

NOTICE OF FILING

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Details of Filing

Document Lodged:	Statement of Claim - Form 17 - Rule 8.06(1)(a)
File Number:	NSD673/2022
File Title:	LACHLAN KEITH MURDOCH v PRIVATE MEDIA PTY LTD ACN 102 933 362 & ORS
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink, reading "Sia Lagos".

Dated: 23/08/2022 5:49:48 PM AEST

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

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Form 17
Rule 8.05(1)(a)

STATEMENT OF CLAIM

No. of 2022

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

LACHLAN KEITH MURDOCH

Applicant

PRIVATE MEDIA PTY LTD (ACN 102 933 362)

First Respondent

BERNARD KEANE

Second Respondent

PETER FRAY

Third Respondent

Applicant

1. The applicant (**Murdoch**) is and was:

1.1 a well-known Australian;

1.2 a business person with a substantial reputation throughout Australia and elsewhere;

1.3 the CEO and Executive Chairman of Fox Corporation.

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Filed on behalf of

Lachlan Keith Murdoch, the applicant

Prepared by

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Respondents

2. The first respondent (**Private Media**) is and was:

- 2.1. a corporation liable to be sued in its corporate name and style;
- 2.2. a privately owned company whose shareholders include persons of substantial means;
- 2.3. the publisher of the content on the website Crikey, at the URL address www.crikey.com.au (**Crikey website**);
- 2.4. the publisher of newsletters by email to Crikey subscribers;
- 2.5. the publisher of the content on an account on the Twitter platform with the handle “@crikey_news” (**Crikey Twitter account**), which at the date of this pleading, was followed by over 195,000 Twitter users;
- 2.6. the publisher of the content on an account on the Facebook platform titled “Crikey” (**Crikey Facebook account**), which at the date of this pleading, was followed by over 82,200 Facebook users and liked by over 84,000 Facebook users;
- 2.7. the publisher of the content on an account on the Instagram platform with the handle “crikey.news” (**Crikey Instagram account**), which at the date of this pleading, was followed by over 19,400 Instagram users;
- 2.8. the publisher of the content on an account on the LinkedIn platform with the handle “Private Media” (**Private Media LinkedIn account**), which at the date of this pleading, was followed by over 3,440 LinkedIn users.

3. The second respondent (**Keane**) is and was:

- 3.1. the political editor for the Crikey website;
- 3.2. an employee and/or agent of Private Media;

- 3.3. a contributor of material published on the Crikey website;
 - 3.4. the publisher of an account on the Twitter platform with the handle “@BernardKeane” (**Keane Twitter account**), which at the date of this pleading, was followed by over 105,000 Twitter users.
4. The third respondent (**Fray**) is and was:
- 4.1. the editor-in-chief for the Crikey website;
 - 4.2. an employee and/or agent of Private Media;
 - 4.3. a contributor of material published on the Crikey website;
 - 4.4. a publisher of material appearing on the Crikey website.

Article

5. On or about 29 June 2022 and thereafter, Private Media, Keane and Fray published in the Australian Capital Territory and in each of the States and the Northern Territory of Australia, an article on the Crikey website titled “*Trump is a confirmed unhinged traitor. And Murdoch is his unindicted co-conspirator*” (**Article**):

29 June publication

- 5.1. A copy of the Article as it appeared on the Crikey website is **Schedule A**.
- 5.2. The Article was written by Keane, approved and/or edited by Fray and uploaded to the Crikey website by Private Media, from which it was downloaded and read by persons throughout Australia unknown to Murdoch.
- 5.3. The Crikey website is a mass media website available for publication in the Australian Capital Territory and every other State and Territory of Australia.

- 5.4. The Crikey website has an audience of at least 175,000 unique readers per month and at least 15,000 paid subscribers.
- 5.5. The Crikey website is a subscription website, the content of which is generally only accessible to such subscribers.
- 5.6. The Article was tagged as “Unlocked”, meaning that it was accessible to and able to be downloaded and read by any viewer of the Crikey website, for free, whether or not they had a subscription to the Crikey website.
- 5.7. The Article was promoted on the Crikey website and social media as FREE TO READ.
- 5.8. The Article appeared on the Home page of the Crikey website at the top of the page.
- 5.9. The Article attracted 71 comments on the Crikey website on about 29 and 30 June 2022.
- 5.10. Private Media promoted the Article and caused the Article to be republished on its social media accounts:
 - (a) On or about 29 June 2022, Private Media published a tweet at about 11:45am on the Crikey Twitter account, which contained a link to the Article and:
 - i. attracted 7 comments, 62 retweets and 108 likes;
 - ii. was deleted on 5 July 2022.
 - (b) On or about 29 June 2022, Private Media published a tweet at about 9:15pm on the Crikey Twitter account, which contained a link to the Article and:
 - i. attracted 1 comment, 6 retweets and 23 likes;
 - ii. was deleted at about 4:30pm on 30 June 2022.

- (c) On or about 29 June 2022, Private Media published a post at about 12:28pm on the Crikey Facebook account, which contained a link to the Article and:
 - i. attracted 29 comments, 16 shares and 425 reactions;
 - ii. was deleted at about 4:30pm on 30 June 2022.
 - (d) On or about 29 June 2022, Private Media published a post on the Crikey Instagram account, which referred to the Article and directed readers to a link to the Crikey website at the top of the Instagram page.
- 5.11. On or about 29 June 2022, Private Media and Fray promoted the Article to its thousands of subscribers in its newsletter which was distributed by email.
- 5.12. On or about 29 June 2022, Keane republished the Article on the Keane Twitter account at about 11:45 by retweeting the Crikey Twitter account post, which contained a link to the Article and:
- i. attracted comments, 59 retweets and 107 likes;
 - ii. was deleted at a time unknown after 4 July 2022.
- 5.13. At about 4:30pm on 30 June 2022, the Article was removed from the Crikey website.

SMH Article

- 5.14. On 14 August 2022 the Sydney Morning Herald newspaper published an article on www.smh.com.au (**SMH website**) (and other related websites such as www.theage.com.au) entitled "*Lachlan Murdoch sends legal threat to Crikey over January 6 article*" (**SMH article**).
- 5.15. It is apparent from the content of the SMH article that on about 13 or 14 August 2022, Private Media, Keane and/or Fray directly or through their solicitor and contributor to the Crikey website, Michael Bradley, contacted the Sydney Morning Herald newspaper about the publication of the Article, seeking to publicise that Murdoch had complained about its content.

