

**Supreme Court of the State of New York
Appellate Division: First Department**

ROY DEN HOLLANDER,

Plaintiff-Appellant,

-against-

TORY SHEPHERD, ADVERTISER NEWSPAPERS PTY LTD., AMY
MCNEILAGE, AND FAIRFAX MEDIA PUBLICATIONS PTY LTD.,
Defendants-Respondents.

APPENDIX FOR PLAINTIFF-APPELLANT

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1. Pre-Argument Statement dated February 2, 2016 [A1-A3]

**SUPREME COURT OF THE STATE OF
NEW YORK COUNTY OF NEW YORK**

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Roy Den Hollander,

Index No. 152656/2014

Plaintiff-Appellant

**PRE-ARGUMENT
STATEMENT**

-against-

Tory Shepherd, Political Editor of The Advertiser-
Sunday Mail Messenger;
Advertiser Newspapers Pty Ltd., d/b/a The Advertiser-
Sunday Mail Messenger;
Amy McNeilage, Education Reporter for The Sydney
Morning Herald; and
Fairfax Media Publications Pty Ltd., d/b/a The Sydney
Morning Herald;

Defendants-Respondents.

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1. The title of the action is Roy Den Hollander, Esq. - v. - Tory Shepherd, et al.
2. There has been no change in the title of the action.
3. The plaintiff-appellant is Roy Den Hollander, an attorney representing himself,
545 East 14th Street, 10D, New York, N.Y. 10009, (917) 687-0652,
rdenhollander97@gsb.columbia.edu.
4. Defendants-respondents are Tory Shepherd, Advertiser Newspapers Pty Ltd.,
Amy McNeilage, Fairfax Media Publications Pty Ltd.
5. Defendants-respondents are represented by Katherine M. Bolger of Levine
Sullivan Koch & Schulz LLP, 321 West 44th Street, Suite 1000, New York,

N.Y. 10036, Tel: (212) 850-6100, Fax: (212) 850-6299, Email:

kbolger@lskslaw.com

6. Court and County from which appeal is taken: Supreme Court, New York County.
7. This appeal is from a Decision, Order and Judgment granting defendants-respondents motion to dismiss entered on January 12, 2016.
8. There is no related action or proceeding or appeal now pending in any court of this or any other jurisdiction.
9. This is action against all the defendants-respondents for Injurious Falsehoods, Tortious Interference with a Prospective Contractual Relation, and, in the alternative to either, Prima Facie tort. It is also an action for Libel against ONLY defendant-respondent Tory Shepherd.
10. Justice Schechter of the Supreme Court, New York County found that the Court did not have personal jurisdiction over the defendants-respondents and dismissed the action.
11. Justice Schechter of the Supreme Court, New York County recast all the causes of action as one for Defamation of Character only and relied on perjurious affidavits by defendants-respondents that were suborn by their attorney Katherine M. Bolger to wrongly concluded that New York's long arm statute did not allow personal jurisdiction over defendants-respondents.

Dated: New York, N.Y.
February 2, 2016

/S/ Roy Den Hollander
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2. Notice of Appeal filed February 2, 2016 [A4-A5]

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

-----X

Roy Den Hollander,

Plaintiff-Appellant,

-against-

Tory Shepherd, Political Editor of The Advertiser-
Sunday Mail Messenger;
Advertiser Newspapers Pty Ltd., d/b/a The Advertiser-
Sunday Mail Messenger;
Amy McNeilage, Education Reporter for The Sydney
Morning Herald; and
Fairfax Media Publications Pty Ltd., d/b/a The Sydney
Morning Herald;

Defendants-Respondents.

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Index No.
152656/2014

**NOTICE OF
APPEAL**

PLEASE TAKE NOTICE, that the plaintiff appeals to the Appellate
Division of the New York Supreme Court in and for the First Department, from the
Decision, Order and Judgment in the above-entitled proceeding granting motion to
dismiss in favor of the defendants against the plaintiff, Motion No. 002, document
number 119, entered in the office of the Clerk of the County of New York on the
12th day of January, 2016,. This appeal is taken from each and every part as well
as the whole of the Decision, Order and Judgment.

