

Letter from Roxy Jacenko's lawyer:

Dear Mss Silver and Darragh and Mr Oliver-Taylor,

Re: Roxy Jacenko v Australian Broadcasting Corporation – Potential Defamation

We act on behalf of Ms Jacenko and her related entities.

It has come to our client's attention that Ms Darragh and the Australian Broadcasting Corporation (ABC) may be intending on broadcasting a segment on its 'Media Watch' show (or such other ABC show, publication or outlet) stating, implying or otherwise imputing that the giveaway promotion operated by and associated with our client, (www.roxysbootcamp.com) (the Promotion) is:

A. not legitimate or is not genuine; and/or

B. that the Promotion is a scam or is otherwise misleading and/or deceptive, (Potential Defamatory Imputations of Concern).

You will be familiar with the elements of defamation. There is no doubt that Potential Defamatory Imputations of Concern are highly likely to give rise to defamatory conduct and cause loss and damage to our clients.

You have approached our clients for comment and have been told, in unequivocal terms, that the Potential Defamatory Imputations of Concern are false, misleading and/or otherwise wholly inaccurate.

For the avoidance of any doubt, we are instructed to put you on immediate notice that:

1. our clients have procured and obtained all lawful permits in order to operate the Promotion;
2. the Promotion is lawful and is otherwise not being operated contrary to any laws;
3. the Promotion is fully legitimate and genuine; and
4. the Promotion is not a scam, it is not misleading and/or deceptive.

It is also pertinent to note that some of our client's related entities will be deemed excluded corporations for the purpose of the Defamation Act 2005 (NSW) and will likely:

- A. have standing to sue; and
- B. have real and readily quantifiable loss and damage, as a result of any defaming or injuriously false publications.

18 March 2024

Our clients reserve their rights under the Defamation Act and at common law. We invite you to provide our client with any draft publication for prompt and honest comment.

We hold instructions to issue to you a Concerns Notice in the event that the subject article is published.

If you have any questions or require further information, please do not hesitate to contact me.

Yours sincerely

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