- 5.16. Private Media, Keane and/or Fray, either directly and/or through their agent Michael Bradley informed the journalist who wrote the SMH article that:
- (a) Murdoch had sent a Concerns Notice and multiple legal letters to Crikey since June;
 - (b) the Article had been taken down from the Crikey website and various social media platforms;
 - (c) lawyers are continuing to negotiate; and
 - (d) Murdoch is demanding an apology.
- 5.17. In providing the information set out in the preceding paragraph Private Media, Keane, Fray and/or Bradley *“requested anonymity to speak freely on the matter”*.
- 5.18. Fray was quoted in the SMH article as saying *“Crikey and its publisher Private Media are sick of being intimidated by Lachlan Murdoch”*.
- 5.19. Part of the Article was quoted in the SMH article (even though it was not online at the time).
- 5.20. The SMH article was also published in the hardcopy *Sydney Morning Herald* newspaper and *The Age* on 15 August 2022.
- 5.21. The SMH website, other related websites, the *Sydney Morning Herald* and *Age* newspapers are each published to hundreds of thousands of readers daily.
- 5.22. The SMH article was promoted, disseminated and discussed on social media by the *Sydney Morning Herald*, the *Age*, its journalists and others.
- 5.23. The SMH article has been referred to, and its contents repeated in other media articles published in and outside of Australia.
- 5.24. The publication of the SMH article was caused and/or contributed to by Private Media, Keane and/or Fray, either directly and/or through their agent Michael Bradley.

- 5.25. The publication of the SMH article was promoted on social media by Private Media, Keane, Fray, and Will Hayward.
- 5.26. The conduct in the preceding particulars in relation to the SMH article including the request for anonymity was part of a scheme to give Private Media, Keane and/or Fray an excuse to:
- (a) promote and republish the Article;
 - (b) dishonestly represent the correspondence from Murdoch about the Article;
 - (c) criticise and cause harm to Murdoch; and
 - (d) promote the Crikey website and increase subscribers for financial gain.
- 5.27. As at the date of this pleading, despite the material set out under the heading Reposted Article below, none of Private Media, Keane, Fray or Michael Bradley have disclosed on any of the many Crikey website articles, newsletters or social media posts referring to Murdoch, that they caused the SMH article or provided information to be included in it on the basis that their identities be kept anonymous.
- 5.28. Private Media, Keane and/or Fray have continued, to the date of this pleading, to use the SMH article and their (false) allegations about Murdoch intimidating them, to promote the Article and the Crikey website in order to increase its number of subscribers for financial gain.

Reposted Article

- 5.29. On 15 August 2022 Private Media, Keane and/or Fray reposted the Article to the Crikey website (**Reposted Article**) together with the words:

“This article was first published on June 29 but taken down the next day after a legal threat from Lachlan Murdoch. We have decided to republish the article now, in order to clarify recent media reports about that legal threat.”

A copy of the Reposted Article is set out in **Schedule B**.

- 5.30. The words “recent media reports” in the Reposted Article operated as a link to the SMH article.
- 5.31. The Reposted Article was tagged as “Unlocked”, meaning that it was accessible to and able to be downloaded and read by any viewer of the Crikey website, for free, whether or not they had a subscription to the Crikey website.
- 5.32. The Reposted Article was promoted as FREE TO READ or with the words “*it’s out from behind the paywall*” falsely implying that the Article had been behind the paywall when it was not.
- 5.33. The Reposted Article appeared on the Home page of the Crikey website at the top of the page.
- 5.34. The Reposted Article appeared with the comments that had been posted about the Article on 29 and 30 June, referred to above.
- 5.35. The Reposted Article/Article has attracted further comments on the Crikey website, as at the date of this pleading, the total number of comments is 106 comments, but that number increases by the ongoing publication of the Reposted Article.
- 5.36. Private Media promoted the Article and Reposted Article and caused the Reposted Article to be republished on its social media accounts including as follows:
 - (a) On or about 15 August 2022, Private Media published a tweet at about 11:37am on the Crikey Twitter account, which contained a link to the Reposted Article and as at the date of this pleading:
 - i. was a “*pinned tweet*” at the top of the Crikey Twitter account until about 6pm on 22 August 2022;
 - ii. attracted 79 comments, 787 retweets and 1,664 likes;

- iii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (b) On or about 15 August 2022, Private Media published a post on the Crikey Facebook account at about 11:41am, which contained a link to the Reposted Article and as at the date of this pleading:
- i. attracted 54 comments, 71 shares and 418 reactions;
 - ii. continues to be available for publication on the Crikey Facebook account and the subject of comment, share and reaction.
- (c) On or about 15 August 2022, Private Media, through its CEO Will Hayward, published a post at about 11:30am on his LinkedIn account, which contained a link to the SMH article, promoted the Reposted Article and used it as a basis to seek subscribers to its "*brave independent journalism*" and as at the date of this pleading:
- i. attracted 41 comments, 6 shares and 214 likes;
 - ii. continues to be available for publication and the subject of comment, share and reaction.
- (d) On or about 15 August 2022, Private Media published a second tweet on the Crikey Twitter account at about 12:53pm, which contained a link to the Reposted Article and as at the date of this pleading:
- i. attracted 1 comment, 39 retweets and 104 likes;
 - ii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (e) On or about 15 August 2022, Private Media published a third tweet on the Crikey Twitter account at about 6:45pm, which contained a link to the Reposted Article and as at the date of this pleading:
- i. attracted 9 comments, 76 retweets and 134 likes;

- ii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (f) On or about 15 August 2022, Private Media published a second post on the Crikey Facebook account at about 6:45pm, which promoted the Reposted Article to "*clarify recent media reports*" and as at the date of this pleading:
- i. attracted 17 comments, 61 shares and 148 reactions;
 - ii. continues to be available for publication on the Crikey Facebook account and the subject of comment, share and reaction.
- (g) On or about 15 August 2022, Private Media published a post on the Crikey Instagram account at about 6:45pm, which referred to the Reposted Article and directed readers to a link to the Crikey website at the top of the Instagram page and as at the date of this pleading:
- i. attracted 51 comments, 918 likes;
 - ii. continues to be available for publication on the Crikey Instagram account and the subject of comment, likes and shares.
- (h) On or about 15 August 2022, Private Media, shared at about 7pm, Will Hayward's LinkedIn post, on the Private Media LinkedIn account, which claimed that the conduct of Crikey was "*independent journalism in a world that really needs it*" and as at the date of this pleading continues to be available for publication and the subject of comment, share and reaction.
- (i) On or about 16 August 2022 Private Media published a Tweet on the Crikey Twitter account at about 10:30am, which contained a link to the Reposted Article and as at the date of pleading:
- i. attracted 3 comments, 43 retweets and 99 likes;

- ii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.

