



AFFIDAVIT OF PAUL RICHARD MCCANN

SWORN 1 FEBRUARY 2012

COURT DETAILS

Court Supreme Court of New South Wales
Division Equity
Registry Sydney
Case number 2011/285907

TITLE OF PROCEEDINGS

First plaintiff **Hope Rinehart Welker**
Number of plaintiffs **3**

First defendant **Gina Hope Rinehart**
Second defendant **Ginia Hope Frances Rinehart**

FILING DETAILS

Filed for **Gina Hope Rinehart, first defendant**
Legal representative **Corrs Chambers Westgarth**
Paul McCann / Kim Hamilton
Legal representative reference **9080776**

Contact email **[REDACTED]**

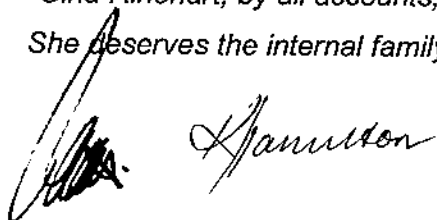
AFFIDAVIT

Name Paul Richard McCann
Address Level 32 Governor Phillip Tower, 1 Farrer Place, Sydney NSW 2000
Occupation Lawyer
Date 1 February 2012

I say on oath:

- 1 I am a partner of Corrs Chambers Westgarth (**Corrs**) and the lawyer on the record for Gina Hope Rinehart (**Mrs Rinehart**), the first defendant in this proceeding.
- 2 I make this affidavit in support of Mrs Rinehart's application for a suppression and non-publication order pursuant to s 8(1)(c) of the *Court Suppression and Non-Publications Orders Act 2010* (NSW) (**Act**).
- 3 I have known Mrs Rinehart for many years, since mid-1997. I am aware from personal knowledge that she has acted responsibly regarding her children's security and importantly, has endeavoured to keep them out of the media whenever possible. I am also aware from my personal knowledge that in the past Mrs Rinehart has arranged security glass and security personnel to protect her family, and put in place other security arrangements to minimise the risk to her family.
- 4 I am informed by Mrs Rinehart and verily believe the same to be true that Mrs Rinehart has genuine concerns for the safety of her children, her grandchildren and herself, arising from the worldwide media coverage of her wealth and the intense media coverage of proceedings, despite being presently subject to an interim suppression and non-publication order (**suppression order**). Mrs Rinehart believes that the lifting of the suppression order will intensify media interest in the proceedings and her wealth, and increase the risk to the personal safety of her children, her grandchildren and herself.
- 5 By way of example only, annexed hereto and marked "A" are comments that have been posted on social media websites between September 2011 and today's date, including:

"Gina Rinehart, by all accounts, is a disgusting, selfish and exploitative tyrant. She deserves the internal family strife she has engendered."



"Hi Gina, you are [a] morally reprehensible parasite on society and an enemy of democracy. You ought to be ashamed of yourself."

"Gina Rinehart is a Fucking Cunt."

"Best thing about Gina is that she'll probably have a stroke before too much longer."

"Fact is I utterly loathe Rinehart as a person and everything that she represents....basically everything that is screwed up with humanity - greed, materialism, individualism, selfishness, spitefulness, ignorance, arrogance.....thats [sic] Gina."


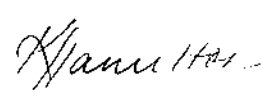
6 I am informed by Mrs Rinehart and verily believe the same to be true that prior to the commencement of these proceedings, adult photos of Hope Rinehart Welker had never been published in a newspaper. Annexed hereto and marked "B" is a copy of a newspaper article on the front page of the West Australian on 9 September 2011 which I understand featured the first published photograph of Hope Rinehart Welker as an adult. Since then I understand that other media publications have printed that photograph of Hope Rinehart Welker.

7 I am also informed by Mrs Rinehart and verily believe the same to be true that since these proceedings were commenced photographs of Ginia Hope Frances Rinehart have been published in newspapers and have featured on the front page. By way of example only, annexed hereto and marked "C" is a copy of the newspaper article that appeared on the front page of the West Australian on 14 January 2012 and featured a photograph of Ginia Hope Frances Rinehart, describing her as "formerly invisible" and referring to her as the "daughter of the richest person in Australia".

8 Photographs of John Hancock and Bianca Rinehart have also been repeatedly published since these proceedings were commenced.

9 In an email dated 30 July 2011 Hope Rinehart Welker requested Mrs Rinehart to engage a bodyguard "so the kids are safe". Annexed hereto and marked "D" is a true copy of that email.

10 In an email dated 31 July 2011 to Mrs Rinehart, Hope Rinehart Welker stated, in part:

"I don't think you understand what it means now that the whole world thinks you're going to be wealthier than Bill Gates – It means we all need bodyguards and very safe homes!! Especially the children who are small and easily targeted for kidnap."

Annexed hereto and marked "E" is a true copy of that email.

11 In an email to Mrs Rinehart dated 4 August 2011, Bianca Rinehart expressed her concerns for the safety of her family and had reservations as to whether there were adequate security measures in place to minimise the risk to her and her family. Annexed hereto and marked "F" is a true copy of that email.

12 Mrs Rinehart has previously written to both Hope Rinehart Welker and Bianca Rinehart in September 2011 about the media frenzy associated with these proceedings and the concerns that she has for her family, given the extensive lengths she has gone to in the past to shield her family from media coverage.

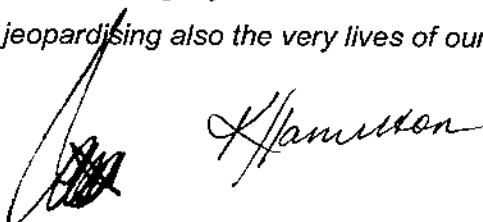
13 By email dated 9 September 2011, Mrs Rinehart expressed the following concerns for the safety of Hope Rinehart Welker and her family. Annexed hereto and marked "G" is a true copy of that email, which stated in part:

"You know I have done everything reasonably possible (and then some!) to keep you out of the media during your childhood and life given my love of you and concern for your safety and have been very largely successful. It has not been in my own interests to do this, the media would have loved me to give photos of my children to them, and expose them to the media, but I have considered by children responsibly and before my own interests.

It is now time for you to do so also. Any prolonging of this unnecessary and irresponsible action and "fishing trip" and lawyer feast will cause continuing media attention and greater jeopardy for the safety of you and your children and family."

