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12 April 2019

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Mr Mark Thomas
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SOUTH AFRICA

Dear Mr Thomas

**Michael Honsue Cho v Mark Thomas
District Court of Queensland Proceeding No. 1707/18 ('Proceeding')**

I attach a copy of the orders made today in the Proceeding by Koppenol DCJ.

I draw your attention particularly to order "a", which imposes an injunction restraining you from continuing to publish, republishing or causing to be published:

- (a) any of the First Article, the Second Article or the Third Article (as those terms are defined in the Amended Statement of Claim);
- (b) substantially similar content to those articles; or
- (c) any of the imputations pleaded in any of paragraphs 8, 15 or 21 of the Amended Statement of Claim.

The consequences in the event that you do not comply with this order are set forth in r.898 of the *Uniform Civil Procedure Rules 1999* (Qld), and include (at r.898(2)(a)) punishment for contempt of court.

AUI-930603946v1
784805 - 605001

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As you have communicated with us in connection with the present Proceeding by email, we proceed on the basis that you are content to receive the order electronically. Please advise however if this is not the case, and we will make other arrangements.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Brett Heading".

Brett Heading
Partner

Duplicate

DISTRICT COURT OF QUEENSLAND

REGISTRY: BRISBANE

NUMBER: 1707/18

Plaintiff: **MICHAEL HONSUE CHO**

AND

Defendant: **MARK THOMAS**

DRAFT ORDER

Before: Koppenol DCJ

Date: 12 April 2019

Initiating document: Application filed 27 March 2019

THE COURT DECLARES THAT:

- a. Each of the First Article, the Second Article and the Third Article (as defined in the Amended Statement of Claim in this proceeding) contains defamatory matter and is defamatory of the plaintiff under the common law of Australia as modified by the *Defamation Act 2005* (Qld).

THE ORDER OF THE COURT IS THAT:

- a. The defendant permanently be restrained, whether personally or by his agents or otherwise, howsoever, from continuing to publish, further publishing or causing to be published:
 - i. the First Article, the Second Article or the Third Article (as defined in the Amended Statement of Claim in this proceeding), or words or other content substantially to the same effect; or
 - ii. any of the imputations pleaded at paragraphs 8, 15 or 21 of the Amended Statement of Claim.
- b. The defendant pay the plaintiff compensatory damages in the amount of \$350,000, which amount includes aggravated damages;

ORDER

AUI-930603870v1

Filed on behalf of the Plaintiff

Form 59, Version 1

Uniform Civil Procedure Rules 1999

Rule 661



FINAL ORDER

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- c. The defendant pay interest on this amount pursuant to the *Civil Proceedings Act 2011* (Qld), s.48; and
- d. The defendant pay the plaintiff's costs of and incidental to this proceeding on the standard basis.

Signed
Deputy Registrar