- (j) On or about 17 August 2022, Private Media at about 9:53am retweeted a tweet by Kevin Rudd on the Crikey Twitter account, which contained a link to the Reposted Article and as at the date of this pleading:
 - i. attracted 16 shares and 28 likes;
 - ii. continues to be available for publication on the Crikey Twitter account and the subject of comment, likes and shares.

- (k) On or about 17 August 2022, Private Media at 9:51am replied to a tweet by Kevin Rudd on the Crikey Twitter account, which contained a link to the Reposted Article and as at the date of this pleading:
 - i. attracted 3 comments, 32 retweets and 77 likes;
 - ii. continues to be available for publication on the Crikey Twitter account and the subject of comment, likes and shares.

- (l) On or about 18 August 2022, Private Media published a tweet on the Crikey Twitter account at 8:32am, which contained a link to the Reposted Article and an extract from Murdoch's Wikipedia page which referred to the Article and as at the date of this pleading:
 - i. attracted 16 retweets and 4 likes;
 - ii. continues to be available for publication on the Crikey Twitter account and the subject of comment, likes and shares.

5.37. On or about 15 August 2022, Private Media and Fray promoted the Reposted Article to its thousands of subscribers in its newsletter which was distributed by email.

5.38. Keane promoted the Article and Reposted Article and caused the Reposted Article to be republished on its social media accounts:

- (a) On or about 15 August 2022, retweeted the Crikey Twitter account tweet to his 105,000 followers on the Keane Twitter account at about 11:45am, which contained a link to the Reposted Article and as at the date of this pleading continues to be available for publication on the Keane Twitter account and the subject of comment, share and reaction.
- (b) On or about 16 August 2022, Keane retweeted a Crikey Twitter account tweet to his 105,000 followers on the Keane Twitter account at about 11am, which contained a link to the Reposted Article and as at the date of this pleading continues to be available for publication on the Keane Twitter account and the subject of comment, share and reaction.

5.39. The Article, Reposted Article and the social media posts referred to above have been widely promoted, commented on, retweeted/shared and reacted to on Twitter, Facebook, LinkedIn and Instagram, including by persons who have large numbers of followers, thus causing a substantial grapevine effect in relation to the content of the Article and the allegations in it about Murdoch.

5.40. The Article, Reposted Article and/or SMH article have been republished and/or referred to in other mass media publications in Australia and elsewhere, which publications have resulted in further social media posts and other commentary about the content of the Article and Murdoch.

5.41. The Article/Reposted Article has, since 18 August 2022, been referred to and included by hyperlink in the Wikipedia page about Murdoch, a page viewed by an average of 1210 persons per day.

22 August conduct

5.42. At about 4pm (AEST) on 22 August 2022 an advertisement written and paid for by Private Media and Fray was published on page 7 in the print edition of the New York Times (**NY Times ad**).

- 5.43. The NY Times ad referred to the Article and Murdoch and invited Murdoch to commence these proceedings.
- 5.44. The NY Times ad contained a QR code which linked readers to the homepage of the Crikey website.
- 5.45. At about 4pm on 22 August 2022 the homepage of the Crikey website was dominated by articles about Murdoch and the Article including:
- (a) the Reposted Article, available FREE TO READ and has attracted further comments;
 - (b) an article written by Keane entitled "*Why I'd write an even stronger story today about Murdoch, Fox and Trump*", which contained a link to the Reposted Article, available FREE TO READ and has attracted 24 comments;
 - (c) an article by Fray and Eric Beecher "*The power of one: how Lachlan Murdoch turned nuclear over a legitimate piece of journalism*" which contained a link to the Reposted Article and has attracted 18 comments;
 - (d) an article by Fray and Eric Beecher "*An open letter to Lachlan Murdoch: Chairman of News Corporation and Executive Chair of Fox Corporation*" which contained a link to the Reposted Article, available FREE TO READ and has attracted 18 comments;
 - (e) an article by Eric Beecher "*Standing up for the free press: here's what abuse of media power looks like in Australia*" which contained a link to the Reposted Article, available FREE TO READ and has attracted 39 comments;
 - (f) a headline "*The Lachlan Murdoch Letters*" and linked to each of the letters referred to below under the heading Concerns Notice;
 - (g) an article "*The Lachlan Murdoch letters in full: Fox CEO demands Crikey apologise*" which contained a link to the Reposted Article, available FREE TO READ and attracted comments.

- 5.46. Each article posted on 22 August 2022 contained an advertisement to subscribe to the Crikey website for a discounted rate.
- 5.47. Prior to engaging in the conduct referred to in the preceding paragraphs, on 22 August 2022, Private Media engaged in a media campaign, by contacting major media organisations around Australia and overseas to promote and publicise the Article, the NY Times ad, the publication of the correspondence between the parties and the articles on the Crikey website about Murdoch.
- 5.48. Private Media engaged in the conduct in the preceding paragraphs without any prior notice to Murdoch or his lawyers.
- 5.49. Media organisations in Australia and elsewhere published articles on about 22 August 2022 referring to the Article, the NY Times ad, the publication on the Crikey website of further articles about Murdoch and the correspondence between the parties.
- 5.50. Private Media promoted the Article and Reposted Article and caused the Reposted Article to be republished on its social media accounts including as follows:
- (a) On or about 22 August 2022, Private Media published a tweet at about 5:09pm on the Crikey Twitter account, which contained a link to the Crikey website linking the article referred to in 5.45(f), above and as at the date of this pleading:
 - i. attracted 58 comments, 749 retweets and 2,380 likes;
 - ii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
 - (b) On or about 22 August 2022, Private Media published a tweet at about 5:09pm on the Crikey Twitter account, which referred to Murdoch and contained a link to the Crikey website subscription page and as at the date of this pleading:
 - i. attracted comments, 104 retweets and 427 likes;