Dated: New York, N.Y.
February 2, 2016

/S/ Roy Den Hollander
Roy Den Hollander
Attorney-Plaintiff

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FILED: NEW YORK COUNTY CLERK 01/11/2016 10:01 AM

NYSCEF DOC. NO. 119

INDEX NO. 152656/2014

RECEIVED NYSCEF: 01/11/2016

SUPREME COURT OF THE STATE OF NEW YORK

NEW YORK COUNTY

PRESENT: HON. JENNIFER G. SCHECTER
J.S.C.
Justice

PART 57

Index Number : 152656/2014
 DEN HOLLANDER, ESQ, ROY
 vs
 SHEPHERD, TORY
 Sequence Number : 002
 DISMISS ACTION

INDEX NO. _____

MOTION DATE _____

MOTION SEQ. NO. _____

The following papers, numbered 1 to 3, were read on this motion to/for dismiss

Notice of Motion/Order to Show Cause — Affidavits — Exhibits _____

No(s). 1

Answering Affidavits — Exhibits _____

No(s). 2

Replying Affidavits _____

No(s). 3

Upon the foregoing papers, it is ordered that this motion is decided in accordance with
the accompanying decision

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE
FOR THE FOLLOWING REASON(S):

Dated: 1/8/16

[Signature], J.S.C.
 HON. JENNIFER G. SCHECTER

1. CHECK ONE: ☒ CASE DISPOSED ☐ NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: ☒ GRANTED ☐ DENIED ☐ GRANTED IN PART ☐ OTHER
3. CHECK IF APPROPRIATE: ☐ SETTLE ORDER ☐ SUBMIT ORDER
- ☐ DO NOT POST ☐ FIDUCIARY APPOINTMENT ☐ REFERENCE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: PART 57

-----X
ROY DEN HOLLANDER,

Plaintiffs,

Index No. 152656/14

-against-

TORY SHEPHERD, ADVERTISERS NEWSPAPERS PTY
LIMITED., AMY MCNEILAGE, FAIRFAX MEDIA
PUBLICATIONS PTY LIMITED,

Defendants.

-----X
JENNIFER G. SCHECTER, J.:

Defendants move to dismiss the complaint pursuant to,
among other sections, CPLR 3211(a)(8). Their motion is
granted.

Background

Plaintiff Roy Den Hollander (Den Hollander) is a New-York
County resident (Bolger Aff, Ex 1, Amended Complaint
[Complaint] ¶ 21). In 2014, he commenced this action against
(1) Tory Shepherd (Shepherd), the Political Editor of *The
Advertiser-Sunday Mail Messenger* (*The Advertiser*) (*id.* at ¶
22), (2) Advertiser Newspapers Pty Ltd. (Newspapers), "which
does business under the name of *The Advertiser-Sunday Mail
Messenger*" (Complaint at ¶ 23), (3) Amy McNeilage, the
Education Reporter for *The Sydney Morning Herald* (*The Herald*),
which is part of Fairfax Media Publications Pty Limited
(Fairfax) (*id.* at ¶¶ 24-25) and (4) Fairfax. All of the
defendants are based in Australia.

Den Hollander claims that because of newspaper articles
that Shepherd wrote in *The Advertiser* and an article that
McNeilage wrote in *The Herald*, he and his copyrighted

property--"Males and the Law," a section of a Males-Studies course that he was supposed to teach at the University of South Australia (University)--were damaged. He claims that because of the articles, the University canceled his course, causing him to lose up to \$1,250 in compensation. He further alleges that an article written by Shepherd in June 2014 damaged his reputation. In his amended complaint, Den Hollander asserts causes of action against all of the defendants for "injurious falsehoods, tortious interference with a prospective contractual relation and *prima facie* tort" (Complaint at 1). He also asserts a libel claim against Shepherd.

Defendants move to dismiss for lack of personal jurisdiction. In support of the motion, Shepherd states that she wrote articles about the prospective male-studies course, which appeared in *The Advertiser* and were available on its website (Bolger Aff, Ex 3 [Shepherd Aff] at ¶¶ 4-9). She explains that the articles were related to a controversy in Australia and "were directed at an Australian audience" (*id.* at ¶ 9). Shepherd asserts that, in researching the article, she sent one email to Den Hollander "requesting comment on the controversy" and spoke to him by telephone (*id.* at ¶¶ 11-12). In connection with her articles, she also exchanged several emails with a professor in New York (*id.* at ¶ 14). She swears

that besides the emails with the professor, "the email sent to Mr. Den Hollander, and the single telephone call with Mr. Den Hollander," she had no contact with anyone else in New York in preparing the articles (*id.* at ¶ 15).

McNeillage swears that her piece was intended to target an Australian audience and that she "made no contact with anyone in the United States or New York in the process of reporting on the controversy" (Bolger Aff, Ex 5 at ¶¶ 5, 7).

