to Muddagouni an e-mail attaching an Excel Worksheet. That Excel Worksheet was the same document annexed and marked SK-22 to my affidavit affirmed on 12 June 2012. Annexed hereto and marked SK-6 is a copy of that e-mail.
18. On or around 2 July 2012, Muddagouni e-mailed me a link to a spreadsheet. Annexed hereto and marked SK-7 is a copy of that e-mail.
19. I printed out the spreadsheet referred to in the preceding paragraph and included it as annexure SK-1 to my affidavit affirmed on 2 July 2012.
20. On or about 11 July 2012, I asked Muddagouni to check possible errors relating to the reference number associated with three messages, identified by Counsel, in the spreadsheet at annexure SK-1 to my affidavit affirmed on 2 July 2012.
21. On or about 11 or 12 July 2012, I also asked Muddagouni to ensure that all messages in the spreadsheet at annexure SK-1 to my affidavit affirmed on 2 July 2012 were in chronological order and, if not, to put them in chronological order.

On 12 July 2012, Muddagouni e-mailed me an internal link to a spreadsheet that she had corrected in response to my requests referred to in the preceding two paragraphs. I printed out that spreadsheet and included it as annexure SK-2 to an affidavit that I affirmed on 12 July 2012 for the purposes of a hearing on the application of Steve Lewis to set aside a subpoena that had been issued to him in these proceedings.


Deponent

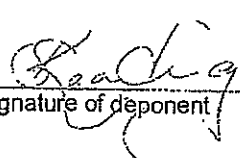

Taken by

22. I have also viewed annexure KM-1 to an affidavit of Muddagouni affirmed on 19 July 2012. Annexure KM-1 to the affidavit of Muddagouni comprises the same schedule that Muddagouni gave to me on 12 July 2012, and which was included as annexure SK-2 to my 12 July 2012 affidavit.

Affirmed by the deponent
at Melbourne
in Victoria
on 19 July 2012
Before me:


Legal Practitioner

KAMALI AROUQUE
of 456 Lonsdale Street, Melbourne
an Australian Legal Practitioner
within the meaning
of the Legal Profession Act 2004


Signature of deponent

Federal Court of Australia

NSD580/2012

District Registry: New South Wales

Division: Fair Work

Schedule

JAMES HUNTER ASHBY
Applicant

COMMONWEALTH OF AUSTRALIA
First Respondent

PETER SLIPPER
Second Respondent

Federal Court of Australia

No: NSD580/2012

District Registry: New South Wales

Division: Fair Work

JAMES HUNTER ASHBY
Applicant

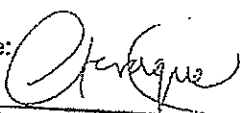
COMMONWEALTH OF AUSTRALIA and another according
to the Schedule
First Respondent

Affidavit of: Siobhan Michelle Keating
Address: 456 Lonsdale Street, Melbourne, Vic, 3000
Occupation: Legal Practitioner
Date: 19 July 2012

CERTIFICATE IDENTIFYING ANNEXURE

This is the annexure marked "SK-1" now produced and shown to Siobhan Michelle Keating at the time of affirming her affidavit on 19 July 2012.

Before me:


KAMAL AROUQUE
of 456 Lonsdale Street, Melbourne
an Australian Legal Practitioner
within the meaning
of the Legal Profession Act 2004

Annexure "SK-1"

**A COPY OF CORRESPONDENCE
FROM HARMERS WORKPLACE
LAWYERS TO MAURICE
BLACKBURN DATED 28 MAY 2012**

HARMERS

Workplace Lawyers

- Change Management
- Industrial Relations
- Employment
- Occupational Health & Safety
- Human Rights & Equal Opportunity
- Legal Risk Management

Our ref: MDH:GKR:20121209

28 May 2012

Australian Government Solicitor
50 Blackall St
BARTON ACT 2600

Attention: Sarah Wright /
Catherine Mann

By express post and by email:
sarah.wright@ags.gov.au /
catherine.mann@ags.gov.au

Maurice Blackburn
Level 10, 456 Lonsdale Street
MELBOURNE VIC 3000

Attention: Siobhan Keating /
Josh Bornstein

By express post and by email:
skeating@mauriceblackburn.com.au /
jbornstein@mauriceblackburn.com.au

Dear Colleagues,

JAMES ASHBY v COMMONWEALTH OF AUSTRALIA & ANOR (NSD580/2012)

We refer to the order made by his Honour Justice Rares on 18 May 2012 that the Applicant "serve [...] on or before 28 May 2012, [...] the documents referred to on page 14 of the Originating Application filed on 20 April 2012 save for documents subject to a claim for privilege, which claim is to be supported by an affidavit served at the same time."

