

## NOTICE TO ADMIT FACTS

NSD2179/2017

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

**GEOFFREY ROY RUSH**

Applicant

**NATIONWIDE NEWS PTY LIMITED**

First Respondent

**JONATHON MORAN**

Second Respondent

**To the First Respondent and the Second Respondent:**

The Applicant requires you to admit, for the purpose of these proceedings only, the truth of the following facts:

1. The Applicant is a famous Australian Hollywood actor.
2. In the weeks preceding 30 November 2017 and 1 December 2017, a number of famous actors and movie and television executives, including in Hollywood, had been portrayed in the media and on social media as sexual predators who had committed acts of sexual assault and/or sexual harassment.
3. In the weeks preceding 30 November 2017 and 1 December 2017, famous Hollywood film producer Harvey Weinstein had been portrayed as a sexual predator who had committed acts of sexual assault and/or sexual harassment.
4. In the weeks preceding 30 November 2017 and 1 December 2017, famous Hollywood actor Kevin Spacey had been portrayed as a sexual predator who had committed acts of sexual assault and/or sexual harassment.
5. In the days preceding 30 November 2017 and 1 December 2017, Australian television personality Don Burke was portrayed by the media as being a sexual predator.

If you dispute the truth of any fact specified, in this Notice to Admit, you may, within 14 days after service of this Notice to Admit upon you, serve the Applicant with a Notice to Dispute.

If you do not serve a Notice to Dispute on the Applicant within 14 days, you will be taken to have admitted the truth of each fact specified.

Date: 15 December 2017

A handwritten signature in black ink, appearing to read 'Nicholas Pullen', is written over a horizontal line.

Signed by Nicholas Pullen

Lawyer for Applicant

## Notice of dispute

No. NSD 2179 of 2017

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

### GEOFFREY ROY RUSH

Applicant

**NATIONWIDE NEWS PTY LIMITED** and another  
Respondents

### Disputed facts

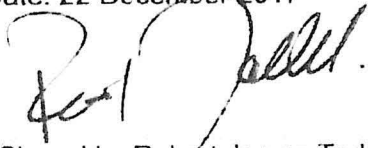
The Respondents dispute the truth of the following facts specified in the Applicant's notice to admit dated 15 December 2017:

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2. In the weeks preceding 30 November 2017 and 1 December 2017, a number of famous actors and movie and television executives, including in Hollywood, had been portrayed in the media and on social media as sexual predators who had committed acts of sexual assault and/or sexual harassment.
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5. In the days preceding 30 November 2017 and 1 December 2017, Australian television personality Don Burke was portrayed by the media as being a sexual predator.

Filed on behalf of (name & role of party)	Nationwide News Pty Limited and Jonathon Moran, Respondents
Prepared by (name of person/lawyer)	Robert Todd / Nicholas Perkins
Law firm (if applicable)	Ashurst Australia
Tel	[REDACTED] Tel [REDACTED]
Email	[REDACTED]
Address for service	Level 11, 5 Martin Place, Sydney NSW 2000
(include state and postcode)	DX 388 Sydney

[Form approved 01/08/2011]

Date: 22 December 2017

A handwritten signature in black ink, appearing to read 'Robert James Todd', written over a horizontal line.

Signed by Robert James Todd  
Lawyer for the Respondents

## NOTICE TO ADMIT FACTS

NSD 2179/2017  
Federal Court of Australia  
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Division: General

**GEOFFREY ROY RUSH**

Applicant

**NATIONWIDE NEWS PTY LIMITED**

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**JONATHON MORAN**

Second Respondent

**To the First Respondent and the Second Respondent:**

The Applicant requires you to admit, for the purpose of these proceedings only, the truth of the following facts:

**Part A - Theatre**

1. The Applicant joined the Queensland Theatre Company (QTC) and also taught drama during 1971 at a Brisbane high school.
2. The Applicant took part in 21 productions with the QTC between 1971 and 1974.
3. Applicant moved to Paris in 1975 to study mime, movement and theatre at L'École Internationale de Théâtre Jacques Lecoq.
4. In the late 1970s, the Applicant did part-time teaching at the National Institute of Dramatic Art (NIDA).
5. From 1978 to 2016, the Applicant took part in many stage productions.
6. The stage productions referred to in paragraph 5 include the following:

