

11 April 2011

Chief Executive Officer
Vimeo, LLC
555 West 18th Street
New York, New York 10011



Dear Sir

DEFAMATORY AND MISLEADING VIDEO

I act as Legal Counsel for Fortescue Metals Group Ltd ("Fortescue") (a Western Australian iron ore mining company) and its CEO, Mr Andrew Forrest ("Mr Forrest").

I am writing to you regarding an urgent matter and I have asked our New York attorneys, White & Case LLP, to hand deliver this letter to you personally.

Last Thursday and Friday I contacted Christina Toth from your office regarding a defamatory and misleading video that has been uploaded on your website (<https://vimeo.com/21871850>). I attach copies of my emails to Ms Toth dated 7 and 8 April 2011, which set out our concerns.

You will note that I have urgently requested that the offending video be removed from your website. However, as of this morning, the video is still uploaded and accessible.

I note that under Australian law, the video is defamatory of Mr Forrest (under the Defamation Act 2005 (WA)), and is misleading and deceptive in relation to Fortescue (under the Competition and Consumer Act 2010 (Cth)). This is a matter we view extremely seriously.

I further note that the video is also in clear breach of your Terms of Service and Uploading Guidelines as, amongst other things, it is defamatory, misleading and deceptive.

Again, I request your company's urgent response and co-operation in removing the offending video from your website.

If not, we will have to take such further steps as may be necessary both under Australian and New York law to resolve this matter.

I can be contacted by email on: [REDACTED] or by telephone on [REDACTED]

Yours faithfully

Scott Adams
Legal Counsel