- ii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (c) On or about 22 August 2022, Private Media published a tweet at about 5:22pm on the Crikey Twitter account, which contained a link to the Crikey website linking the article referred to in 5.45(d), above and as at the date of this pleading:
 - i. attracted comments, 104 retweets and 377 likes;
 - ii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (d) On or about 22 August 2022, Private Media published a tweet at about 5:29pm on the Crikey Twitter account, which contained a link to the Reposted Article and as at the date of this pleading:
 - i. attracted comments, 196 retweets and 598 likes;
 - ii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (e) On or about 22 August 2022, Private Media published a tweet at about 5:48pm on the Crikey Twitter account, which contained a link to the Crikey website linking the article referred to in 5.45(c), above and as at the date of this pleading:
 - i. attracted comments, 29 retweets and 113 likes;
 - ii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (f) On or about 22 August 2022, Private Media published a tweet at about 5:57pm on the Crikey Twitter account, which contained a link to the Crikey website linking the article referred to in 5.45(b), above and as at the date of this pleading:
 - iii. attracted 30 comments, 285 retweets and 651 likes;

- iv. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (g) On or about 22 August 2022, Private Media published a tweet at about 6:00pm on the Crikey Twitter account, which contained a link to the Crikey website linking the article referred to in 5.45(e), above and as at the date of this pleading:
- i. is a "*pinned tweet*" at the top of the Crikey Twitter account;
 - ii. attracted 194 comments, 1,446 retweets and 4,145 likes;
 - iii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (h) On or about 22 August 2022, Private Media published a tweet at about 6:15pm on the Crikey Twitter account, which contained a link to the Crikey website linking the article referred to in 5.45(g), above and as at the date of this pleading:
- i. attracted comments, 16 retweets and 38 likes;
 - ii. continues to be made available for publication on the Crikey Twitter account and the subject of comment, retweet and reaction.
- (i) On or about 22 August 2022, Private Media continued to tweet and retweet into the night, the articles referred to in 5.45, above and to retweet articles referring to its conduct in relation to Murdoch, the Article and the NY Times ad, all of which have been widely retweeted, commented upon and reacted to.
- (j) On about 22 August 2022, Private Media published a series of Facebook posts on the Crikey Facebook page which linked the articles referred to above including the Reposted Article which have been widely shared, commented upon and reacted to.
- (k) On about 22 August 2022, Private Media published a series of Instagram posts on the Crikey Instagram page which referred to the Article and directed readers

to a link to the Crikey website at the top of the Instagram page, which posts have been widely liked and commented upon.

- (l) Private Media paid for the Facebook and Instagram posts referred to above to be “promoted”, causing them to be disseminated widely.

- 5.51. Private Media, Will Hayward, and Keane also posted and shared on social media links to the articles it caused to be published by other media organisations as referred to above, about the Article, Murdoch, the NY Times ad and the articles posted on the Crikey website on 22 August 2022, which had the effect of promoting and further disseminating the Article.
- 5.52. The social media posts referred to in the preceding paragraphs disseminated the Article and were shared and commented upon widely, and included tagging by Private Media of Twitter accounts that had large numbers of followers.
- 5.53. The social media posts referred to above caused Murdoch to trend on Twitter by about 8pm on 22 August 2022.
- 5.54. On 22 August 2022 Private Media promoted the Article, the NY Times ad and the other articles on the Crikey website about Murdoch by its newsletter emailed to thousands of subscribers.
- 5.55. The content of the NY Times ad was republished and repeated on 23 August 2022 in *The Canberra Times* (**Canberra Times ad**).
- 5.56. On 23 August 2022 Private Media published further material about Murdoch and the Article on the Crikey website including an article by CEO Will Hayward.
- 5.57. On 23 August 2022 Private Media, Keane and Fray publicised the material on the Crikey website about Murdoch, the Article, the NY Times ad and the Canberra Times ad in its newsletters emailed to thousands of subscribers and repeatedly on social media, causing further promotion of the Article and dissemination of it.

- 5.58. On 23 August 2022 Keane conducted a webinar broadcast over social media in which he publicised the content of the Article and the conduct of Private Media on 22 August as set out above. The webinar concluded with an invitation to gift Crikey subscriptions.
- 5.59. The conduct in the preceding particulars in relation to the NY Times ad, Canberra Times ad and the publications and social media posts on 22 and 23 August 2022 by Private Media, Keane and Fray was a continuation of a disingenuous campaign to:
- (a) promote and republish the Article;
 - (b) misrepresent the correspondence from Murdoch about the Article;
 - (c) cause harm to Murdoch; and
 - (d) promote the Crikey website and increase subscribers for financial gain.
- 5.60. In the premises of the facts pleaded above, it is to be inferred many hundreds of thousands of persons in each State and Territory of Australia have downloaded and read, commented, shared and reacted to the Article, and/or the republication of it on social media and on the Crikey website as the Reposted Article and will continue to download read, comment, share and react to the Article in the form of the Reposted Article, unless it is deleted from the Crikey website and any other platform.
- 5.61. Murdoch relies on the republications, including the Reposted Article as to damages only and not as a separate cause of action.
- 5.62. Murdoch also relies on the grapevine effect of the publication of the Article, including the Reposted Article by reason of the substantial promotion of it on social media and by reason of the SMH article.
- 5.63. Further particulars of the extent of publication and republication of the Article will be provided after admissions in accordance with the Defamation Practice Note.