In accordance with his Honour's orders, we enclose, by way of service, copies of the following documents:

- 1 Affidavit of Rodney David McKemmish sworn 24 April 2012 (including the two exhibits to the affidavit); and
- 2 Affidavit of Michael Daniel Harmer affirmed 28 May 2012 (excluding the confidential exhibit to the affidavit).

In relation to (1) above, we note that an initial report was prepared by PPB Advisory on 13 April 2012 prior to the filing of the Originating Application on 20 April 2012. Subsequent to

MELBOURNE
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417 Collins Street
Melbourne VIC 3000
PO Box 632 Collins St West
Melbourne VIC 8007
Telephone: (03) 9612 2300
Facsimile: (03) 9612 2301
Email: melbourne@harmers.com.au

SYDNEY
Level 28, St Martins Tower
31 Market Street
Sydney NSW 2000
PO Box Q548 QVB
Sydney NSW 1230
Telephone: (02) 9267 4322
Facsimile: (02) 9264 4295
Email: sydney@harmers.com.au
www.harmers.com.au

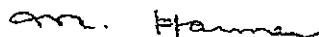
BRISBANE
Suite 14, Level 10
320 Adelaide Street
Brisbane QLD 4000
GPO Box 111
Brisbane QLD 4001
Telephone: (07) 3016 8000
Facsimile: (07) 3016 8001
Email: brisbane@harmers.com.au

1639607_1.DOC

that, PPB Advisory prepared a further report dated 24 April 2012. Mr McKernmish's affidavit annexes both reports.

Yours faithfully

HARMERS WORKPLACE LAWYERS



Michael Harmer



Kit Yap

Federal Court of Australia No: NSD580/2012

District Registry: New South Wales
Division: Fair Work

JAMES HUNTER ASHBY
Applicant


**COMMONWEALTH OF AUSTRALIA and another according
to the Schedule**
First Respondent

Affidavit of: Siobhan Michelle Keating
Address: 456 Lonsdale Street, Melbourne, Vic, 3000
Occupation: Legal Practitioner
Date: 19 July 2012

CERTIFICATE IDENTIFYING ANNEXURE

This is the annexure marked "SK-2" now produced and shown to Siobhan Michelle Keating at the time of affirming her affidavit on 19 July 2012.

Before me:


YAMAL AROUQUE
of 456 Lonsdale Street, Melbourne
an Australian Legal Practitioner
within the meaning
of the Legal Profession Act 2004

Annexure "SK-2"

**A COPY OF AN AFFIDAVIT OF MR
RODNEY MCKEMMISH AFFIRMED
24 APRIL 2012**

Form 59
Rule 29.02(1)

Affidavit

No. NSD580 of 2012

Federal Court of Australia
District Registry: New South Wales
Division: Fair Work

James Hunter Ashby
Applicant

The Commonwealth & Anor
Respondents

Affidavit of: **Rodney David McKemmish**
Address: Level 46, MLC Centre, 19 Martin Place SYDNEY NSW 2000
Occupation: Partner
Date: 24 April 2012

Contents

Document number	Details	Paragraph	Page
1	Affidavit of Rodney David McKemmish sworn on 24 April 2012	N/A	1
2	Annexure RDM-1, being a copy of a curriculum vitae dated January 2012.	6	5
3	Exhibit RDM-2, being a copy of a forensic image of all readable data contained in the iPhone as at about 12:30pm on 13 April 2012.	8(a)	N/A
4	Exhibit RDM-3, being a copy of a forensic extract of all of the SMS, MMS, Chat and Status Updates data contained in	8(b)	N/A

Filed on behalf of (name & role of party) James Hunter Ashby, Applicant
Prepared by (name of person/lawyer) Michael Daniel Harmer / Gregory Keith Robertson
Law firm (if applicable) Harmers Workplace Lawyers
Tel (02) 9267 4322 Fax (02) 9264 4295
Email michael.harmer@harmers.com.au / greg.robertson@harmers.com.au
Address for service (include state and postcode) Harmers Workplace Lawyers, Level 28, St Martins Tower, 31 Market Street, SYDNEY, NSW, 2000

[Form approved 01/08/2011]

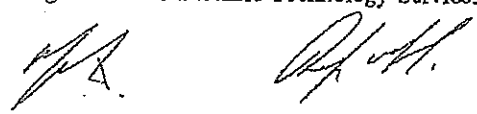
Document number	Details	Paragraph	Page
	the iPhone as at about 12:30pm on 13 April 2012		
5	Annexure RDM-4, being a copy of PPB's report dated 13 April 2012	9	12
6	Annexure RDM-5, being a copy of PPB's report dated 24 April 2012	11	19