14 By email dated 9 September 2011 Mrs Rinehart expressed the following concerns for the safety of Bianca Rinehart and her family. Annexed hereto and marked "H" is a true copy of that email which stated in part:

"Enough is enough; your ill-considered action is now causing media attention and jeopardising also the very lives of our family. You must act responsibly



where Nicholas is concerned and where you have the responsibility for his life when he is so defenceless and precious.

You know I have done everything reasonably possible and more to keep you out of the media during your own childhood and major part of your life given my concern for your safety, and with only a few exceptions given past ill-considered actions of your own doing, have been very largely successful.

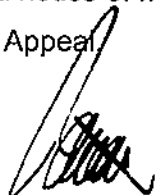
It has not been in my own interests to protect you, the media would have loved me to give photos of my children to them and expose them to the media, but I have considered my children responsibly and before my own interests.

It is now time for you to do also.

Any prolonging of this unnecessary and irresponsible action and "fishing trip" and lawyer feast will cause continuing media attention and consequently greater jeopardy for the safety of you, Nicholas and your family."

Urgency of the application

- 15 On 14 October 2011 Brereton J made an interim suppression order pursuant to the inherent jurisdiction of the Court and under s 10 of the Act, and subject to certain exceptions (**interim suppression order**).
- 16 On 31 October 2011 Tobias AJA made an order pursuant to s 7 of the Act and upon the grounds referred to at s 8(1)(a) of the Act prohibiting the disclosure by publication or otherwise of any information as to the relief claimed or any pleading, the summary of argument, submissions, the draft notice of appeal, evidence or argument filed, read or given in the proceedings in the Court of Appeal and including the contents of the red book, blue book, black book and orange book, but not including the summons seeking leave to appeal or the pronounced or published judgment of Tobias AJA (**suppression order**).
- 17 On 19 December 2011 the NSW Court of Appeal discharged the suppression order made by Tobias AJA on 31 October 2011 (**order 1**).
- 18 On 19 December 2011, in a hearing before her Honour Justice Beazley, Mrs Rinehart filed a notice of motion in court seeking a stay of order 1 made by the NSW Court of Appeal.



L Hamilton

- 19 On 21 December 2011, Beazley JA delivered judgment on Mrs Rinehart's motion and ordered a stay of order 1 up to and including 13 January 2012.
- 20 On 13 January 2012 the NSW Court of Appeal made the following orders:
- (a) order 1 be stayed up to and including 3 February 2012; and
 - (b) the interim suppression order made by Brereton J be discharged.
- 21 As a result of the orders set out in paragraph 20 (a) and (b) above, the suppression order made by his Honour Tobias AJA remains in place and the subject matter of Court of Appeal proceedings 2011/344306 remains suppressed and control of the interim suppression order made by Brereton J passed to the Court of Appeal.
- 22 On 9 January 2012 the first and second defendant both filed applications in the High Court of Australia for special leave to appeal the judgment of the NSW Court of Appeal delivered 19 December 2011.
- 23 On 30 January 2012 the first defendant filed a summons in the High Court proceedings seeking a stay of order 1. That summons is listed for hearing today at 4:15pm.
- 24 Having regard to the expiration of the stay of order 1 on 3 February 2012, I respectfully request that Mrs Rinehart's notice of motion seeking a fresh suppression order pursuant to s 8(1)(c) of the Act be determined on an urgent basis on or before 3 February 2012.

SWORN at Sydney

Signature of deponent

Signature of witness

Hamilton

Name of witness Kim Hamilton

Address of witness 1 Farrer Place, Sydney

Capacity of witness Lawyer

Note: The deponent and witness must sign each page of the affidavit. See UCPR 35.7B.

The division of the estates in the Murdoch and Rinehart families will dwarf anything a TV mini-series could offer to entertain the masses.

- 2.  Microseris

Posted Friday, 9 September 2011 at 3:14 pm | [Permalink](#)

First Dad, now daughter. Time to have a good look in the mirror.

- 3.  Captain Planet

Posted Friday, 9 September 2011 at 10:39 pm | [Permalink](#)

Gina Rinehart, by all accounts, is a disgusting, selfish and exploitative tyrant.

She deserves the internal family strife she has engendered.

- 4.  AR

Posted Monday, 12 September 2011 at 9:21 am | [Permalink](#)

Let's hear it for Schadenfreude, a dish best (de)served.

- 5.  Captain Planet

Posted Monday, 12 September 2011 at 9:35 am | [Permalink](#)

.....cold. ☺

- 6.  Stephen


Posted Monday, 12 September 2011 at 10:10 am | [Permalink](#)

This squillionaire's own kids won't talk to her, but Labor Prime Ministers fall over themselves to give her a self-serving say in important national matters.

- 7.  Son of foro

Posted Tuesday, 13 September 2011 at 10:13 am | [Permalink](#)

I heard that it's all going to one A Bolt.

This is the Annexure marked "  " referred to in the Affidavit of *Paul Richard McLann* sworn before me the *1st* day of *February* 2012

Manulson

.....
A Justice of the Peace/Solicitor



Santosh Santhi

Hi madam congra and great achieves madam and we plan to start NGO's madam for d welfare of rural child,,,blinds and orphans,,,and lot's more other Please help us madam,,,,,

Like · Comment · 24 September 2011 at 10:24



Elnard De Danann

Hi Gina, you are morally reprehensible parasite on society and an enemy of democracy. You ought to be ashamed of yourself.

Like · Comment · 27 September 2011 at 16:28



Rubens Camejo

Hi - I am nobody and want nothing from you but I would like you to do something that would use your profile in Asia. If this is really your site, please send me a message

Like · Comment · 27 September 2011 at 05:13



Warren Kung

Hi Gina, you are a very nice person and I really like you. I have a degree in chemistry so I understand the resource sector very well as I am doing a masters in oil and gas engineering. As well, I am finishing up my accounting designation and plan to open my own tax firm in Vancouver BC. I love to learn things so I also hold securities and real estate licenses. And while I don't have much wealth right now, I aspire to become like you some day and I hope that you can become my mentor and I look forward to hearing from you at ftkung@gmail.com.

Like · Comment · 24 September 2011 at 11:29



Anthony Prime

Business Investors Membership Offering...

TrumpCircle.com To Business World Conquest, Be Involved.

Like · Comment · 22 September 2011 at 23:57

Gina Rinehart is a Fucking Cunt

AND SOLOMON LEW IS
STEALING YOUR DREAMS,
ONE SWIMMING-POOL
SIZED PIECE OF LAND AT
A TIME.

