



Nationwide News

Your ref:
Our ref: Jane Summerhayes

2 October 2012

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Att: 1. Garry Linnell (Editorial Director, Fairfax Metro Media)
2. Sean Aylmer (Editor-in-Chief, The Sydney Morning Herald and The Sun-Herald)
3. Kate Cox (Editor, The Sun-Herald)
4. Heath Aston (Reporter)

Dear Mr Linnell

Article entitled *Alan Jones claims Gillard's dad 'died of shame'* by Heath Aston published in The Sun-Herald on 30 September 2012

I act for Nationwide News Pty Limited, publisher of *The Sunday Telegraph*.

In 2011, Nationwide had cause to write to Peter Fray and Rick Feneley, over repeated use of copyright material from *The Sunday Telegraph* in *The Sun-Herald* without authorisation or attribution. Copies of that correspondence are attached for your records.

Johnson Winter & Slattery Lawyers, by letter dated 2 February 2011, noted our client's concerns, and an undertaking was given to ensure that "third party material published by The Sun Herald will be published with due regard to the provisions of the Copyright Act including, where appropriate, the publication of acknowledgement of the source of such material".

Last Sunday *The Sunday Telegraph* published a number of items concerning comments made by Alan Jones about Julia Gillard. In the second edition of *The Sun-*

Herald, an item was published on page 5 by Heath Aston under the headline *Alan Jones claims Gillard's dad 'died of shame'*. That item carried the following quotes from my client's publication:-

- "Everyone in the Labor caucus knows Julia Gillard is a liar. The old man recently died a few weeks ago of shame. To think that he has a daughter who told lies every time she stood for Parliament."
- Jones went on to claim the media had somehow brainwashed the federal Liberal Party to go easy on the Prime Minister because "she's a woman".
- Jones's comments were recorded at a \$100-a-head Sydney University Liberal Club President's dinner held at the Waterfront Restaurant at The Rocks last Saturday.

The publication is a flagrant breach of copyright, being without any license or authorisation from Nationwide News Pty Limited, or attribution. It should not be necessary, but I am instructed to demand that *The Sun-Herald* cease and desist from repeated infringements of the kind referred to in this and prior correspondence, and provide a written undertaking to cease and desist from use of material belonging to Nationwide News Pty Limited without a licence or sufficient attribution.

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Yours faithfully



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