Defendants also submit affidavits from employees of Newspapers and Fairfax who swear that their newspapers are targeted to Australians, published in Australia and are available online. Michael Cameron, counsel to Newspapers, swears that Newspapers "does not publish in New York and does not directly sell any products in New York" (Bolger Aff, Ex 2 at ¶ 7). Richard Coleman, a Solicitor of Fairfax, swears that Fairfax and *The Herald* "do not directly publish in New York and do not sell any products in New York" (Bolger Aff, Ex 4 at ¶ 4). He explains that Fairfax has a contract with an independent company that prints copies of *The Herald* to be distributed in the United States, but neither Fairfax . . . nor *The Herald* . . . has any control over whether copies printed by [the independent company] are distributed in New York" (*id.* at ¶ 5). Coleman also swears that *The Herald* "formerly had correspondents in New York City, but has not

done so since 2012, almost two years before the Article was published" (*id.* at ¶ 8). The newspaper defendants both make plain that they have no offices or employees in New York and do not target New York (Bolger Aff, Ex 2 at ¶¶ 9-11; Ex 4 at ¶¶ 6,8).

In opposition to the motion, Den Hollander urges that the newspapers have global ties and have written articles about New York (Affidavit in Opposition [Opp Aff] at ¶¶ 22, 24, 32, 35). He emphasizes that the allegedly defamatory articles were available on the newspapers' interactive websites and on apps and that the websites give the newspaper defendants a "virtual office in the State" (Opp at ¶¶ 36, 38, 43, 53, 123). He seeks discovery to ascertain whether defendants expected publication of the article to have consequences in New York, to explore the newspaper defendants' relationships with advertising representatives, affiliates and agents and to see if defendants pay taxes in New York (*id.* at ¶¶ 31, 37, 40, 41). He maintains that there is jurisdiction in New York based on CPLR 302(a)(1) and (a)(3) (Opp at ¶¶ 87-166). Based on precedent, the Court disagrees.

Analysis

CPLR 302 sets forth acts that can serve as a basis for obtaining jurisdiction over non-domiciliaries in New York (*SPCA of Upstate N.Y., Inc. v American Working Collie Assn.*,

18 NY3d 400, 403-404 [2012])). Generally, long-arm "jurisdiction can be premised on the commission of a tortious act-perpetrated either within the state or outside the state, causing injury within the state" (*id.* at 403). Defamation, however, is specifically carved out of the rule "to reflect the State's policy of preventing disproportionate restrictions on freedom of expression" (*id.* at 404; see also *Legros v Irving*, 38 AD2d 53, 56 [1st Dept 1971] [Advisory Committee did not "wish New York to force newspapers published in other states to defend themselves in states where they had no substantial interests"], *appeal dismissed* 30 NY2d 653 [1972])).

Long-arm jurisdiction in defamation actions is governed by CPLR 302(a)(1), which provides that a court may exercise personal jurisdiction over a non-domiciliary that "transacts any business within the state" so long as the cause of action arises from the in-State activity. "New York Courts construe 'transacts any business within the state' more narrowly in defamation cases than they do in the context of other sorts of litigation" (*SPCA of Upstate N.Y., Inc.*, 18 NY3d at 405; *Best Van Lines, Inc. v Walker*, 490 F3d 239, 248 [2d Cir 2007])).

Particular "care must be taken to make certain that non-domiciliaries are not haled into court in a manner that potentially chills free speech" (*SPCA of Upstate N.Y., Inc.*, 18 NY3d at 406). There must therefore be a showing that

defendants engaged in purposeful activities within the State that would justify bringing them before New York courts and that there is a "substantial relationship" between these in-State activities and the defamation (*id.* at 404). When contacts are not directly related to the defamatory statements, defendants have prevailed in obtaining dismissal on jurisdictional grounds (*id.*).

There is no jurisdiction over Defendants in New York. The contacts here "are not as significant as the few cases finding long-arm jurisdiction when defamation was asserted" (see *SPCA of Upstate N.Y., Inc. v American Working Collie Assn.*, 74 AD3d 1464, 1466 [3d Dept 2010], *affd* 18 NY3d 400, 403-404 [2012]; see also *Trachtenberg v Failedmessiah.com* 4 F Supp 3d 198, 202 [EDNY 2014] [stating that New York courts have only found transaction of business in New York in satisfaction of CPLR 302(a)(1) "when the content in question was based on research physically conducted in New York"]).