\$10 000 000 000

Google search history

- Gina Rinehart is a Fucking Cunt**
Gina Rinehart is a fucking cunt. She is a greedy bitch who stole my dream of owning a swimming pool and a piece of land.
- Gina Rinehart is a Fucking Cunt - Occupy Network From For - Occupy Movement**
Gina Rinehart is a fucking cunt. She is a greedy bitch who stole my dream of owning a swimming pool and a piece of land.
- Gina Rinehart is a Fucking Cunt - 10/20/08**
Gina Rinehart is a fucking cunt. She is a greedy bitch who stole my dream of owning a swimming pool and a piece of land.
- World's Richest: Rinehart**
Gina Rinehart is a fucking cunt. She is a greedy bitch who stole my dream of owning a swimming pool and a piece of land.

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 society Australia's most dangerous women doubles fortune in one week

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 You have just been randomly selected as our potential winner!
 Holden Cruze Series II or \$20,000!
 If selected, click here: www.gm1z2w1myyear.com.au

PostReply 0

24 Jan 2012, 21:52

Upton Sinclair
 BigFooty Member
 Collingwood
 Joined: Jul 2011

Re: Australia's most dangerous women doubles fortune in one week
 Best thing about Gina is that she'll probably have a stroke before too much longer

- Australia 2k
- Australian Football
- My Footy
- AFL Team Boards
- More Footy
- Footy Games
- The Other Footballs
- More Sports
- Education and
- Not Footy Related
- Customer Service



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 Expert StockMarket Advice & Tips. Free 21 Days Trial
www.stockreport.com.au

Welding Procedures
 Available same day. Qualified to AS1564 and/or AS3982
www.steppaweld.com.au

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 Glamour

Available same day Qualified to AS1554 and/or AS3992
 Will you remove these two ads? Just register for free or log in.

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24 Jan 2012, 21:56

RisingPhoenix
 BigFooty Member

West Coast
 NAFC SFCC
 Joined: Dec 2010
 Location: Down South

Can You Pick A Better Time To Get Into The Market? Join CommSec Today
www.comsec.com.au/data/au/idx

AdChoices

Quote:

Originally Posted by **cancel**
 Relevance? I find it both illuminating and strange that people who rail against discrimination on grounds of sexuality or aboriginality often reveal their own prejudices.

Think you have me mistaken for that ex SAS/Lawyer bloke that supposedly lives in London.

The only things I rail againsts are political correctness, greed, middle class welfare and getting screwed at my local KFC drive thru.

Fact is I utterly loathe Binehart as a person and everything that she represents....basically everything that is screwed up with humanity -greed, materialism, individualism, selfishness, spitefulness, ignorance, arrogance.....thats Gha.

Her physical appearance is completely secondary I assure you.

Last edited by RisingPhoenix: 24 Jan 2012 at 11:11

24 Jan 2012, 22:14

cancel
 BigFooty Senior Member

Geelong
 OAFCC
 Joined: Jun 2007
 Location: Geelong

Re: Australia's most dangerous woman doubles fortune in one week

Quote:

Originally Posted by **Lipton Sinclair**

Good argument:

"Uh, your honour, apart from the people she has litigated against in a serial fashion; how exactly is she a serial litigant?"

And it's not my opinion, it is the opinion of legal practitioners that have had to deal with her:

From the article

Quote:

vivbenjamin Viv Benjamin

RT @samahhadid: Suggesting that **gina rinehart's** wealth is somehow a feminist achievement offends and disgusts my feminist core.

3 hours ago



samahhadid Samah Hadid

Suggesting that **gina rinehart's** wealth is somehow a feminist achievement offends and disgusts my feminist core.

1 hours ago



GlobalPeopleLou Louise Thomson

@sunriseon7: Aussie mining magnate **Gina Rinehart** worth \$20b making her the 4th richest woman in the world. #Sun7" #Leadership or luck?

1 hours ago



theVoyuer The Voyuer

20 billion can buy **Gina Rinehart** almost anything, except someone that is genuinely attracted to her sexually. **GoddamnRichCunt**

1 hours ago



andraEckersley Sandra K. Eckersley

urnaby Joyce, Teresa Gambaro & Julie Bishop were flown to India last year for billionaire's wedding by **Gina Rinehart**. Appropriate? #auspol

1 hours ago



ubaStv Steve Allen

Gina Rinehart has doubled her wealth... She probably won't even care when we get divorced. #half

1 hours ago



_creative Katherine Creative

@sunriseon7: Aussie mining magnate **Gina Rinehart** is now worth \$20b making her the 4th richest woman in the world. #Sun7" this makes me ill


1 hours ago



riseon7 Sunrise

Aussie mining magnate **Gina Rinehart** is now worth \$20b making her the 4th richest woman in the world. #Sun7

1 hours ago



Therbs3 Therbs

If you aren't following [@2FBS](#) you're missing some **Gina Rinehart** gold tonight. It rips.

20 hours ago

»



John Ward

Democracy taken for Granted: **Gina Rinehart's** wealth doubles in a week | Rich li...

johnward154.blogspot.com/2012/01/gina-r...

20 hours ago

»



Iron Road Limited Iron Road Limited

Ironore magnate **Gina Rinehart's** fortune could nearly double to \$20bn after deal with South Korean **#steel**

partner Posco ht.ly/8Cx1W

1 hours ago



Buna Ziua Iasi

'OPUL celor mai bogate femei din lume | Mostenitoarea unui imperiu minier, australianca **Gina Rinehart**,...

festyle.bzi.ro/a-13163

1 hours ago



scobisc discobisc

Gina Rinehart's looking pretty hot lately. Forbes should have a centrefold.