I, Rodney David McKemmish, of Level 46, MLC Centre, 19 Martin Place SYDNEY NSW 2000, Partner, swear as follows:

- 1 I have read, understood and complied with "*Practice Note CM 7 – Expert Witnesses in Proceedings in the Federal Court of Australia*".
- 2 I am currently a Partner of PPB Advisory ("PPB") and the national head of the firm's IT Forensics practice. PPB is a professional advisory firm which provides a range of professional advisory services, including (but not limited to):
 - (a) providing strategic and financial advice;
 - (b) leading major transactions involving changes of ownership or capital structures;
 - (c) advising on complex business restructures and turnarounds;
 - (d) undertaking forensic investigations; and
 - (e) providing insolvency services to companies and individuals.

TRAINING, STUDY AND EXPERIENCE

- 3 I hold a Bachelor of Business (Business Administration) from RMIT University, which I obtained in 1997. In addition, I have held a Microsoft A+ Certification since 2000. I was made a Fellow of the Donald Mackay Churchill Fellowship in 1998 for international research into computer forensic techniques. I also co-authored the book "*Computer and Intrusion Forensics*", published in 2003 by Artech House, Inc.
- 4 I have worked in Computer Forensics for over 20 years, including approximately 11 years' experience with KPMG leading the firm's Forensic Technology Services, and



approximately 2 years' experience with e.law as National Leader of e.forensics. I was also a member of the Victoria and Queensland Police Forces for 13 years, where I focused on the forensic examination of computer systems for the Computer Crime Investigation Squad in Victoria, and was the officer in charge of the Queensland Police Service Forensic Computer Examination Unit.

- 5 During my 20 years' experience in computer forensics, I have provided a broad range of computer forensics services including acquiring and examining electronic data contained in smartphones, such as the Apple iPhone, in a forensically sound manner.
- 6 Annexed and marked "Annexure RDM-1" is a copy of my curriculum vitae as at January 2012.

FIRST IT FORENSICS REPORT

- 7 On or about 12 April 2012, PPB was instructed by Hammers Workplace Lawyers to undertake a forensic examination of an iPhone said to belong to the Applicant (the "iPhone") and prepare a report.
- 8 The forensic examination produced the following:
- (a) a forensic image of all readable data contained in the iPhone as at about 12:30pm on 13 April 2012 (a true copy of which is contained in the CDROM exhibited to me and marked "Exhibit RDM-2"); and
 - (b) a forensic extract of all of the SMS, MMS, Chat and Status Updates data contained in the iPhone as at about 12:30pm on 13 April 2012 (a true copy of which is contained in the CDROM exhibited to me and marked "Exhibit RDM-3").
- 9 Annexed and marked "Annexure RDM-4" is a true copy of PPB's report dated 13 April 2012. The report dated 13 April 2012 is wholly or substantially based upon my expert specialised knowledge.

SECOND IT FORENSICS REPORT

- 10 On or about 18 April 2012, PPB was instructed by Hammers Workplace Lawyers to forensically examine the iPhone to determine whether data regarding SMS, MMS, Chat



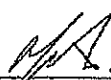
and Status Updates, had been modified in an unauthorised manner prior to about 12:30pm on 13 April 2012.

- 11 Annexed and marked "Annexure RDM-5" is a true copy of PPB's report dated 24 April 2012. The report dated 24 April 2012 is wholly or substantially based upon my expert specialised knowledge.

Affirmed by the deponent
at Sydney
in New South Wales
on 24 April 2012
Before me:

)
)
)
)
)

Signature of deponent



Signature of witness

Megan Cant, Solicitor

Annexure Certificate

Federal Court of Australia
District Registry: New South Wales
Division: Fair Work

No. NSD580 of 2012

James Hunter Ashby
Applicant

The Commonwealth & Anor
Respondents

This is the annexure marked **RDM-1** produced and shown to **RODNEY DAVID MCKEMMISH** at the time of swearing his affidavit on 24 April 2012.