- (a) The Fool in *King Lear* (QTC);
- (b) Co-Director of *A Midsummer's Night Dream* (QTC);
- (c) *Clowneroonies*;
- (d) Dave in *On Our Selection* (Jane St Theatre);
- (e) Vladimir in *Waiting for Godot* (Jane St Theatre);
- (f) *The Revengers Tragedy* (South Australian Theatre Company (SATC));
- (g) *No End of Blame* (SATC);
- (h) Various plays for the Lighthouse Company;
- (i) Various plays for the Magpie Theatre for Young People;
- (j) Co-Director of *Cabaret Scandals of '85* (Belvoir);
- (k) Director of *Pearls Before Swine* (Belvoir);
- (l) *Benefactors* (STCSA);
- (m) *On Parliament's Hill* (Belvoir);
- (n) *Shepherd on the Rocks* (STCSA);
- (o) *The Winter's Tale* (STCSA);
- (p) Director of *Merry Wives Of Windsor* (QTC);
- (q) Director of *The Popular Mechanicals* (Belvoir);
- (r) *Tristram Shandy* (Melbourne Theatre Company (MTC));
- (s) The Fool in *King Lear* (STCSA);
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- (u) *Troilus and Cressida* (Grin and Tonic Theatre Company - Queensland);
- (v) *Les Enfants du Paradis* (Belvoir);

- (w) *The Diary of A Madman* (Belvoir, MTC, Moscow and St Petersburg, and also off Broadway);
- (x) Director of *The Wolf's Banquet* (Belvoir);
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- (z) *The Comedy Of Errors* (STCSA);
- (aa) *The Importance of Being Earnest* (Sydney Theatre Company (**STC**));
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- (dd) *Uncle Vanya* (STC);
- (ee) Director of *FROGS* (Belvoir);
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- (ll) King Berenger in *Exit the King* (Malthouse Theatre and Belvoir then Broadway);
- (mm) Man in Chair in *The Drowsy Chaperone* (MTC);
- (nn) *The Diary of a Madman* (Belvoir);
- (oo) Lady Bracknell in *The Importance of Being Earnest* (MTC);
- (pp) Pseudolus in *A Funny Thing Happened On the Way to the Forum* (MTC);
- (qq) King Lear (STC).

7. The Applicant has been represented by Shanahan Management Pty Limited since 1979.

**Part B - Television and Film**

8. In about 1979/1980, the Applicant did a 3-part television series called *Consumer Capers* for the ABC.
9. In 1980/81, the Applicant did a television series for the ABC called *Menotti*.
10. The Applicant has appeared in roles on television dramas (such as *Frontier*, and *The Burning Piano*) as well as a number of short films (such as *Small Confessions* (1995), and *Five Easy Pizzas* (1996)).
11. At the end of 1995 the Applicant played Bill Wyatt in *Mercury*, a 12-part television series for the ABC.
12. In 2004, the Applicant co-starred with his wife Jane Menelaus as guests in an episode of *Kath'n'Kim*.
13. In 2006, the Applicant hosted and co-wrote material for the Australian Film Institute (AFI) Awards for the Nine Network.
14. In 2007, the Applicant was the 'master of ceremonies' again at the 2007 AFI Awards.
15. In the beginning of 2009, the Applicant appeared in a series of special edition "Legend" series postage stamps featuring some of Australia's internationally recognised actors.
16. In 2011, the Applicant made a cameo in a commercial, *The Potato Peeler*, for the Melbourne International Film Festival (MIFF).
17. In August 2011 the Applicant was appointed the foundation President of the newly formed Australian Academy of Cinema and Television Arts (AACTA).
18. In 2012/2013, the Applicant narrated 2 six-part seasons of ABC TV's *Low Down*.