2 hours ago



MadMonk SaysNO

at all RT [@sandraeckersley](#): Barnaby Joyce, Teresa Gambaro & Julie Bishop flown to India last year for

redding by **Gina Rinehart**. **#auspol**

hours ago



nortypig

let's all feel sorry for poor old **Gina Rinehart**... diddums... she can't handle a MINING TAX the old troll -

age.com.au/business/rineh...

hours ago



OceaniaXXX

FollowBack #FF #SV **Gina Rinehart's** wealth doubles q.gs/rBEH **#TeamFollowBack #TFB**

[://twitter.com/](http://twitter.com/)

22 hours ago



chanyinkeen1 My News Feed

[Age] **Gina Rinehart's** wealth doubles: Australia's richest person now closer to world title after fortune jumps b...

bit.ly/ABtLJ9

22 hours ago

»



melbournenews Melbourne News

bit.ly/16w7zf **Gina Rinehart's** wealth doubles: Australia's richest person now closer to world title after ...

bit.ly/wciInq

22 hours ago

»



the age Breaking News

Gina Rinehart's wealth doubles: Australia's richest person now closer to world title after fortune jumps by \$10b...

bit.ly/wciInq

22 hours ago



andraEckersley Sandra K. Eckersley

Sarnaby Joyce, Teresa Gambaro & Julie Bishop flown to India last year for a billionaire's wedding by **Gina Rinehart**. Appropriate? [#auspol](https://twitter.com/auspol)

2 hours ago



richardNewsome Richard Newsome

h **Gina Rinehart** might be worth a few quid, but she's still a good \$9.6billion shy of Gerald Wilkins...

[text publishing](https://twitter.com/textpublishing)

3 hours ago



liviallyria Olivia Illyria

on the 3rd of Feb, suppression order against [#GinatheHutt](https://twitter.com/GinatheHutt) will expire and 'embarassing' info can be revealed

bit.ly/zAOFyj

3 hours ago



andraEckersley Sandra K. Eckersley

W SMH article has Andrew Bolt, Alan Jones & Ray Hadley down as employees of **Gina Rinehart** & Singo to further their agenda. Nice. [#auspol](https://twitter.com/auspol)

3 hours ago

Gina Rinehart's wealth doubles to nearly \$20B smh.com.au/business/rineh...

23 Jan

»



Marika M Marika Mazzucchelli

Gina Rinehart is ranked as 19th most powerful woman in the world (Forbes). The Queen is 49th.

23 Jan

»



gwr James Russell

Gina Rinehart is the world's richest woman, and she still can't spend all that money on anything better than a TV show for Andrew Bolt.

23 Jan



io... beer gut Peak Oil Crash

Wealth of Australia's richest person, **Gina Rinehart**, jumps about \$10 billion in a week. tiny.cc/2sstn

23 Jan



KEDA IT Karina Santolin

Australia's **Gina Rinehart's** wealth doubles in a week smh.com.au/business/rineh... via [@smh](https://twitter.com/smh)

23 Jan



absNation Barb

OliviaIllyria So you're saying **Gina Rinehart** made \$10b in a week? I'm impressed!! [#Auspol](https://twitter.com/Auspol)



hn Hanna John Hanna

Gina Rinehart doubled her wealth over night did the Tax Man double his take as well.

RichestChickInTheWorld

23 Jan



viaIllyria Olivia Illyria

the fucking cunt **Gina Rinehart** doubles her wealth to \$20 billion in a week and argues she can't afford to pay her tax? FUCK YOU! [#auspol](https://twitter.com/auspol)

23 Jan



[://twitter.com/](https://twitter.com/)

title.

Of course, incredible wealth invariably means incredible work and Rinehart has plenty of that in front of her. The first task will be to secure funding for these projects, which is no small job in markets where capital is becoming somewhat constrained. On top of this, developing three projects the size of the Roy Hill mine and the two Queensland projects would be a huge job for any big mining company.

But Hancock Prospecting is a relatively small operation, without the huge management infrastructure needed for such projects. Indeed, the board and management section on the company's website lists just five people, including Rinehart.

The most likely outcome is that she will look to others to operate the mines, as she has done with Hope Downs and Rio Tinto. This would be the smart play — Rinehart will have companies knocking down her door to do the job and you can bet she'll drive a hard bargain before making her pick.

But that's in the future. Right now, we should all stop to recognise the fact that Australia has in its midst an entrepreneur who controls an empire bigger than Frank Lowy, Anthony Pratt, James Packer and Harry Triguboff combined.

And she's just getting started.

**This article was originally published at [SmartCompany](#)*

5 Comments

1.  Bill Hilliger

Posted Friday, 20 January 2012 at 2:45 pm | [Permalink](#)

Some people say Gina will one day buy WA lock, stock and barrel. Whoaaa!

2.  jeebus

Posted Saturday, 21 January 2012 at 12:07 pm | [Permalink](#)

\$20 billion of looted riches from Australia's national treasure.

She's not a wealth creator. She's a wealth inheritor and extractor.

3.  Captain Planet

Posted Sunday, 22 January 2012 at 12:19 am | [Permalink](#)

Gina Reinhart's wealth is exceeded only by her arrogance and selfishness.

ZUT ALORS
Posted Friday, 9 September 2011 at 2:24 pm Permalink

The division of the estates in the Murdoch and Rinehart families will dwarf anything a TV mini-series could offer to entertain the masses.

MICROSERIS
Posted Friday, 9 September 2011 at 3:14 pm Permalink

First Dad, now daughter. Time to have a good look in the mirror.

CAPTAIN PLANET
Posted Friday, 9 September 2011 at 10:39 pm Permalink

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Let's hear it for Schadenfreude, a dish best (de)serted.

CAPTAIN PLANET
Posted Monday, 12 September 2011 at 9:35 am Permalink

... cold. ☹

STEPHEN
Posted Monday, 12 September 2011 at 10:10 am Permalink

This squillionaire's own kids won't talk to her, but Labor Prime Ministers fall over themselves to give her a self-serving say in important national matters.

SON OF FORO
Posted Tuesday, 13 September 2011 at 10:13 am Permalink

I heard that it's all going to one A Bolt

Done

We as a country could afford the numbers and would be less costly than we are spending now. It is also a humane offer.

Yes, Mr. Abbott needs to be careful, he is not in the driving seat as he appears to believe he is. His days are numbered.

Catching up December 22, 2011 at 4:13 pm

Roswell, pray tell me how could anyone have much love for a party that sets out to attack us at every turn.

Miglo December 23, 2011 at 8:01 am

It's beyond a joke that the biggest whingers in this country are the mega rich. People like Gina Rinehart or Gerry Harvey can't open their big fat gobs unless it's to moan about how unfair the world treats them. It really is pathetic.

Mln December 23, 2011 at 12:48 pm

Migs, it seems that Wayne Swan agrees with you...this one has just come up on the SMH.

