

Form 59
Rule 29.02(1)

Affidavit

No. NSD103 of 2023

Federal Court of Australia
District Registry: New South Wales
Division: General

BRUCE LEHRMANN

Applicant

NETWORK TEN PTY LIMITED (ACN 052 515 250) and another

Respondents

Affidavit of: **Taylor Auerbach**

Address: c/- Giles George, Level 7, 135 King Street, Sydney NSW 2000

Occupation: Producer and journalist

Date: 31 March 2024

I, Taylor Auerbach, c/- Giles George, Level 7, 135 King Street, Sydney, Producer, say on oath:

1. On 30 March 2024, I swore an affidavit for use in these proceedings (**Earlier Affidavit**).
2. The purpose of this affidavit is to clarify certain aspects of my Earlier Affidavit.
3. In paragraph 15 of my Earlier Affidavit, I describe documents I located on my iCloud being the documents that are exhibited by way of Confidential Exhibit TA-1.
4. The document referred to in paragraph 15(b) of my Earlier Affidavit, being a Cellebrite extraction report of texts between Brittany Higgins and Ben Dillaway, was provided to me by the applicant by either WhatsApp or AirDrop. I have examined the metadata of that document and cannot determine how it was sent to me. Annexed hereto and marked **E** is a copy of the metadata of that document that shows it was created at 5.02pm on 30 March 2022.



taylor auerbach

Filed on behalf of (name & role of party)	Taylor Auberach
Prepared by (name of person/lawyer)	Rebekah Giles
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Address for service (include state and postcode)	Level 7, 135 King Street, Sydney NSW 2000

[Subject to s 136 limitation]

5. In respect of the documents referred to in paragraph 15(c) of my Earlier Affidavit, being photographs of a document on a laptop being screenshots of text messages between Peter Fitzsimmons and Brittany Higgins, I know that the photographs were taken by Mark Llewellyn in a house rented in my name for the applicant in Randwick on 4 March 2023 because I have examined the metadata of the photographs which show the precise location that the photographs were taken and the date they were taken. I also recognise Mark Llewellyn’s image in the reflection of the laptop screen in the photographs. Annexed hereto and marked Annexure F is a copy of the metadata for one of the photographs that is representative of the metadata of all of the photographs that I have reviewed.


[REDACTED]

7. In paragraphs 19 and 20 I outlined why I deleted documents in my possession in relation to the applicant. The reason why there were documents for me to delete after the episode aired is that there were documents (including messages and files) that were created after my first attempt to delete documents. I did not realise until my lawyers asked me to search my records that there were other documents in my possession that I had not deleted.

8. I have prepared this affidavit at the request of Network Ten for use only in these proceedings and only to the extent the Court considers this evidence relevant.

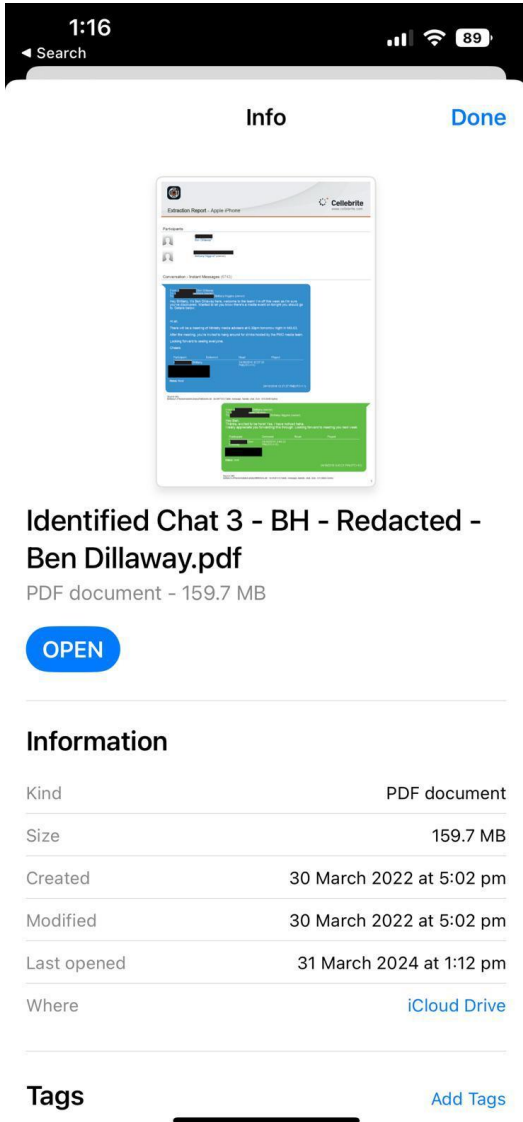
Sworn by the deponent)
in Auckland, New Zealand)
by audio visual link)
On 31 March 2024)
Before me:)

taylor averbach
Signature of deponent


Signature of witness
Rebekah Ruth Giles

This document was signed in counterpart and witnessed over audio video link in accordance with s 14G of the Electronic Transactions Act 2000 (NSW).