January 2012

Rodney McKemmish

Partner, PPB Advisory

Work History

August 2011 -

- Partner, Forensic Technology, PPB Advisory

April 2008 – July 2011

- Director, Forensic Technology services, KPMG Australia
- Asia Pacific Co-ordinator, Forensic Technology services KPMG

March 2006 – April 2008

- Head of e.forensics, <e.law> Australia

August 1999 – March 2006

- Director, Forensic Technology services, KPMG Australia
- Asia Pacific Co-ordinator, Forensic Technology services KPMG

September 1997 – August 1999

- Senior Sergeant in Charge, Forensic Computer Examination Unit, Queensland Police Service

February 1986 – September 1997

- Constable and Senior Constable, Victoria Police Force (General policing duties)
- Detective Senior Constable, Fraud Squad (1 year)
- Detective Senior Constable, Computer Crime Investigation Squad (6.5 years)

Computer Forensic experience

I have over 20 year's continuous experience as a Computer forensic specialist, providing computer forensic services in support of both criminal prosecutions and civil litigation. These services involve the following activities:

- The provision of forensic analysis in support of technologically complex matters;
- The extraction of transactional data from enterprise wide systems;
- The recovery of deleted or corrupted data;

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- The provision of expert testimony with respect of the electronic evidence issues;
- The extraction and analysis of financial and other transactional data for suspicious and or anomalous behaviour;
- The provision of expert reports and opinion as pertains to computer forensic issues and associated IT issues;
- Project manage, both in Australia and throughout Asia Pacific, the collection of electronic data for use as evidence in civil proceedings;
- Measure differing sets of source code to determine commonalities and differences;
- Performance testing of software applications to determine functionality and performance parameters;
- The development of suitable incident response guidelines and methodologies;
- The development of forensic protocols for inclusion in disaster recovery and business continuity plans.
- Undertaking and overseeing research into and the development of advanced forensic techniques.

I have given expert opinion evidence in various courts throughout Australia. These include the Federal Court of Australia, the Supreme Court of New South Wales, various state Magistrates courts, and the Australian Industrial Relations Commission.

Summary of technical experience

Computer Forensics & Information Technology

I have extensive experience with a range of computer forensic and data recovery tools. These include:

- EnCase
- Forensic Toolkit
- Autopsy
- Helix
- iLook
- xWays

Complementing this experience is a detailed understanding of operating system and application behaviour, data communication protocols, file-system structures, file artefacts and meta-data behaviour.

I am proficient in a number of programming and scripting languages. These languages include Assembler, C, C++, Basic, Visual Basic, Delphi, PHP, and Java. I regularly author forensic tools for use in the recovery of data and the reconstruction of user activity.

I am experienced in the extraction of data from a wide range of backup tape formats and archiving software applications. This includes the use of dedicated forensic tape recovery tools, as well as the building of native environments for tape restoration purposes.

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In addition to my computer forensic work, I have also been called upon to undertake performance testing of software applications to determine functionality and to measure performance parameters, for the purposes of preparing an experts report. Additionally, I have also prepared expert reports in respect of differences between differing sets of source code for the purposes of identifying commonalities and differences.

Electronic discovery

In respect of electronic discovery, I have both practical and project management experience in the collection and processing of electronic data in response to discovery orders issued by courts both in Australia and the United States of America. This experience not only covers the actual collection of data, but also includes developing collection methodologies and project managing electronic discovery exercises within Australia and the Asia Pacific region.

Data Analytics

I have extensive experience in applying data analytical and data mining techniques to the analysis of both financial and transactional data. Typically this involves the extraction of financial and transactional data from a wide range of corporate accounting and database management systems, for the purpose of analysing the data to identify hidden relationship and or fraudulent or anomalous activity. Examples of analytical tools and database management systems that I have used are Microsoft SQL server, IDEA, ACL, and MySQL.

Additionally I have co-authored a book on "Computer and Intrusion Forensics", writing a chapter on data mining techniques and fraud detection systems. I also provide guest lectures on the subject to the Queensland University of Technology.

Research Activities

- In 1998 I completed an international research project on forensic computing, under the auspices of the 1998 Donald Mackay Churchill Fellowship. During my research project I attended the leading law enforcement agencies actively involved in forensic computing and electronic evidence in the USA, Canada, Europe and the Middle East.
- Over the past 5 years I have acted as associate supervisor to both Honours and PhD students undertaking research into computer forensic processes and techniques.

Academic experience

- 2004 – 2010 Casual and guest lecturer at the Queensland University of Technology, lecturing on data mining techniques and concepts, and computer forensics.
- 2002 – 2010 Guest lecturer at the University of New South Wales, lecturing on computer forensics.

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- Assisted the University of Queensland and KPMG School of Business Forensics, with designing a course on computer forensics and data mining for fraud.