6. The Article was of and concerning Murdoch who was reasonably identified and identifiable to readers of the Article, or some of them, by reason of the following matters:
 - 6.1 the Article referred to "*Murdoch*" in the headline and "*Murdochs*" in the body of the Article;
 - 6.2 the Article referred to the "*Murdochs and their slew of poisonous Fox News commentators*";
 - 6.3 the social media posts referred to in paragraph 5.10 above each referred to "*Murdoch*";
 - 6.4 Murdoch is well known throughout Australia and elsewhere as a director of companies and a business person;
 - 6.5 Murdoch was appointed CEO and Executive Chairman of Fox Corporation on 19 March 2019;
 - 6.6 Murdoch was the CEO and Executive Chairman of Fox Corporation on 6 January 2021;
 - 6.7 Murdoch was the CEO and Executive Chairman of Fox Corporation at the date of publication of the Article;
 - 6.8 the SMH article identified Murdoch as the subject of the Article;
 - 6.9 the Reposted Article named "*Lachlan Murdoch*" in it;
 - 6.10 the NY Times ad identified Murdoch as the subject of the Article as did its subsequent substantial republication on the Crikey website, social media and in the Canberra Times;
 - 6.11 the articles published on the Crikey website on 22 and 23 August 2022 each identified Murdoch as the subject of the Article as did the subsequent substantial mass media and social media posts about each of those articles;

- 6.12 in the article published on the Crikey website on 22 August 2022 written by Keane, each of Private Media and Keane admit that in the Article they called Murdoch Trump's unindicted co-conspirator in relation to the events of January 6;
 - 6.13 the newsletters and social media posts promoting the Reposted Article referred to in paragraph 5 above each referred to "*Lachlan Murdoch*";
 - 6.14 readers of the Article identified Murdoch as the subject of the Article by reason of one or more of the matters in 6.1-6.7, above;
 - 6.15 readers of the Article subsequently identified Murdoch as the subject of the Article by reason of one or more of the matters in 6.8-6.13, above.
7. In its natural and ordinary meaning, the Article was defamatory of Murdoch and carried the following defamatory imputations, or imputations not different in substance:
 - 7.1. Murdoch illegally conspired with Donald Trump to overturn the 2020 presidential election result;
 - 7.2. Murdoch illegally conspired with Donald Trump to incite an armed mob to march on the Capitol to physically prevent confirmation of the outcome of the 2020 presidential election;
 - 7.3. Murdoch illegally conspired with Donald Trump to incite a mob with murderous intent to march on the Capitol;
 - 7.4. Murdoch illegally conspired with Donald Trump to break the laws of the United States of America in relation to the 2020 presidential election result;
 - 7.5. Murdoch knowingly entered into a criminal conspiracy with Donald Trump to overturn the 2020 presidential election result;
 - 7.6. Murdoch knowingly entered into a criminal conspiracy with Donald Trump and a large number of Fox News commentators to overturn the 2020 election result;

- 7.7. Murdoch engaged in treachery and violent intent together with Donald Trump to overturn the 2020 presidential election result;
- 7.8. Murdoch was aware of how heavily armed many of the attendees of the planned rally and march on the Capitol building were on January 6 before it occurred;
- 7.9. Murdoch was a co-conspirator in a plot with Donald Trump to overturn the 2020 election result which costs people their lives;
- 7.10. Murdoch has conspired with Donald Trump to commit the offence of treason against the United States of America to overturn the 2020 election outcome;
- 7.11. Murdoch has conspired with Donald Trump to commit the offence of being a traitor to the United States of America to overturn the 2020 election outcome;
- 7.12. Murdoch should be indicted with conspiracy to commit the offence of being a traitor to the United States of America to overturn the 2020 election outcome;
- 7.13. Murdoch should be indicted with the offence of being a traitor to the United States of America to overturn the 2020 election outcome;
- 7.14. Murdoch conspired with Donald Trump to lead an armed mob on Congress to overturn the 2020 election outcome,

(collectively, the **Imputations**).

Serious Harm

- 8. The Article caused, or is likely to cause serious harm to Murdoch's reputation by reason of the following facts and matters:
 - 8.1 The extent of publication of the Article, republications of it including the Reposted Article and the grapevine effect as set out in paragraph 5, above.
 - 8.2 The seriousness of the imputations carried by the Article.

- 8.3 That Murdoch is a well-known Australian and business person.
- 8.4 The allegations of criminality in the Article.
- 8.5 The sensational language used in the Article.
- 8.6 The comparison of Murdoch's alleged conduct in the Article to President Richard Nixon, who is widely believed to have been a criminal conspirator in the Watergate scandal.
- 8.7 The purported reliance on evidence presented in a House Select Committee to give weight and credence to the allegations in the Article.
- 8.8 The substantial promotion of the Article on the Crikey website, through its newsletter and on social media as pleaded in paragraph 5, above.
- 8.9 That the Article was available FREE TO READ and not limited to subscribers.
- 8.10 The many comments on the Article and the social media posted referred to in paragraph 5, above, which evidence the harm to Murdoch's reputation.
- 8.11 The promotion of the Article and its content in the SMH article and the confirmation that the Article concerned Murdoch.
- 8.12 The publication of the Reposted Article on the Crikey website, which is still available for publication and continues to be published and cause harm to Murdoch's reputation.
- 8.13 The inclusion of Murdoch's given name in the Reposted Article.
- 8.14 The Google search results for Murdoch on 18 August 2022 included articles that refer to the Article/Reposted Article and the SMH article.
- 8.15 The promotion of the Article and Reposted Article in the SMH article, NY Times ad, Canberra Times ad, the Crikey website, newsletter and social media referred to in paragraph 5, above.

- 8.16 The promotion of the Article and Reposted Article, including statements by Private Media, Keane and/or Fray to the effect that its content is justifiable and that Murdoch's complaints about its content are spurious, giving credence to its content.
- 8.17 The substantial promotion of the Article on 22 August 2022, as pleaded in paragraph 5, above, which caused Murdoch to trend on Twitter by about 8pm on 22 August 2022.
- 8.18 A Google search of Murdoch's name on 22 August 2022 resulted in links to the Crikey website and the articles about Murdoch referred to in paragraph 5, above.
- 8.19 The substantial promotion of the Article on 23 August 2022, as pleaded in paragraph 5, above, which caused Murdoch to trend on Twitter by about midday on 23 August 2022.
- 8.20 The conduct of Private Media, Keane and/or Fray in refusing to retract and apologise for the allegations about Murdoch in the Article.
- 8.21 The many comments on the Reposted Article and the social media posts referred to in paragraph 5, above, which evidence the harm to Murdoch's reputation.
- 8.22 The many adverse comments about Murdoch on social media referring to or arising from the Article and/or the Reposted Article.
- 8.23 The Article and the Reposted Article have been promoted and discussed in many other media publications since 15 August 2022 in Australia and elsewhere.
- 8.24 The Article/Reposted Article is, as of 18 August 2022 referred to and hyperlinked in Murdoch's Wikipedia entry, which is and will be widely read by persons (an average of 1210 persons daily) who have an interest in Murdoch.
- 8.25 On about 18 August 2022, Private Media posted a Tweet referring to the Article being included in Murdoch's Wikipedia entry.
- 8.26 Since about 16 August 2022, Private Media and its servants or agents, have promoted the Article via social media and newsletter, in order to seek subscribers for the Crikey

website, including by offering discounts on the subscription fee as part of those promotions.