Treasurer Wayne Swan says it's just not Christmas if retailer Gerry Harvey isn't whingeing about soft sales.

http://www.smh.com.au/national/swan-takes-a-potshot-at-whinger-gerry-harvey-20111223-1p7xl.html?ixzz1hJnKmCSA

Phone

Start 2 Mc... Serv... Zee... Quick... Race... CORR... Time E... Who a... Internet Follow 100% 10:35 AM

GINA RINEHART SELLS OFF AUSTRALIA'S RESOURCES FOR \$10 BILLION - SICKENING

From: 27 January 2010 10:11

Dear Editor,
Rinehart Sell Off of Australian Resources Sickening.

It was with great alarm that I read that Gina Rinehart is further enriching herself to the tune of \$10 billion dollars by selling off Australian resources to South Korea. It absolutely disgusts and sickens me that just one single woman should have the right to possess and sell off Australian resources lying in Australian soil, resources that should belong to all Australians as a matter of birthright. They are Australian resources, not Rinehart's resources. The sooner we become more economically nationalist and stop this rot the sooner we will be able to stop the sell off of Australia to foreign interests.

Dr Ivan Molloy
PO Box 78,
Peregian Beach,
Queensland, Australia, 4573
0407114729



"B"

19

DAUGHTER SUES GINA



Family turmoil: Gina Rinehart

STEVE PENNELLS and LOUISE HALL

Australia's richest person Gina Rinehart is embroiled in another court battle with her family after one of her twin daughters filed a lawsuit against her in Sydney.

No details were released by the NSW Supreme Court, where the action was listed yesterday, but she is being sued by Hope Rinehart Welker, one of her daughters with her late husband, American lawyer Frank Rinehart.

Mrs Rinehart heads Hancock Prospecting, the iron ore business she inherited from her father Lang Hancock, and is estimated to be worth \$10 billion.

The lawsuit is the latest chapter in Mrs Rinehart's tumultuous relationships with her children.

Eight years ago, her son John changed his surname to Hancock by deed poll and vowed to leave Australia amid a split over his late

grandfather's business empire.

He told *The West Australian* at the time that his mother was a "powerful and controlling person" who refused to discuss succession plans for the company and he believed he had been shut out.

He described their relationship as complex. "All companies, whether family or otherwise, should have a succession plan," he said.

"My mother refuses to make or discuss such plans. I have three sisters and suspect the youngest has now been earmarked."

At the time, he said he planned to launch legal action against his mother but the pair are understood to have since reconciled.

His sister Bianca Hope Rinehart, 34, is tipped to take over the empire.

Mrs Rinehart fought an 11-year court battle with her stepmother, socialite Rose Porteous, after Mr Hancock's death in 1992.

She also had a nine-year legal

dispute with the children of her father's business partner Peter Wright over ownership of an iron ore deposit in WA.

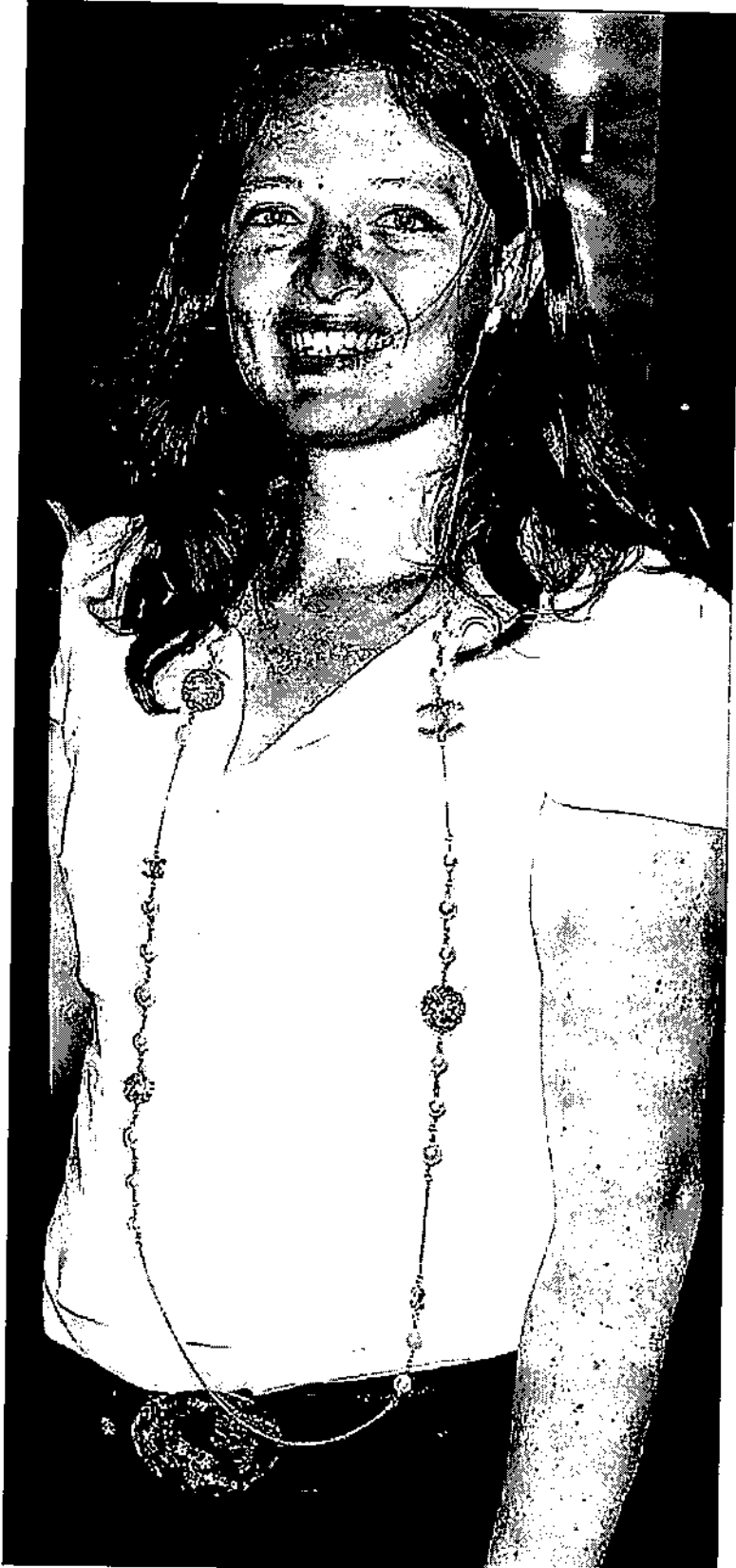
In the NSW Supreme Court yesterday, Mrs Rinehart's lawyer Alan Sullivan applied for a confidentiality order to stop media outlets finding out what the dispute with Mrs Welker, 26, is about.

