

NOTICE OF FILING

Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	22/07/2024 2:47:26 PM AEST
Date Accepted for Filing:	22/07/2024 2:47:34 PM AEST
File Number:	VID1023/2023
File Title:	MOIRA DEEMING v JOHN PESUTTO
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



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

Registrar

Important Information

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.

The date of the filing of the document is determined pursuant to the Court's Rules.

Affidavit

No. VID 1023 of 2023

Federal Court of Australia
District Registry: Melbourne
Division: General Division

MOIRA DEEMING

Applicant

JOHN PESUTTO

Respondent

Affidavit of: **Rodrigo Pintos-Lopez**
Address: [REDACTED]
Occupation: Barrister
Date: 16 July 2024

I, **Rodrigo Pintos-Lopez**, barrister, in the State of Victoria, solemnly and sincerely affirm:

1. On 24 May 2024 I affirmed an affidavit in this proceeding. I adopt the terms defined in that affidavit.
2. I understand that between 27 May 2024 and 29 May 2024 a number of affidavits were filed on behalf of the Applicant in this proceeding. I have not received copies, nor read any of those affidavits in full but have been shown parts of the affidavit sworn by Mrs Deeming on 27 May 2024 (**Deeming Affidavit**) insofar as they relate to me. This affidavit only responds to the parts of the Deeming Affidavit that directly refer or relate to me.

Response to Deeming Affidavit

3. At paragraph [70] of the Deeming Affidavit, in relation to the meeting with the Leadership Team on 19 March 2023, Mrs Deeming deposes the following: *"I asked if I could see what was on the screen."*

Filed on behalf of (name & role of party)	John Pesutto, Respondent
Prepared by (name of person/lawyer)	Peter Bartlett
Law firm (if applicable)	MinterEllison
Tel	(03) 8608 2677
Email	[REDACTED]
Address for service (include state and postcode)	MinterEllison, 447 Collins Street, Melbourne VIC 3000

[Version 3 form approved 02/05/2019]

Rodrigo Pintos-Lopez *RPL*

..... *DF* Witness

At that point, Mr Pintos-Lopez turned the laptop further away from me. They refused to show me the evidence”.

4. That aspect of paragraph [70] of the Deeming Affidavit is not correct.
5. During the Leadership Meeting on 19 March 2023, I sat across the table from Mrs Deeming with Mr Pesutto to my immediate right. At Mr Pesutto's request, I read Mrs Deeming a list of the relevant material which resulted from my research on the Rally organisers and what appeared to be their neo-Nazi associations and/or offensive public comments. While reading out this material, I showed Mrs Deeming relevant social media images which were on my laptop by turning my laptop around and holding it up towards her. The social media images that I showed her included social media posts by Ms Keen using the Nazi Barbie doll and the Reichsadler LGBTQI+ flag
6. It is not true that Mrs Deeming asked to see my laptop. Nor is it true that I purposefully turned my laptop away from Mrs Deeming at any point during that meeting.
7. At no point during the meeting did Mrs Deeming comment upon the veracity of any of the material that was read or shown to her. Further, I do not recall Mrs Deeming saying anything during the meeting to suggest that the neo-Nazis had not actually attended the Rally.
8. I otherwise restate the statements made at paragraphs [37] to [42] of my affidavit affirmed on 24 May 2024.

Affirmed by the deponent
at Melbourne
in Victoria
on 16 July 2024

Before me: Deanna Ficatas

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Signature of deponent

Deanna.C.Ficatas

Signature of witness

of 477 Collins Street, Melbourne, Victoria

An Australian Legal Practitioner within the meaning of the Legal
Profession Uniform Law (Victoria)

This affidavit was affirmed and witnessed remotely using an
electronic copy of the affidavit in accordance with the *Oaths and
Affirmations Act 2018* (Vic)

Rodrigo Pintos-Lopez 

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.....  Witness