8.27 The publication of the Concerns Notice on the Crikey website alleged in paragraph 5, above which set out the Imputations about Murdoch.

8.28 Further particulars of serious harm will be provided as and when they become available.

Concerns Notice

9. On 30 June 2022, being more than 28 days before the date of this pleading, Murdoch, through his lawyers, gave a concerns notice to each of Private Media, Keane and Fray in accordance with the *Defamation Act* 2005 (NSW) (**Act**) and its counterparts in the other States and Territories in relation to the Article (**Concerns Notice**).
10. The Article was removed from the Crikey website within about 20 minutes of transmission of the Concerns Notice.
11. On 7 July 2022, Private Media, Keane and Fray through their (then) lawyers Minter Ellison, purported to issue a Further Particulars Notice under s12A of the Act.
12. On 19 July 2022 Murdoch through his lawyers responded to the letter referred to in the preceding paragraph, being less than 14 days after that letter was given and gave further particulars of serious harm.
13. On 27 July 2022 Private Media, Kean and Fray through their current lawyers Marque Lawyers purported to make an offer to make amends under the Act but which did not offer any apology and quoted from the Article and otherwise repeated the allegations in it. They also made the following admissions in relation to the Imputations (specifically notating the letter as not without prejudice):

"There is no evidence that Mr. Murdoch did any of the things described above. Crikey does not say that he did any of them.

Crikey does believe that Mr Murdoch bears some responsibility for the events of January 6 because of the actions of Fox News, the network he leads. However, Crikey does not

believe that he was actively involved in the events of that day as the things described above would suggest.”

14. On 29 July 2022 Murdoch, through his lawyers, responded to the letter referred to in the preceding paragraph re-iterating his request for an apology.
15. On 2 August 2022 Private Media, Kean and Fray, through Marque Lawyers responded to the letter referred to in the preceding paragraph in which they made offensive and baseless allegations and refused to apologise.
16. On 4 August 2022 Murdoch, through his lawyers, disputed the content of the letter referred to in the preceding paragraph, and re-iterated his wish that the dispute be settled with the provision of an apology.
17. On 9 August 2022 Private Media, Keane and Fray, through their lawyers, indicated that they “stood by” the Article (despite having removed it from the Crikey website and all social media).
18. Murdoch took no further steps to engage with any of Private Media, Keane or Fray in relation to the Article after 4 August 2022 until the date of this pleading.

Damages

19. By reason of the publication and republication of the Article by Private Media, Keane and/or Fray, Murdoch has been gravely injured in his character, his personal reputation, and his professional reputation as a business person and company director, and has suffered and will continue to suffer substantial hurt, distress and embarrassment.
20. Murdoch’s hurt and harm caused by the publication of the Article has been aggravated by his knowledge of the following conduct of Private Media, Keane and Fray including:
 - 20.1. Their failure to contact Murdoch prior to the publication of the Article to notify him of the allegations they intended to publish about him and offer him the opportunity to respond to those allegations.
 - 20.2. The baselessness of the allegations about Murdoch in the Article.

- 20.3. Publishing and continuing to publish the Article despite their belief that none of the Imputations are or were true at the time of publication or at any time since that date.
- 20.4. Publishing and continuing to publish the Article despite their belief that Murdoch had no direct involvement in the January 6 attack on the Capitol.
- 20.5. Purporting to report on the House Select Committee evidence (as advertised in their newsletter) but instead using the Article as an opportunity to improperly malign Murdoch.
- 20.6. Publishing and continuing to publish the Article despite their knowledge that Murdoch was not even referred to in the evidence that the Article was purporting to report on.
- 20.7. The gratuitous references to Murdoch in the Article and the newsletters and social media posts promoting the Article and Reposted Article.
- 20.8. The improper use of Murdoch's name in the Article and the promotion of it in order to attract readers to the Article.
- 20.9. The offensive and extravagant language used in the Article about Murdoch including by comparing his alleged criminality to Richard Nixon's conduct.
- 20.10. Instructing their lawyers to send offensive correspondence as set out in paragraphs 13, 15 and 17 above including by offering the publication of a statement that quoted the defamatory parts of the Article and repeated the Imputations.
- 20.11. Seeking to use the mandatory Concerns Notice correspondence for their own self-promotion, instead of for the purpose of resolving the dispute consistently with the objects of the Act.
- 20.12. Their failure to apologise, having removed the Article from the Crikey website, which would have resolved the dispute.
- 20.13. Their disingenuous scheme, contrived on about or shortly before 25 July 2022, to improperly use the Offer to Make Amends provisions of the Act to conduct a campaign

of self-promotion as pleaded in paragraph 5, above, with the intention of harming Murdoch.

- 20.14. Causing the publication of the SMH article, doing so “secretly”, making misleading statements for the purpose of publication in that article, including by falsely claiming that Murdoch was seeking to “intimidate” them as set out in paragraph 5, above.
- 20.15. Repeating the claim that Murdoch was seeking to “intimidate” them on the Crikey website, in the newsletter and on social media in order to harm Murdoch and to promote the Crikey website.
- 20.16. Falsely suggesting that Murdoch was being unreasonable in his conduct towards them to settle the dispute, in circumstances where he repeatedly told them that an apology was the only further step that needed to occur for the matter to resolve.
- 20.17. Causing the SMH article to be published and then using it as a pretext to publish the Reposted Article to “clarify” the SMH reporting whilst not disclosing their involvement in the SMH article which they claimed to be seeking to “clarify”.
- 20.18. Causing the SMH article to be published as part of a scheme to promote the Crikey website and increase its subscriptions.
- 20.19. Publishing the Reposted Article for their own self-promotion and in order to harm Murdoch.
- 20.20. Publishing the Reposted Article despite knowing the allegations in it about Murdoch were false and baseless.
- 20.21. Relentlessly promoting the Article and Reposted Article on social media, on the Crikey website, in newsletters and in the SMH article.
- 20.22. Wrongly promoting the Article in their social media and in newsletters as an example of “*brave*” or “*fearless*” journalism in order to advertise subscriptions to the Crikey website, including by having a discounted subscription rate especially tied to that promotion.