Justice Paul Brereton agreed to hear argument today on the request for a suppression order.

Mrs Welker is married to American Ryan Welker, 29, a director of Mineral Resources, in which Hancock Prospecting and Mrs Rinehart have an 8 per cent stake.

Mr Welker lists his address as a \$5.4 million waterfront home in Mosman, which is owned by 150 Investments. Mrs Welker is a co-director of 150 Investments with her mother and Bianca Rinehart.

This is the Annexure marked "B" referred to in the Affidavit of Paul Richard McCann sworn before me the 1st day of February 2012
Paul Hon
A Justice of the Peace/Solicitor



Dispute: Hope Rinehart Welker has filed a lawsuit against her mother. Picture: Tito Media

Youngest of Rineharts out of the shadows

This is the Annexure marked "C" referred to in the Affidavit of Paul Richard McLean sworn before me the 1st day of February 2012

STEVE PENNELLS, The West Australian
Updated January 14, 2012, 2:30 am

Spanulston

Recommend

A Justice of the Peace/Solicitor

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She's the 25-year-old daughter of the richest person in Australia, is dating the son of a Beach Boy and is pictured here holding the keys to a \$1.2 million car.

If that's not enough, she's also just been anointed heir apparent to the multibillion-dollar Hancock mining empire in an explosive family feud that has seen her three siblings cast adrift.

When shake-ups happen in the House of Hancock, they're never subtle.

The public elevation of Ginia Rinehart to the reins of Hancock Prospecting as favoured child by her mother's side should have been expected.

Over the years, each of Ms Rinehart's four children has gone through a revolving door of favour and succession and this changeable largesse has finally settled on the last one left - Ms Rinehart's youngest and, perhaps more significantly, the only one of her children who isn't suing her.

With the iron ore magnate's three other children embroiled in a potentially explosive court action to remove her as head of the family trust, Ginia is the only one to have taken her mother's side and the loyalty appears to have been rewarded.

Last month, her mother appointed her director of both the family company, Hancock Prospecting and Hope Downs Marketing Company, the multi-billion dollar joint venture with Rio Tinto.

She has also replaced her sister, Bianca, on the board of HMHT Investments, which is linked to the family trust at the centre of the current court battle.

It is an extraordinary baptism of fire for a person who, unlike her older siblings John and Bianca, has shown little - if any - interest, at least publicly, in mining or the family company but the move plays according to a well-worn script in one of WA's most famous families.

John, Lang Hancock's only male heir, was originally seen as the one most likely to take on the reins at Hancock Prospecting, a view fuelled by his role as family spokesman during his mother's protracted fight with Rose Porteous over the Hancock fortunes and his relocation to South Africa to work for Iscor, which at the time was Hancock Prospecting's partner in the multi-billion dollar Hope Downs Iron Ore mines.

But the pair fell out after a legal stoush eight years ago - when he changed his name from Rinehart to Hancock by deed poll - and he retreated from the limelight. Soon after, Bianca was tipped to take over the family business.

She was described at the time as the "anointed one", taking on a directorship of HPPL and being photographed with her mother at Hope Downs in 2005 and at the signing of an agreement with Rio Tinto, launching "a new era for the Rineharts".

But after time in the spotlight dating swimming star Grant Hackett and National Basketball League player Damien Ryan, she surprised friends and family with a sudden move to the Northern Territory with her partner and then to Queensland, to start a family.

She is still listed as a director of Hancock Prospecting but doesn't appear to have had any management role in the company for some time.

In the past two years it has been Hope's turn, albeit by way of her husband, the American-born former model, Ryan Welker, who was welcomed into the family fold and appeared to supplant John and Bianca in Gina's eyes, at least as far as Hancock Prospecting was concerned.

In late 2010, he was appointed to the board of Mineral Resources, a Perth-based mining company in which Hancock Prospecting has a small stake.

But his future with the company looks to have ended abruptly because of his involvement in his wife's court action.

Within days of Hope filing her claim against her mother in the NSW Supreme Court last September, Mineral Resources issued a press release announcing his resignation as non-executive director, effective immediately.

Now it is Ginia's turn.

In all these shifting loyalties, Ginia's role is the most interesting. The youngest and, until recently, only single one of the four, she has been described as the daughter most like Gina and is the last of the billionaire's children to get a seat on the musical chairs at the

company table.

In the four months since her siblings took up arms against their mother, Ginia has made surprise appearances alongside Ms Rinehart at the Boao Forum for Asia Perth conference, CHOGM and the Queen's garden party, in what is seen as a signal of an expanded role in the family company and a public snub by Ms Rinehart of her other three children, made formal last month when Ginia was given official positions within the Hancock network of companies.

But despite being handed the future of the mining giant, not much is known about the 25-year-old.

Ginia and Hope - Ms Rinehart's youngest children from her second marriage to American corporate lawyer Frank Rinehart - have been shielded from the public eye for most of their lives by the fiercely protective Ms Rinehart, who has a long-standing policy of never trusting or talking to the media and demanding the same from her children.

What little is known about the latest court action is that she and her children went so far as to sign a secret pact almost five years ago to keep all disputes in-house and not air their dirty laundry in public.

Barely anything is known about her two youngest children, few adult photos exist and they are often incorrectly referred to as twins, with Ginia often misnamed 'Gina'.

Hancock Prospecting refused requests this week for a CV or any background details of its new director.

"You know Gina doesn't comment," said former WA attorney-general Cheryl Edwardes, who now works by Ms Rinehart's side as Hancock Prospecting's head of government relations.

What is known is that until recently, Ginia is believed to have been living in Britain and had secured a dream job at the House of Faberge in London as a publicist and party planner.

She was seen mixing with the young moneyed European set in St Tropez and Paris Fashion Week.

Her exact role at the jewellery giant is unclear but the Faberge website featured public relations posts under her name. Faberge was bought in 2007 by former BHP chief Brian Gilbertson's private equity fund Pallinghurst, which controls Jupiter Mines, of which Gina Rinehart has a small interest - a connection which may explain Ginia's involvement.

"We hope you will understand that we have no comment," Faberge's London-based PR manager Tatiana Zhrebkina said, when contacted about the younger Rinehart's role.

Shortly after being approached by *The Weekend West*, the company removed all references to Ginia Rinehart and deleted her posts from the House of Faberges website.