In *Montgomery v Minarcin*, for example, it was undisputed that "all of the operative facts giving rise to plaintiff's claims occurred in this State. The television news reports were broadcast by Minarcin in this State . . . [and the] newscasts were researched, written, produced and reported by Minarcin in this State" (263 AD2d 665, 667 [3d Dept 1999]). Minarcin "extensively investigated" the reports over a six-

week period in New York, interviewing New York residents and elected officials and reviewing documents located in New York. These activities were deemed substantial enough for purposes of concluding that Minarcin transacted business in New York "within the intendment of CPLR 302(a)(1)" (*id.* at 668).

Similarly, in *Legros v Irving*, New York jurisdiction was upheld as it was "clear that virtually all the work attendant upon publication of the [allegedly defamatory] book occurred in New York. The book was in part researched in this State by defendant . . . ; negotiations with McGraw-Hill [the publisher and distributor] took place in New York; the contract with McGraw-Hill was executed in New York [and] the book was printed in New York" (38 AD2d at 56).

Here, in stark contrast, defendants have very minimal, attenuated New York contacts. The only defamation-related contacts with New York were Shepherd's limited emails, which could have been retrieved by their recipients wherever they may have been, and her phone call to Den Hollander. She was never physically present in the State and no research or other work was performed by anyone associated with Newspapers in New York. McNeillage had no arguable contact whatsoever with New York. Defendants certainly did not engage in any activities within New York related to the allegedly defamatory articles whereby they invoked the benefits and protections of New

York's laws (see *Best Van Lines, Inc.*, 409 F3d at 249 ["courts have found jurisdiction in cases where the defendants' out-of-state conduct involved defamatory statements projected into New York and targeting New Yorkers, but only where the conduct also included something more"]; *Symmetra Pty Ltd. v Human Facets, LLC*, 2013 WL 2896876 at *9 [SDNY 2013] [controlling "precedent establishes that jurisdiction over a claim for defamation will lie (under CPLR 302[a][1]) only if the plaintiff shows that: (1) the defamatory utterance was purposefully directed at New York, as opposed to reaching New York fortuitously; and (2) the defendant transacted other business in New York that was directly connected to the claim asserted"]; see also *Talbot v Johnson Newspaper Corp.*, 71 NY2d 827, 829 [1988] [no jurisdiction over individual who participated in phone interview from California]; *Trachtenberg v Failedmessiah.com* 4 F Supp 3d at 204 [reliance on a New York source and research through a New York State Court website insufficient]).

Courts, moreover, have repeatedly held that placement of defamatory content on the internet and making it generally accessible to members of the public does not constitute transaction of business in New York even when it is likely the material will be read by New Yorkers (see e.g. *SPCA of Upstate N.Y., Inc.*, 18 NY3d at 402 [no personal jurisdiction in action

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based on placement of comments on a website despite the fact that defendant had members in New York]; *Best Van Lines, Inc.*, 409 F3d at 250; *Rakofsky v The Washington Post*, 39 Misc 3d 1226[A] [Sup Ct, NY County 2013] ["it is insufficient to gauge the overall commercial activity of the defendant on its website alone, without determining whether such purposeful activities in this state were substantially related to the defamatory statements"--there were no purposeful activities in the State as "defendants neither wrote the alleged defamatory statements in this state nor did they direct them to our state alone" the "statements were posted on the internet with potential world-wide accessibility")].

In the end, there is no authority for subjecting defendants to jurisdiction in New York based on articles published outside New York for a non-New York audience. Shepherd's phone calls and emails do not allow the court to hale her into this forum and McNeilage has zero contacts with the State. Potential relationships that the newspaper defendants have with other entities are unavailing as no purposeful New York contacts are alleged that are substantially related to the defamation. Therefore, there is no basis for granting discovery or a hearing/trial limited to personal jurisdiction (*Findlay v Deadhead*, 86 AD2d 789, 791 [1st Dept 1982]).

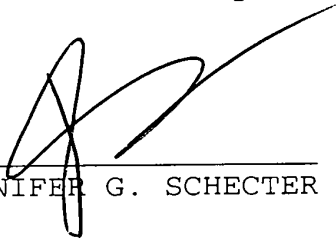
In fact, much of the discovery that plaintiff seeks is relevant only if CPLR 302(a)(3) were applicable and it is not regardless of how his causes of action are denominated (see *Cantor Fitzgerald, L.P. v Paisley*, 880 F3d 152, 157 [2d Cir 1996] [CPLR 302(a)(2) and (3) inapplicable to injurious falsehood and tortious interference with prospective economic advantage causes of action as plaintiffs "may not evade the statutory exception by recasting their cause of action as something other than defamation"]; *Reich v Lopez*, 38 F Supp 3d 436, 458-459 [US Dist Ct, SD NY 2014]; cf. *Perez v Violence Intervention Program*, 116 AD3d 601, 602 [1st Dept 2014]; *Entertainment Partners Group, Inc. v Davis*, 198 AD2d 63, 64 [1st Dept 1993])).