19. In 2012, the Applicant was in a web series episode of *Being Brendo* – created as a community service by the Victorian Aids Council.
20. In 2016-2017, the Applicant appeared in *Genius*.
21. *Genius* was a 10-part series for which the Applicant was nominated for a Golden Globe for Best Actor in a Miniseries or Television Film, a Primetime Emmy for Outstanding Lead Actor in a Limited Series or Movie, and a Screen Actors Guild Award for Outstanding Performance by a Male Actor in a Miniseries or Television Movie.
22. The Applicant was the narrator for ABC-TV Series *Lowdown*.
23. The Applicant was the narrator for the short film *The Nightingale and the Rose*.
24. From 1981 until 2017, the Applicant has appeared in many films.
25. The films referred to in paragraph 24 including the following:
  - a. *Hoodwink* (1981);
  - b. *Starstruck* (1982);
  - c. *Twelfth Night* (1987);
  - d. *Dad and Dave: On Our Selection* (1994);
  - e. *Children of the Revolution* (1996);
  - f. *Shine* (1995);
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- v. *Pirates of the Caribbean: The Curse of the Black Pearl* (2002/2003);
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- ee. *Pirates of the Caribbean: At World's End* (2007);
- ff. *Bran Nue Dae* (2008);
- gg. *The Warrior's Way* (2008);
- hh. *The King's Speech* (2009);

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  - jj. *The Eye Of The Storm* (2010);
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  - tt. *Final Portrait* (2016);
  - uu. *Pirates of the Caribbean: Dead Men Tell No Tales* (2016);
  - vv. *Storm Boy* (2017).
26. The Applicant reprised his character's voice for the enhancements at the *Pirates of the Caribbean* attractions at the Disneyland and Magic Kingdom theme parks, which involved an Audio-Animatronic with his likeness being installed (including one at Tokyo Disneyland).

**Part C - Awards**

- 27. The Applicant is one of 23 people who has won the 'Triple Crown' of Acting - that is, an Academy Award, a Primetime Emmy Award, and a Tony Award.
- 28. The Applicant has won one Academy Award for Best Actor.
- 29. The Applicant has been nominated for four Academy Awards.

30. The Applicant has won three British Academy Film Awards.
31. The Applicant has been nominated for five British Academy Film Awards.
32. The Applicant has won two Golden Globe Awards.
33. The Applicant has been nominated for six Golden Globe Awards.
34. The Applicant has been awarded four Screen Actors Guild Awards.
35. The Applicant has won three AFI Awards.
36. The Applicant has won two Helpmann awards.
37. The Helpmann Awards are accolades which recognise artistic achievement and excellence in Australia's live performance sectors, including theatre.
38. The Helpmann Awards are similar to the Tony Awards on Broadway and the Olivier Awards in London.
39. The Applicant was the first actor to win the Academy Award, BAFTA Award, Critics' Choice Movie Award, Golden Globe Award, and Screen Actors Guild Award for a single performance in a film, for *Shine* in 1996.
40. The Applicant was awarded the Sidney Myer Award in 1993.
41. The Sidney Myer Awards were created in 1984 to mark the 50<sup>th</sup> anniversary of the death of Sidney Myer, and are intended recognise outstanding achievements in Australian performing arts.
42. The Applicant received the Charles Chauvel Award in 2004.
43. The Charles Chauvel Award was established in 1992, in honour of Australian filmmaker Charles Chauvel, and recognises significant contribution to the Australian screen industry.
44. In 2001 the Applicant was awarded the Australian Centenary Medal in the Queen's New Year's Honours List for services to the arts.
45. In 2003 the Applicant at the Hollywood Film festival was awarded the Supporting Actor of the Year.

46. The Applicant received the AFI Raymond Longford Award in 2009.
47. The Raymond Longford Award was first presented in 1968, in honour of the Australian film pioneer Raymond Longford.
48. The website of the AFI/AACTA describes the Raymond Longford Award as "the highest honour that the Australian Academy can bestow upon an individual" and states that it "recognises a person who has made a truly outstanding contribution to the enrichment of Australia's screen environment and culture".
49. Apart from the Applicant, other recipients of the Raymond Longford Award include Cate Blanchett, David Stratton, Jan Chapman, Fred Schepisi, and Peter Weir.
50. The Applicant is the founding President of the AACTA, which honours achievements (performance and technical in 49 categories) for Australian screen excellence. It was formerly (1958 – 2011) the AFI.
51. The Applicant is the Patron of the Melbourne International Film Festival, the Empire Theatre Foundation for Young Artists in Toowoomba, and the Spina Bifida Foundation of Victoria.
52. The Applicant is an Ambassador of the Melbourne Symphony Orchestra and UNICEF.
53. In 2012, the Applicant was named Australian of the Year for services to the arts and community.
54. In 2013 the Applicant was honoured for 4 months in a career retrospective multi-media exhibition (*The Extraordinary Shapes of Geoffrey Rush*) at the Victoria Arts Centre.
55. On Australia Day in 2014, the Applicant was awarded a Companion of the Order of Australia for eminent service to the arts as a theatre performer, motion picture actor, role model and mentor for aspiring artists, and through support for, and promoting of, the Australian Arts Industry.
56. In 2017, the Applicant was honoured with the Berlinale Camera award at the Berlin Film Festival.