Along with Hope, the youngest Rinehart attended St Hilda's in Mosman Park and then the famous Institut Le Rosey, the oldest private boarding school in Switzerland and one of the most exclusive private education institutions in the world, where tuition costs for just one year add up to more than \$120,000.

She rubbed shoulders with the moneyed and the well-connected. The school's alumni includes several dynasties and seven monarchs, a legacy which earned it the name "the school of kings".

It was here that Mohammed Reza Pahlavi, the last Shah of Iran was sent, along with King Faud II of Egypt, King Juan Carlos of Spain and Prince Rainier of Monaco.

The 380 students are all boarders and share their time between two campuses. In summer, they live on a manorial estate in Rolle beside Lake Geneva. In the winter months, the entire student body relocates to a second campus in the picturesque ski resort of Gstaad.

The school is also famous for protecting its students' privacy, which is likely one of the reasons it was chosen.

It is here that Ginia is believed to have met Ryan Johnston, son of the Beach Boys' Bruce Johnston, who also wrote the Barry Manilow classic I Write the Songs. Mr Johnston is listed as a Le Rosey alumni, with reference to his Beach Boys pedigree, at the same time Ginia and Hope attended the school.

The pair are understood to have been dating since September, when her three siblings launched their bombshell legal action against their mother.

And here is where Ginia's involvement gets interesting . While a veil of secrecy hangs over the family court stoush, the timing of her siblings' action appears to centre around the youngest Rinehart, or at least the occasion of her 25th birthday in September.

What little has been revealed in judgements so far relating to the case is that the battle was prompted by the vesting date of a trust described by NSW Supreme Court Justice Paul Brereton as holding "no small part" of the family's "immense wealth".

Ten-year-old Federal Court documents from Ms Rinehart's protracted court battle with Ms Porteous in 2002 give details of the trust and reveal that control over one-third of Hancock Prospecting would be passed on to Lang Hancock's four grandchildren "when the youngest reached the age of 25 years".

Ginia turned 25 on September 6.

Just one day before this milestone, Hope Rinehart, with the subsequent backing of John and Bianca applied to the court to have the vesting date of the trust extended by a year and their mother removed as trustee.

The reasons for this remain a mystery but whatever happened four months ago has now torn the House of Hancock into two distinct camps and set one of Australia's most famous families on a path to open warfare.

Ms Rinehart was yesterday given another three week reprieve on the details becoming public, with the all-encompassing suppression over the entire case extended by the NSW Court of Appeal until February 3.

If she can't convince the High Court to intervene by then, the details of the bitter feud at the heart of the spectacular Hancock family breakdown - which has turned three children against their mother and advanced the fourth towards control of a multibillion-dollar mining giant - will finally be revealed.

PCO

From: Hope [REDACTED]
Sent: Saturday, 30 July 2011 8:30 PM
To: Gina Rinehart

Hi Mem,

I need a few things for my birthday (cook so you can be sure April is fed right, bodyguard so the kids are safe and housekeeper that is good w kids so if I need to go out I can) and I found a great agency here that sources the best, here are the descriptions and costs, I would buy them myself but I'm down to my last \$60 000 and your only paying my husband \$1 a year...

Chef / Cook

- Description: A Cook or Chef prepares detailed menus and food for most or all family and social events. A Cook or Chef may also prepare meals for the staff. The household Chef is responsible for anything food or kitchen-related, including organization, clean up, shopping for all food-related supplies and menu planning. There are many levels of cooks from the basic family cook to the school trained gourmet chef.
- Annual Salary Range: \$40,000 to \$225,000+

Bodyguard

- Description: Protects clients when in public and helps maintain their privacy. A Bodyguard may be the driver, a chaperone or remain at the house, possibly working with a team. He or she is usually physically fit and trained in personal protection techniques and martial arts. A Bodyguard may be required to carry a firearm. Past experience as a police officer may be required.
- Annual Salary range: \$55,000 to \$100,000.

Housekeeper

- Description: A Housekeeper is in charge of running the home, which may include overseeing other employees, cleaning, doing the laundry, ironing, dusting, silver polishing, vacuuming and running errands. Housekeeper duties may also include some meal preparation and/or childcare duties. Housekeepers can live-in or out.
- Annual Salary Range: \$35,000 to \$55,000+

This is the Annexure marked "D-1",
 referred to in the Affidavit of Paul Richard
 McLean
 sworn before me the 1st day of February
 2012

 A Justice of the Peace/Solicitor

PCO

From: Hope Rinehart [REDACTED]
 Sent: Sunday, 31 July 2011 1:14 AM
 To: Gina Rinehart
 Subject: RE:

I can't live in Australia or Singapore, it's not fair on me to have to live there and horribly unfair for me to have to expose the kids to that. It's hard enough being a kid, let alone the peer pressure that comes from being the wealthiest one in the country.

I love America, the girls love it. I'm happy here. Your media is minimal and positive here. I really do need a safer apartment but ironically I can't afford it!! I don't want to have to move back to one of your 'desirable' countries again just to save every cent I can so I can finally live here where I'm happy, my children are happy and I can offer them the best school and universities in the world. It's not fair you are selfishly pressuring me to move to Singapore and Australia just because you hate America.

I don't think you understand what it means now that the whole world thinks you're going to be wealthier than Bill Gates - It means we all need bodyguards and very safe homes!! Especially the children who are small and easily targeted for kidnap. No country (not even Singapore) is safe. I don't have the money to protect myself or my children and it scares me. I should have enough money to have a bodyguard, housekeeper and cook. Even my friends who have nothing compared to your wealth have more staff.

I hate that we can't all be happy and do our own thing and spend the holidays together. I hate that everything is conditional. I'm tired and I don't want to fight and I just want to make the most out of everyday I have left.

This is the Annexure marked "E" referred to in the Affidavit of Paul Richard McCann sworn before me the 1st day of February 2012
[Signature]

 A Justice of the Peace/Solicitor

PCO

From: [REDACTED]
 Sent: Thursday, 4 August 2011 11:40 AM
 To: PCO; Helen Lane
 Subject: Security

Chum no doubt you heard about the unnerving situation yesterday involving a bomb and an 18 year old girl at home in Mosman.

Thank goodness Hope & family have moved overseas as we all otherwise would have been so much more concerned.

However, the fact is although we were not targeted this time, we are, by all accounts the highest risk family in all of Australia for future similar attacks.