Committees

- 2004 – 2007 Member of the program committee, Computer Forensic Stream, AusCERT annual conference. Role: Review and critique research papers submitted for inclusion in the Computer Forensic stream at each annual conference.
- Member of the 2005 program committee for the SADFE 2005 "Systematic Approaches to Digital Forensic Engineering" workshop held in Taiwan. Role: Review and critique research papers submitted for inclusion in the forensic stream of the workshop.
- Member of the Industry Advisory Group for the School of Information Systems, Technology and Management, University of New South Wales. Role: To assist the University of New South Wales with developing curriculum and undertaking research that is relevant to the private sector.
- Member of the 2007 Technical Advisory Group for the Australian Institute of Criminology's 2007 Cybercrime survey.

Papers and publications:

I have delivered, to industry and law enforcement, a number of papers on a wide range of topics relating to computer crime and computer forensics. Of particular note are the following papers:

- "Binary Imaging" – 3rd International Law Enforcement conference on Computer Evidence.
- "Developing Computer Forensic Techniques & Tools" – 1st Interpol Asian Working Party on Computer Crime.
- "Forensic Computing" – 1998 National Symposium on Forensic Computing and Computer Crime Investigation.
- "What Is Forensic Computing" – Australian Institute of Criminology, Trends & Issues paper No. 118, June 1999.
- "Computer Forensics – Building a computer forensic model and confronting key issues" – 16th International Symposium on Forensic Sciences, May 2002.
- "When is computer evidence forensically sound?", Fourth Annual, IFIP WG11.9 International conference on Digital Forensics, Kyoto, Japan, February 2008.

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Books

- "Computer and Intrusion Forensics", authored by George Mohay, Alison Anderson, Byron Collie, Olivier de Vel, and Rodney D. McKemmish, and published by Artech House (ISBN 1-58053-369-8).

Book Chapters

- When is Digital Evidence Forensically Sound? – "IFIP International Federation for Information Processing", 2008 Edition, Springer Boston (ISBN 978-0-387-842927-0).

Qualifications

Bachelor of Business (Royal Melbourne Institute of Technology).

A+ Certification, CompTIA Certification Program.

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KEY PAPERS PRESENTED & PRESENTATIONS DELIVERED:

- 10/11 "The forensics of Social Networks", PPB Advisory Insights.
- 05/08 "The malware did it! A forensic look at the malware defence", Internet Law Bulletin, Volume 11 Number 2, May 2008.
- 02/08 "When is computer evidence forensically sound?", Fourth Annual, IFIP WG11.9 International conference on Digital Forensics, Kyoto, Japan, February 2008.
- 12/07 "Silent Witness: the forensics of IP theft", Australian Intellectual Property Law Bulletin, Volume 20, Number 6, December 2007.
- 12/06 Law Tech Master Class program "Electronic discovery and forensics".
- 11/06 Australian Corporate Lawyers Association National conference, "Computer forensics in electronic discovery".
- 07/05 Queensland University of Technologies research centre "Research Network for a Secure Australia" - Computer Forensics Workshop - presented on "Fraud Detection Techniques and computer forensics".
- 07/04 Australian Institute of Company Directors, Directors Briefing, "Electronic Chaos - how IT systems misuse can increase your risk profile"
- 05/03 CPA Financial Crimes Summit, "Computer Forensics"
- 10/02 Australian and New Zealand Society of Criminology, 16th Annual conference. "New Developments in Cybercrime - The Role of the private sector in responding to cybercrime"
- 05/02 16th International Symposium on the Forensic Sciences:
3 hour workshop - "Searching for electronic evidence"
Keynote address - "Computer Forensics -- Methodology, Technology and the Law"
Present paper: "Computer Forensics - Building a computer forensic model and confronting key issues"
- 03/02 Hack 2002 conference (Melbourne and Sydney) - "Computer Forensics - the search for electronic evidence".
- 09/01 6th Annual conference of the International Association of Prosecutors - "Cyber Crime - Confronting Electronic Evidence"
- 11/00 17th Annual Company Secretaries conference - "Is your electronic data safe? An introduction to computer forensics"
- 11/00 IQPC conference on Cyber Crime - 3hr workshop "Integrating computer forensics into your internet response plan".

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10/00 Australasian Institute of Chartered Loss Adjusters, 2000 annual conference - *"Computer Forensics, finding the missing link."*

08/00 Australian Institute of Criminology - Fraud prevention and Control - *"Computer forensics and fraud control"*.

07/00 LAAMS conference on Discovery and admissibility of electronic evidence - *"Computer forensics - the search for electronic evidence"*.

03/00 Institute of Internal Auditors - Australia, SOPAC 2000, Annual conference - *"Computer forensics"*.