- 20.23. Wrongly promoting the Crikey website in connection with the Article as “*independent media*” which believes in “*truth above consequences*” when such statements were false.
- 20.24. Seeking to harm Murdoch by claiming that the Article amounted to important “journalism” protected by freedom of the press when, given the matters set out in the preceding sub-paragraphs, it plainly was not.
- 20.25. Seeking to harm Murdoch by attempting to place a paid advertisement in various Australian newspapers from about 17 August 2022, being also attempts to harass and place undue pressure on Murdoch in relation to these proceedings.
- 20.26. Seeking to humiliate and harm Murdoch by placing a paid advertisement on 22 August 2022 in the New York Times, the NY Times ad, being also:
- (a) self-promotion on the part of Private Media and Fray continuing their campaign to publicise the Crikey website and increase subscriptions;
 - (b) disingenuous by the suggestions that the Article was “*public interest journalism*” having regard to the respondents’ admissions that the Imputations are false to their knowledge;
 - (c) disingenuous in its publication in the United States, which is evidently irrelevant to the defamation claim in these proceedings;
 - (d) an attempt to harass and place undue pressure on Murdoch in relation to these proceedings.
- 20.27. Publishing the content of the Concerns Notice to hurt and harm Murdoch.
- 20.28. Engaging in the conduct under the heading “*22 August 2022 conduct*” above, by publishing false, misleading and self-serving claims about Murdoch on the Crikey website and social media including as follows:

- (a) the allegation that Murdoch "*turned nuclear over a legitimate piece of journalism*" by "*sending a series of threatening letters*" when all he did was comply with the mandatory concerns notice process under the Act, and otherwise respond to letters sent on behalf of the respondents in relation to the Article, being a publication that was false and unreasonable and thus not legitimate journalism;
- (b) describing the Article as "*a routine piece of analysis*" when it contained no logical or coherent analysis to support its gratuitous allegations that Murdoch had committed various indictable offences;
- (c) describing the Article as "*public interest journalism*" and implying Private Media is hindered by Australia's defamation laws in circumstances where Murdoch had nothing to do with the evidence being reported on in the Article and he was maliciously included, where malice is inimical to freedom of speech;
- (d) claiming that they seek to test "*this important issue of freedom of public interest journalism in a courtroom*" when they have instead embarked upon a concerted campaign to undermine the legal process and to have the issue decided through the media and social media;
- (e) describing the Concerns Notice and subsequent letters as "*abuse of media power*" by a "*bully*" where:
 - i. those letters were no different in content, tone or character to correspondence sent in other defamation claims by persons with little or no means;
 - ii. those letters were compliance by Murdoch with the mandatory legal process;
 - iii. they did not involve the use of media companies associated with Murdoch at all;
 - iv. Private Media, Fray and Keane are the only parties to the dispute who abused their media power including by covertly using another media organisation to harass Murdoch, posted dozens of social media posts and

a number of articles on the Crikey website about the dispute whilst threatening “plenty more on this issue in the coming days” in their mass distributed email newsletter;

- v. Private Media has engaged two law firms in the course of less than 2 months and paid substantial sums to advertise in an international newspaper and elsewhere.
- (f) Describing what Murdoch sought as a “*series of lengthy legal demands*” sent by his lawyers “*over the past two months*” in circumstances where, other than the initial Concerns Notice, his letters were responsive and a genuine attempt to resolve the dispute.
- (g) Describing the references to Murdoch in the Article as only “*a headline and one sentence*” when the premise of the Article turns on the reference in the headline, sub-heading and conclusion which were repeated by Private Media and Keane in the social media posts promoting the Article.
- (h) Describing the Article as an “*opinion piece*” where the accusations in it against Murdoch are asserted as fact.
- (i) Claiming that the Article was not dissimilar to other stories in the US media, when no other story accused Murdoch of indictable offences in connection with January 6, specifically treason and traitorous conspiracies.
- (j) Suggesting that by complaining about a malicious and false Article that Private Media made not attempt to verify with Murdoch prior to publication and in which he was accused, without any basis, of indictable offences, that Murdoch is hypocritically promoting censorship.
- (k) Repeatedly claiming that their conduct towards Murdoch was an act of courage in the face of oppression when their primary aim was to increase their subscriptions for financial gain.

- 20.29. Emailing Murdoch's lawyer in the evening of 22 August 2022 to give Murdoch an "opportunity to respond" to the many publications already on the Crikey website and heavily promoted by Private Media as set out in paragraph 5, above.
- 20.30. Seeking to harm Murdoch by placing a paid advertisement in the *Canberra Times* published on 23 August 2022, in the same terms as the NY Times ad, being also an attempt to harass and place undue pressure on Murdoch in relation to these proceedings.
- 20.31. Conducting themselves in bad faith and in order to promote the Crikey website, by publishing on 22 August 2022 the correspondence between the parties which was, on the part of Murdoch, genuine attempts to resolve the dispute in accordance with his obligations as a prospective litigant.
- 20.32. Their hypocrisy in co-ordinating the disingenuous promotional campaign referred to in the preceding sub-paragraphs whilst falsely claiming that such conduct was for the purpose of protecting independent journalism.
- 20.33. Private Media's malice towards Murdoch evidenced by the matters set out above and its history of publishing frequent articles about Murdoch with baseless allegations, having regard to the fact that in the last five years the Crikey website has referred to:
- (a) "Murdoch" in about 1,120 articles;
 - (b) "Lachlan Murdoch" in at least 126 articles;
 - (c) "Fox News" in over 390 articles.
- 20.34. Private Media and Fray's malice towards Murdoch in persisting in their claim that Murdoch has sought (over a period of time) to intimidate them, having regard to the number of articles published on the Crikey website about Murdoch and that:
- (a) Private Media has never attempted to speak to Murdoch before any publication or seek his response.

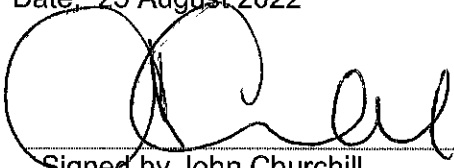
- (b) Murdoch has only complained to Private Media about articles on the Crikey website on 4 occasions in that 5-year period (including about the Article the subject of this proceeding):
- i. two of which resulted in take down of the publications, retractions and apologies and acknowledgements that the content in the publications were wrong;
 - ii. one which was amended to correct the misstatement concerning Murdoch; and
 - iii. the Article, which was (in the first instance) immediately removed and in relation to which Private Media, Keane and Fray admit that the Imputations were to their knowledge false.