I am not comfortable that Nicholas, Sasha & I have adequate measures in place to minimise risk to our own personal safety.

Although we have recently beefed up our security at home (added motion sensor cameras), this will do nothing to protect us should someone enter the house. Especially with Sasha travelling so frequently with work, if we are to remain based here in Australia I would like to have security personnel present as you have with Kevin.

Unfortunately I do not have the financial means to achieve this, and ask that either you consider sponsoring such an arrangement or please make funds available so that I may consider our options in this regard.

Love,

Biancs

Sent via BlackBerry® from Telstra

This is the Annexure marked " *Exhibit* " referred to in the Affidavit of *Paul Richard McCann* sworn before me the *1st* day of *February* 2012

J. Manulter

.....
 A Justice of the Peace/Solicitor

This is the Annexure marked "G" referred to in the Affidavit of *Paul Richard McCann* sworn before me the *1st* day of *February 2012* in *Hamilton*

 A Justice of the Peace/Solicitor

From: Gina Rinehart
Sent: Friday, 9 September 2011 10:52 AM
To: [REDACTED]
Subject: URGENT
Importance: High

Hope

Enough is enough, your ill-considered action is now also causing media attention and jeopardising the lives of our family. You must start acting responsibly where your children who cannot act for themselves are defenceless and who depend on you are concerned. You know I have done everything reasonably possible (and then some!) to keep you out of the media during your childhood and life given my love for you and concern for your safety and have been very largely successful. It has not been in my own interests to do this, the media would have loved me to give photos of my children to them, and expose them to the media, but I have considered my children responsibly and before my own interests.

It is now time for you to do so also. Any prolonging of this unnecessary and irresponsible action and "fishing trip" and lawyer feast will cause continuing media attention and greater jeopardy for the safety of you and your children and family. Photos you've distributed of you and your children and family members or photos others have taken that are in their possession or on Facebook will become tradeable items for the media. High prices will be obtainable from the media and undesirables for family photos. Who knows what photos are out there? If you engage in bidding wars to try and stop photos being distributed anywhere in the world you'll just end up paying and they'll use the photos anyway wherever they wish. You could be paying off blackmailers forever.

You had no need to take this unnecessary action, based on assurances Ginny gave that you didn't want to engage a lawyer or engage in proceedings, the Trust vesting date was extended in good faith, indeed before the proceedings commenced.

Ryan's instructions to pursue splitting ie settling of the Trust first, are also misconceived. His game plan as outlined in John's email of September 6 copied to you to appoint a new Trustee and request that new Trustee seek a ruling from the ATO is flawed and risky and not in your best interests to say the least.

It was again also absolutely unnecessary given the significant dividend payments that were to start for you in January 2012, payments far far greater than what you have been receiving from the Trust, and which could have continued to keep you in Netjets, expensive homes and an increasingly very privileged lifestyle for life. Without you

having to work one day but given the work I've done could have had all this from January 2012. You should have the sense to weigh this up properly and not be egged on by anyone to cause problems.

Hope this goes beyond my arguments /concerns with you regarding your not looking after your dear children properly – if you prolong this litigation you will also be running the risk of jeopardising their lives and your mothers, Ginny, nieces and other family members lives, so please act responsibly and stop this litigation.

Mother

PS: Apparently at yesterday's short mention there were at least 9 media reps. This arvo (Sydney time) there will be far far more. They will be armed with many high paid silk to argue against any potential suppression orders. Even if both our legal teams argue for suppression or limited suppression they will be out numbered. You need to discontinue before the hearing.

"H"

29

Shona Hill

From: Gina Rinehart [REDACTED]
Sent: Friday, 9 September 2011 3:19 PM
To: [REDACTED]
Subject: URGENT

Importance: High

This is the Annexure marked H
referred to in the Affidavit of Paul Richard
McLann
sworn before me the 1st day of February
Hamilton
A Justice of the Peace/Solicitor
2012

Bianca

Enough is enough; your ill-considered action is also now causing media attention and jeopardising also the very lives of our family. You must act responsibly where Nicholas is concerned and where you have the responsibility for his life when he is so defenceless and precious.

You know I have done everything reasonably possible and more to keep you out of the media during your own childhood and major part of your life given my concern for your safety, and with only a few exceptions given past ill-considered actions of your own doing, have been very largely successful.

It has not been in my own interests to protect you, the media would have loved me to give photos of my children to them and expose them to the media, but I have considered my children responsibly and before my own interests.

It is now time for you to do also.

Any prolonging of this unnecessary and irresponsible action and "fishing trip" and lawyer feast will cause continuing media attention and consequently greater jeopardy for the safety of you, Nicholas and your family. Have you ever considered photos you've distributed of you and your children and family members or photos others have taken that are in their possession or on Facebook that I've told you many times to discontinue (including certain photos, I was very cross with you about) will become tradeable items for the media, and potentially undesirables. High prices will be obtainable from the media and undesirables for family photos. If you engage in bidding wars for such photos, you'll just end up paying and they can use the photos anyway wherever they wish. You could be blackmailed forever.

You had no need to take this unnecessary action, based on assurances Ginny gave that Hope didn't want to engage a lawyer or engage in proceedings and given your fiduciary obligations as director which you must not breach, the Trust vesting date was extended in good faith, indeed before the proceedings commenced.

The instructions to pursue splitting i.e. settling the Trust first are also misconceived.

The game plan as outlined in John's email of 6 September copied to you, to appoint a new Trustee and request that new Trustee seek a ruling from the ATO is as you should know flawed and risky and not in your best interests, to say the least.

It was again also absolutely unnecessary given the significant dividend payments that were to start for you in January 2012, payments far far greater than what you have been receiving from the Trust, and which could have continued to keep you in expensive homes, endless holiday travels, and increasingly very privileged lifestyle for life, without you having to work, but given the work I've done. You should have the sense to weigh this up properly and not be egged on by anyone to create problems.

If you prolong this litigation you will be running the high risk of jeopardising our family's lives, so please act responsibly and stop this litigation.

Mother.

PS: Apparently at yesterday's short mention there were at least 9 media reps. This arvo (Sydney time) there will be far far more. They will be armed with many high paid silk to argue against any potential suppression orders. Even if both our legal teams argue for suppression or limited suppression they will be out numbered. You need to discontinue before the hearing.

Dictated. Typing not checked.

Hancock Prospecting Pty Ltd
28-42 Ventnor Avenue
West Perth WA 6005
Tel: (08) 9429 8222