11/99 Australian Securities and Investment Commission and Commonwealth DPP bi-annual workshop - *"Electronic evidence issues"*

07/99 Commonwealth and Western Australian DPP annual conference - *"Computer forensics and electronic evidence"*

06/99 Forum of Incident Response and Security Teams (FIRST) International conference on computer security - *"Forensic computing tools: their nature, adequacy and development"*.

11/98 National Police Research Unit, National symposium on Forensic Computing and Computer Crime Investigation:

- Delivered opening address (as chairman of the Australasian Computer Crime Managers Group).
- Presented paper on Forensic Computing
- Chaired session on Development of New Forensic Tools
- Presentation on Developments in Forensic Computing.

11/98 Australian Society of CPAs, Australian Mining Conference 1998, presentation on *"Dealing with Computer Crimes"*.

10/98 Telstra Big Pond, Internet Fraud and Related Crime conference, present paper on *"Forensic Computing - Using Technology to Fight Internet Crime"*

2/97 Interpol 1st Asian Working Party on Computer Crime, presentation on *"Developing Computer Forensic Techniques and Tools"*.

7/96 COMMON AUSTRALASIA, paper delivered on *"Computer Crime"*.

2/96 3rd International Law Enforcement Conference on Computer Evidence, paper outlining my research into *"Binary Imaging"*.

2/95 National Police Research Unit Computer Investigation Techniques Workshop, paper delivered on *"Computer Forensics"*.

7/94 COMMON AUSTRALASIA (Official IBM Midrange User Group) paper delivered on *"Computer Crime"*.

Annexure Certificate

Federal Court of Australia
District Registry: New South Wales
Division: Fair Work

No. NSD580 of 2012

James Hunter Ashby

Applicant

The Commonwealth & Anor

Respondents

This is the annexure marked RDM-4 produced and shown to RODNEY DAVID MCKEMMISH at the time of swearing his affidavit on 24 April 2012.

IT Forensic report

Forensic analysis of iPhone
Belonging to James Ashby

13 April 2012

Prepared by

Yian Sun / Rodney McKemmish
PPB Advisory

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Scope of Work

Background & instructions

1. On Thursday 12 April 2012, PPB Advisory was engaged by Harmers Workplace Lawyers to undertake a forensic examination of an iPhone belonging to Mr James Ashby. Specifically we were instructed to:
 - a) Obtain a forensic image (copy) of the iPhone; and
 - b) Forensically extract from the forensic image all SMS messages.

Limitations as to Scope

2. Whilst our engagement has involved a review of information provided to us, it should be noted that our work does not constitute an audit of said information and as such no assurance is provided in this report.
3. Statements of opinions contained in the report are given in good faith but, in the preparation of the assessment, we have relied upon the information provided which we understand and believe to be reliable, complete and not misleading
4. PPB Advisory disclaim liability to any other person relying upon this report, other than for the purpose for which the report has been prepared, this report may not be disclosed or copied to any other person other than listed above without either my or PPB's express written authority.

Sources of information

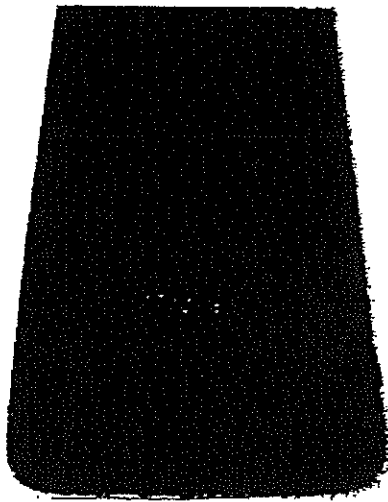
5. In preparing this report, we have relied upon and or considered the following information:
 - a) A forensic analysis of an Apple iPhone.