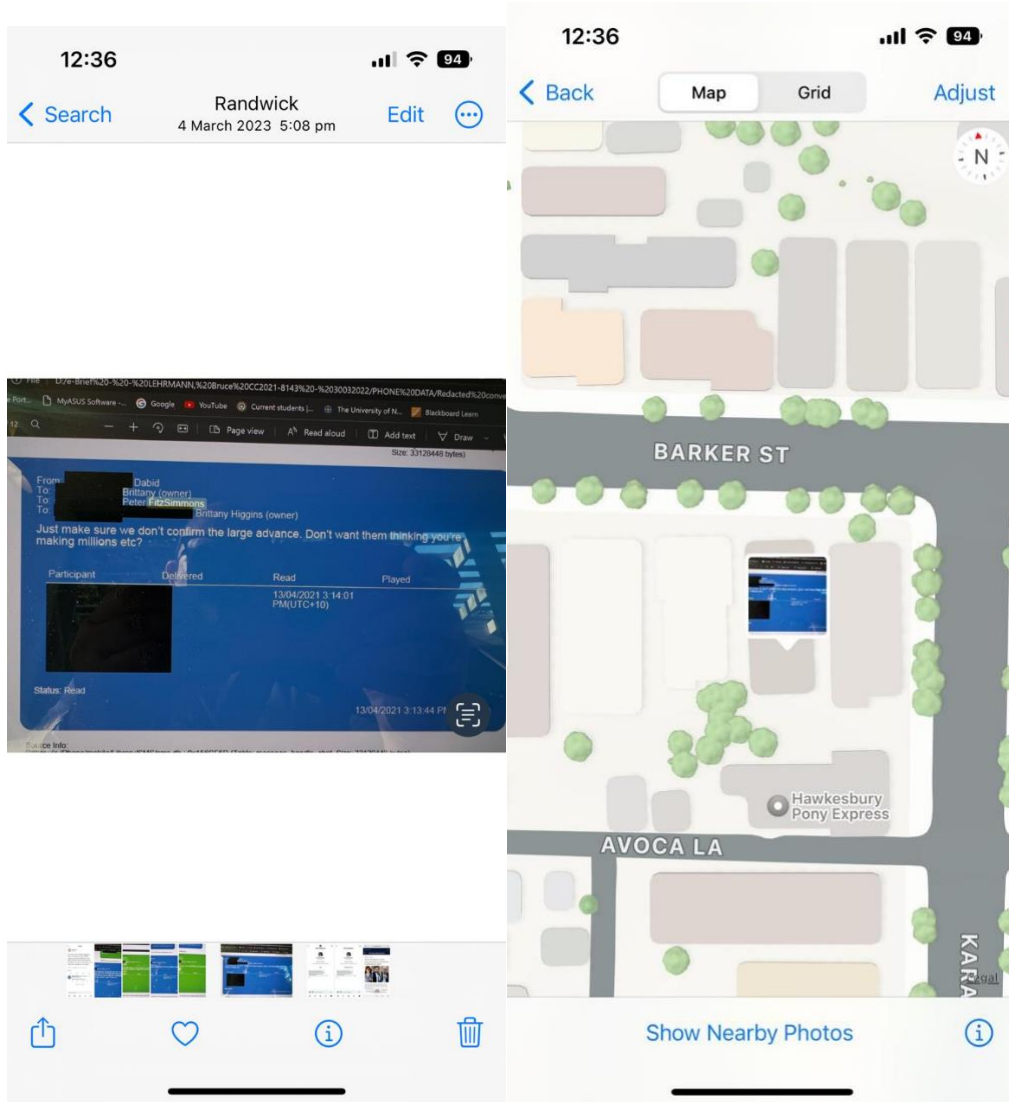
ANNEXURE E



This page is annexure E referred to in
the affidavit of Taylor Auerbach
sworn 31 March 2024
before me

Rebekah Ruth Giles, Solicitor

ANNEXURE F



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Rebekah Ruth Giles, Solicitor