If you dispute the truth of any fact specified, in this Notice to Admit, you may, within 14 days after service of this Notice to Admit upon you, serve the Applicant with a Notice to Dispute.

If you do not serve a Notice to Dispute on the Applicant within 14 days, you will be taken to have admitted the truth of each fact specified.

Date: 10 September 2018

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Signed by Nicholas Pullen

Solicitor for the Applicant

+Our ref: RJT\NCP\1000 012 630  
Partner: Robert Todd  
Direct line: [REDACTED]  
Email: [REDACTED]  
Contact: Nick Perkins, Senior Associate  
Direct line: [REDACTED]  
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DX 388 Sydney  
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24 September 2018

**BY EMAIL**

Mr Nicholas Pullen  
HWL Ebsworth Lawyers  
Level 14, Australia Square  
264-278 George Street  
SYDNEY NSW 2000

**ashurst**

Dear Colleagues

**Nationwide News Pty Limited & Anor ats Geoffrey Roy Rush  
Federal Court of Australia Proceeding No. NSD2179/2017**

We refer to your client's Notice to Admit served on 10 September 2018 and **enclose**, by way of service, our clients' Notice of Dispute.

We note that our clients are not in a position to independently verify many of the facts set out in your client's Notice in order to admit them.

Yours faithfully

  
**Ashurst**

Enc.

## Notice of dispute

No. NSD 2179 of 2017

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

### GEOFFREY ROY RUSH

Applicant

**NATIONWIDE NEWS PTY LIMITED** and another  
Respondents

### Disputed facts

The Respondents dispute the truth of the following facts specified in the Applicant's notice to admit dated 10 September 2018:

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2. The Applicant took part in 21 productions with the QTC between 1971 and 1974.
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4. In the late 1970s, the Applicant did part-time teaching at the National Institute of Dramatic Art (**NIDA**).
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Filed on behalf of (name & role of party)	Nationwide News Pty Limited and Jonathon Moran, Respondents
Prepared by (name of person/lawyer)	Robert Todd / Nicholas Perkins
Law firm (if applicable)	Ashurst Australia
Tel	[REDACTED]
Email	[REDACTED]
Address for service	Level 11, 5 Martin Place, Sydney NSW 2000
(include state and postcode)	DX 388 Sydney

[Form approved 01/08/2011]



- (c) *Clowneroonies*;
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### **Part C - Awards**

27. The Applicant is one of 23 people who has won the 'Triple Crown' of Acting that is, an Academy Award, a Primetime Emmy Award, and a Tony Award.
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49. Apart from the Applicant, other recipients of the Raymond Longford Award include Cate Blanchett, David Stratton, Jan Chapman, Fred Schepisi, and Peter Weir.
50. The Applicant is the founding President of the AACTA, which honours achievements (performance and technical in 49 categories) for Australian screen excellence. It was formerly (1958 — 2011) the AFI.
51. The Applicant is the Patron of the Melbourne International Film Festival, the Empire Theatre Foundation for Young Artists in Toowoomba, and the Spina Bifida Foundation of Victoria.
52. The Applicant is an Ambassador of the Melbourne Symphony Orchestra and UNICEF.
53. In 2012, the Applicant was named Australian of the Year for services to the arts and community.
54. In 2013 the Applicant was honoured for 4 months in a career retrospective multi-media exhibition (*The Extraordinary Shapes of Geoffrey Rush*) at the Victoria Arts Centre.
55. On Australia Day in 2014, the Applicant was awarded a Companion of the Order of Australia for eminent service to the arts as a theatre performer, motion picture actor, role

model and mentor for aspiring artists, and through support for, and promoting of, the Australian Arts Industry.

56. In 2017, the Applicant was honoured with the Berlinale Camera award at the Berlin Film Festival.

Date: 24 September 2018



Signed by Robert James Todd *by his partner, Anita Cade*  
Lawyer for the Respondents