Mobile phone Analysis

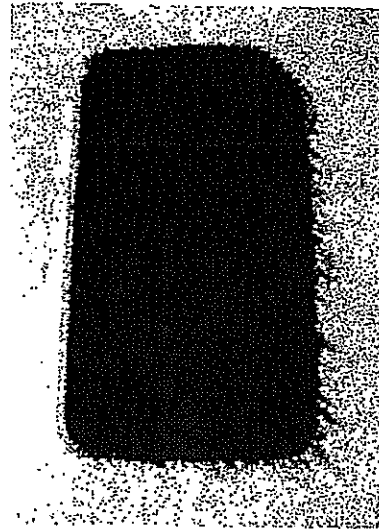
Mobile phone details

6. Details of the iPhone as examined are as follows

Device Name	Apple iPhone 4 GSM (A1332)
Manufacturer	Apple
Model	iPhone4 GSM (A1332)
Revision	5.1 (9B176)
Mobile Id (IMEI)	012418003860319
Subscriber Id (IMSI)	505013479339560
Network Code (from IMSI)	Telstra Corporation Ltd., Australia (50501)
Device GMT Offset	Australia/Sydney
SIM Identification (ICCID)	89610180995741000018
Serial Number	840377X2A4T
Activation State	WildcardActivated
Unique Device Id	8b964a0b14d5b0449f76ce16a8555346f2437c29
SIM Status	Ready
Baseband Version	04.11.08
Storage Capacity	28.5 GB
Storage Available	24.7 GB
WiFi Address	cc:08:e0:79:0e:bf
Bluetooth Address	cc:08:e0:79:0e:be
Model Number	MC605
Device Status	Not Jailbroken
Number	[REDACTED] James Ashby



Rear view with cover removed



Front view with cover on

Analysis overview

7. The iPhone was forensically examined using the forensic phone analysis platform, XRY (Version 6.2.1). The iPhone was connected to the XRY system at 12:30PM on 13 April 2012.
8. The forensic examination was conducted by Mr. Yian Sun, Manager, PPB Advisory, under the supervision of Mr. Rodney McKemmish, Partner, PPB Advisory.
9. An extraction of SMS, MMS, Chat and Status Updates was then performed. Arising from this process a report in the form of an Excel Spread sheet (the "spread sheet report") was produced. On 13 April 2012, this spread sheet was handed to Harmers Workplace lawyers for review¹.

SMS Messages

10. The information extracted for SMS messages includes:

- The originating phone number
- The message
- Time message sent/received
- Whether read / sent
- Location (i.e. inbox, sent items etc.)
- Whether deleted

¹ NOTE: Dates and times associated with the sending or receiving of messages, as detailed in the spread sheet report, are in U.S. date format (i.e. MM/DD/YYYY) and the times are in UTC or Greenwich Mean Time.

11. A total of 15,400 SMS message entries were retrieved

MMS Messages

12. The information extracted for MMS messages includes:

- Who the message is from
- Who the message is to
- Time message sent/received
- Whether read / sent
- Location (i.e. inbox, sent items etc.)

13. A total of 210 discrete MMS messages were retrieved

Chat Messages

14. The information extracted for Chat messages includes:

- The type of chat program used
- Who the message was sent to
- Who the message was from
- Time message sent/received
- Whether read / sent
- Location (i.e. inbox, sent items etc.)

15. A total of 2879 chat messages were retrieved

Social Media Updates

16. The information extracted for Social media updates includes:

- The Social Media platform
- The content of the update
- Time message sent/received
- Social media account name

17. A total of 999 Social Media updates

18. In addition to the above analysis, a detailed logical image (copy) was taken of the entire contents of the iPhone. This logical image was not subjected to any forensic analysis.

19. Two instances of the various forensic copies were then placed on DVD. These DVD's together with the spread sheet report were then provided to Harmers. PPB Advisory did not retain any copies of material extracted from the iPhone.

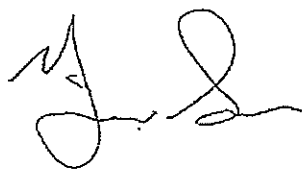
Observations

20. Arising from our analysis we note the following:

- a) The devices status as detailed in the XRY report (refer "Mobile Phone Details" section above) shows that the iPhone had not been "Jailbroken". Jailbreaking is a term used to describe the method in which a customised operating system kernel is installed over an existing iPhone operating system, thereby eliminating various limitations and restrictions within the iPhone. Jailbreaking is typically used to gain unrestricted access to the phones programs and data, thereby allowing third party programs to be installed.

From our experience Jailbreaking is the most common method employed if someone wanted to gain access to the various files located on the iPhone and manipulate them. Such files include the SQL Lite databases that contain the SMS messages, MMS messages etc..

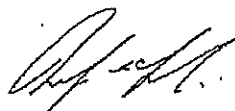
Report Dated: 13 April 2012



Signed:

Yian Sun

Manager, PPB Advisory



Signed:

Rodney McKemmish

Partner, PPB Advisory

Annexure Certificate

Federal Court of Australia
District Registry: New South Wales
Division: Fair Work

No. NSD580 of 2012

James Hunter Ashby
Applicant
The Commonwealth & Anor
Respondents

This is the annexure marked RDM-5 produced and shown to RODNEY DAVID MCKEMMISH at the time of swearing his affidavit on 24 April 2012.

