

28 January 2020

Our ref: VEB:PKR:10720

Your ref:

The Hon Scott Morrison MP  
PO Box 1306  
CRONULLA NSW 2230

Dear Mr Morrison

**Michael Robert Staindl – Concerns Notice  
Pursuant to s14(2) of the *Defamation Act 2005* (Vic)**

We act for Michael Robert Staindl and have been retained by him in relation to comments made by you at a press conference on 24 December 2019 at Mt Barker in South Australia. These comments were then transcribed and published on your official government website.

This letter is also our client's concerns notice pursuant to s14(2) of the *Defamation Act 2005* (Vic).

The transcript includes the following statement:

*There is another case that is ongoing in relation to the Treasurer, and I've got to say that it's the most despicable case that I've seen undertaken against a member.*

*You know, I've called it out as being anti-Semitic, and I still think that it is.*

It is evident that the statements made by you relate to our client's proceeding in which he is the Petitioner and the Hon Joshua Frydenberg is the Respondent.

The statements extracted above from the transcript on your official website seriously defame our client.

The imputations of concern (arising as a matter of ordinary and natural meaning and by way of true innuendo) are, among others, that our client:

- (a) is anti-Semitic;
  - (b) discriminates against people of the Jewish faith;
  - (c) dislikes people of the Jewish faith;
  - (d) dislikes the Treasurer because he is Jewish;
  - (e) is discriminating against the Treasurer because of his Jewish faith;
  - (f) is motivated by his hatred of Jews in bringing the proceeding against the Treasurer;
- and

(g) has no proper basis for his proceeding against the Treasurer.

Our client is a respected citizen of Kooyong and is exercising his legal rights, including those afforded to him under the *Commonwealth Electoral Act 1918*.

The highly sensitive nature of your comments and the inference that our client dislikes people of the Jewish faith has the potential to subject our client to hate speech, violence and vilification.

Our client expects proper amends to be made promptly for the damage done by your comments.

Our client is prepared to regard his abovementioned grievances at an end if the following conditions are met promptly:

1. you publicly apologise for the statements, the apology of which is to be mutually agreed between the parties and should include an acknowledgement that you should not have made those statements;
2. the apology is published on your website and through a media release, again to be mutually agreed;
3. you immediately remove the comments from your website and anywhere else they may be published;
4. you undertake not to make any further comments, prejudicial or otherwise, in relation to our client;
5. you pay our client damages in the sum of \$50,000; and
6. you pay our client's reasonable legal expenses to the date of final disposition of this matter.

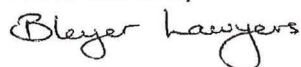
Please give this letter/notice your urgent attention.

The longer the comments remain published on your website the more damage your statements will cause, particularly given the profile of the proceeding and the highly sensitive and defamatory nature of your comments; thereby, increasing the monetary damages our client can claim from you.

Should this matter not resolve to the satisfaction of our client within 28 days, we are instructed to commence proceedings against you.

This letter may be produced to the Court including on the question of costs.

Yours faithfully



**Bleyer Lawyers Pty Ltd**