20.35. Further particulars of aggravated damages will be provided in due course.

Injunctive relief

- 21. Each of Private Media (by its servants or agents), Keane and Fray have published, promoted and republished the Article as set out above in this pleading.
- 22. The Reposted Article remains available for publication and is being published as at the date of this pleading from the Crikey website and through the many social media posts referred to in paragraph 5, above.
- 23. Each of Private Media, Keane and Fray continue to promote the Article and its content as set out in this pleading.
- 24. Each of Private Media, Keane and Fray threaten and will continue to publish the Article and the Imputations unless restrained by the Court.

Date: 23 August 2022

A handwritten signature in black ink, appearing to be 'J Churchill', written over a horizontal line.


Signed by John Churchill
Lawyer for the applicant

This pleading was prepared by Sue Chrysanthou SC and John Churchill solicitor for the applicant,
Lachlan Keith Murdoch.

Certificate of lawyer

I, John Churchill, certify to the Court that, in relation to the statement of claim filed on behalf of the applicant, the factual and legal material available to me at present provides a proper basis for each allegation in the pleading.

Date: 23 August 2022

A handwritten signature in black ink, appearing to be 'John Churchill', written over a horizontal line.

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Lawyer for the applicant

Crikey.

Newsletters

Trump is a confirmed unhinged traitor. And Murdoch is his unindicted co-conspirator

New evidence to the January 6 committee shows just how treacherous Donald Trump was, but will it prise loose his grip on the Republicans?

BERNARD KEANE JUN 29, 2022



DONALD TRUMP ON A VIDEO SCREEN AS CASSIDY HUTCHINSON TESTIFIES ON TUESDAY (IMAGE: EPA/MICHAEL REYNOLDS)

The House Select Committee to Investigate the January 6th Attack on the United States Capitol has already exposed extensive evidence of a plot by Donald Trump and his co-conspirators to overturn the 2020 presidential election result. But yesterday's

evidence by Cassidy Hutchinson, the former senior aide to Trump's chief of staff Mark Meadows, has confirmed his treachery and violent intent.

Hutchinson's evidence shows that Trump was aware of how heavily armed many of the attendees of his rally and planned march on the Capitol building were on January 6 — "I don't fucking care that they have weapons," he said — and that he intended all along to lead them in the march until prevented by his own driver (whom, Hutchinson claimed to have heard was physically attacked by Trump). She also says her boss, Meadows, said that Trump believed protesters were right to call for the hanging of then vice-president Pence for refusing to overturn the result on January 6.



Jan 6 hearings: can Trump supporters be returned to the American fold?

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But despite claims that Trump and his circle are shocked at Hutchinson's testimony — he is now trying to downplay her role, despite her occupying a key position in the functioning of his inner sanctum — will this confirmation of Trump's unhinged nature and enthusiasm for an armed mob dent his popular support or political support within the Republican Party?

If you're a Trump supporter at this point, it's unlikely any revelation about him will shift your allegiance. For many of his fans, the image of him trying to wrest the steering wheel of his limousine in order to drive it to lead the march is exactly the one they already have of him — a man determined to break any rule necessary to take charge. It is the very *transgressive* nature of Trump's actions that, far from alienating his supporters, bind them ever more closely to him — they serve as a demonstration of his commitment to deliver for them, no matter what the cost, even if he tramples on democracy and the rule of law, and costs people their lives. And politically, large parts of the GOP remain in thrall to Trump. Despite [claims that his influence](#) has downgraded from outright control to merely being the most potent voice, and the rise of [an even more extreme "MAGA" movement](#) that doesn't take its direction from Trump, his endorsement is still eagerly sought by Republicans and his criticism feared. He remains, far and away, [the preferred choice](#) of Republican voters for the 2024 presidential election.



Trump declares war on electoral process as the right prefers chaos over order

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Comparisons with Watergate or any previous political scandal in the US are meaningless. Trump might share profound personality flaws and psychotic characteristics with Richard Nixon, but Nixon — a congressman, then twice elected vice-president and twice elected president — was an establishment political figure.

He felt entitled to break the law, but his actions were those of a paranoiac terrified of what information he didn't have and that others had within the conventional system of American politics, despite his landslide reelection in 1972. And his actions in covering up Watergate and trying to contain the damage from it so alienated senior members of his party that they turned against him. His resignation — imagine Trump ever resigning — brought the immediate crisis of Watergate to a close, if not the enduring damage it did to government.

None of these applies to Trump. He thinks nothing of the destruction of American democracy itself. Far from avowing "I'm not a crook", Trump boasted he could murder people in broad daylight and his supporters would still love him. His election loss didn't bring to an end the crisis he inflicted on the American political system, it simply propelled it into a new and perhaps just as dangerous phase.

And Nixon didn't have the support of the world's [most powerful media company](#), which continues — even in the face of mountains of evidence of Trump's treachery and crimes — to peddle the lie of the stolen election and play down the insurrection Trump created. If Trump ends up in the dock for a variety of crimes committed as president, as he should be, not all his co-conspirators will be there with him. Nixon was famously the "unindicted co-conspirator" in Watergate. The Murdochs and their slew of poisonous Fox News commentators are the unindicted co-conspirators of this continuing crisis.

ABOUT THE AUTHOR

Bernard Keane

POLITICS EDITOR [@BERNARDKEANE](#)

Bernard Keane is *Crikey's* political editor. Before that he was *Crikey's* Canberra press gallery correspondent, covering politics, national security and economics.



Schedule B

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BERNARD KEANE JUN 29, 2022 99



DONALD TRUMP ON A VIDEO SCREEN AS CASSIDY HUTCHINSON TESTIFIES ON TUESDAY (IMAGE: EPA/MICHAEL REYNOLDS)

This article was first published on June 29 but taken down the next day after a legal threat from Lachlan Murdoch. We have decided to republish the article now, in order to clarify [recent media reports](#) about that legal threat.

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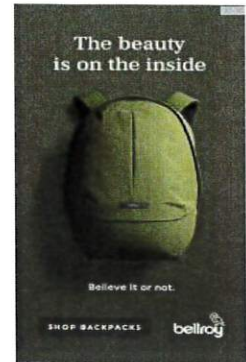
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