IT Forensic report
Forensic analysis of iPhone
Belonging to James Ashby

24 April 2012

Prepared by

Ylan Sur / Rodney McKemmish
PPB Advisory

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Scope of Work

Background & instructions

1. On Thursday 12 April 2012, PPB Advisory was engaged by Harmers Workplace Lawyers to undertake a forensic examination of an iPhone belonging to Mr James Ashby ("the Ashby iPhone"). Specifically we were instructed to:
 - a) Obtain a forensic image (copy) of the iPhone; and
 - b) Forensically extract from the forensic image all SMS messages.
2. On Friday 13 April 2012 a report ("first report") was prepared providing details of the forensic examination of the Ashby iPhone and the results of said examination. The first report also contained an observation in respect of the state of the phone's operating system.
3. Subsequent to the first report, and after being provided with the data we handed over on completion of our first report, we have undertaken a further forensic examination of the SMS message database as recovered from the Ashby iPhone, for the purposes of establishing the integrity of the messages contained therein.
4. This report details the results of our forensic examination of the SMS message database as located on the Ashby iPhone.

Limitations as to Scope

5. Whilst our engagement has involved a review of information provided to us, it should be noted that our work does not constitute an audit of said information and as such no assurance is provided in this report.
6. Statements of opinions contained in the report are given in good faith but, in the preparation of the assessment, we have relied upon the information provided which we understand and believe to be reliable, complete and not misleading. In the event that additional information should be provided to us, we reserve the right to consider such additional information and should we deem it necessary, amend our findings accordingly.
7. PPB Advisory disclaim liability to any other person relying upon this report, other than for the purpose for which the report has been prepared, this report may not be disclosed or copied to any other person other than listed above without either my or PPB's express written authority.

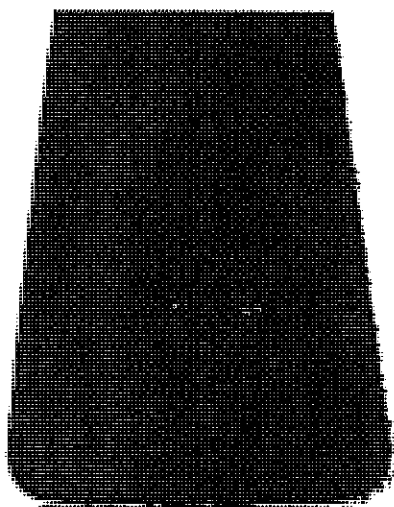
Sources of Information

8. In preparing this report, we have relied upon and or considered the following information:
 - a) A forensic analysis of an Apple iPhone (the Ashby iPhone); and
 - b) The content of "Originating application under the Fair Work Act 2009 alleging discrimination" between James Hunter Ashby and The Commonwealth of Australia and Peter Slipper, dated 20 April 2012 ("the Ashby application").

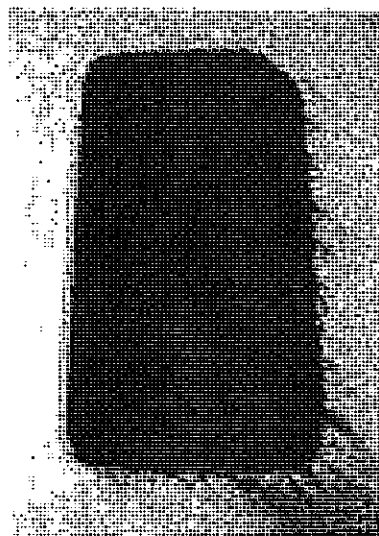
Mobile phone details

9. Details of the iPhone as examined are as follows

Device Name	Apple iPhone 4 GSM (A1332)
Manufacturer	Apple
Model	iPhone 4 GSM (A1332)
Revision	5.1 (98176)
Mobile Id (IMEI)	012418003860319
Subscriber Id (IMSI)	505013479339560
Network Code (from IMSI)	Telstra Corporation Ltd., Australia (50501)
Device GMT Offset	Australia/Sydney
SIM Identification (ICCID)	89610180995741000018
Serial Number	840377X2A4T
Activation State	WildcardActivated
Unique Device Id	8b964a0b14d5b0449f76ce16a8555346f2437c29
SIM Status	Ready
Baseband Version	04.11.08
Storage Capacity	28.5 GB
Storage Available	24.7 GB
WiFi Address	cc:08:e0:79:0e:bf
Bluetooth Address	cc:08:e0:79:0e:be
Model Number	MC60S
Device Status	Not Jailbroken
Number	[REDACTED] James Ashby



Rear view with cover removed



Front view with cover on