Accordingly, it is

ORDERED that defendants' motion to dismiss is granted and the complaint is dismissed in its entirety with costs and disbursements to defendants as taxed by the Clerk of the Court, and the Clerk is directed to enter judgment accordingly.

This constitutes the Decision, Order and Judgment of the Court.

Dated: January 8, 2016


HON. JENNIFER G. SCHECTER

4. First Amended Verified Complaint dated October 5, 2014 [A17-A76]

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

-----X

Roy Den Hollander,

Plaintiff,

-against-

Tory Shepherd, Political Editor of The Advertiser-
Sunday Mail Messenger;
Advertiser Newspapers Pty Ltd., d/b/a The Advertiser-
Sunday Mail Messenger;
Amy McNeilage, Education Reporter for The Sydney
Morning Herald;
Fairfax Media Publications Pty Ltd., d/b/a The Sydney
Morning Herald;

Defendants.

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Index No. 152656/2014

**FIRST AMENDED
VERIFIED COMPLAINT**

Jury Requested

This First Amended Complaint is submitted pursuant to CPLR 3025(a).

Plaintiff by and through his attorney, Roy Den Hollander, complains of all the
Defendants: Injurious Falsehoods, Tortious Interference with a Prospective Contractual
Relation, and, in the alternative, *Prima Facie* tort.

Plaintiff also complains of Defendant Tory Shepherd: Libel.

Plaintiff requests that Tory Shepherd publicly retract her libelous statements listed in this
First Amended Complaint.

A clarification of terms is initially needed. Plaintiff in his writings, speeches and
interviews uses the term “feminist” to mean a person, usually female but not necessarily so, who
believes that an accident of nature, being born female, made her superior to men in all matters
under the sun. One who believes men are guilty until they prove themselves innocent, and that
females are innocent until proven guilty, but even then a guy is still blamed for what the female
volitionally did. Another definition Plaintiff relies on is that used by “Women Against

Feminism” that real-life feminism has come to mean the “vilification of men, support for female privilege, and a demeaning view of women as victims rather than free agents.” (Ex. A). So when Plaintiff uses the term “anti-feminist,” he’s referring to the preceding definitions.

Attorney Bolger and Defendants use the term “anti-feminist” to mean anti-female or hater of women. In effect, they are equating “feminist” with woman or female even though all females would not classify themselves as feminists. To avoid confusion, Plaintiff will add the descriptors “hardcore, extreme or man-hating” to the term feminist in order to communicate his definition of feminist.

Introduction

1. Two modern-day, book-burning, bacchae reporters from down-under (Australia) created an unnecessary controversy by authoring and publishing false and misleading information concerning Plaintiff’s copyrighted property and himself with the intent and result of harming his interests that have pecuniary value and interfering with a prospective economic advantage by causing the University of South Australia (“University”) to incinerate a section of a Male Studies course that Plaintiff (“Roy”) was going to teach via the Internet from New York City.

2. The section was created by Roy in New York City, was officially titled “Males and the Law” and was a copyrighted compilation of the law from the industrial revolution to the present on how the law discriminated against men and women.

3. The two reporters who are biased against men’s rights advocates: Tory Shepherd, a.k.a. “Tory the Torch,” or “The Shepherd of Lies,” for The Advertiser-Sunday Mail Messenger and Amy McNeillage, a.k.a. “Amy McNeuter,” for The Sydney Morning Herald, published a total of five articles targeted to their Worldwide Internet and print audience with a combined readership

of 7,330,000—1,750,000 for The Advertiser-Sunday Mail Messenger and 5,580,000 for The Sydney Morning Herald.

4. The articles were published in print and online through the reporters' respective employers' interactive websites that knowingly reach New York State readers via the World Wide Web.

5. Through the Advertiser Newspapers Pty Ltd. ("Advertiser") and Fairfax Media Publications Pty Ltd. ("Fairfax") websites and printed newspapers, these two hardcore, extreme feminist reporters used their power of the media to do what weak-minded ideologues have done throughout history—employ disparaging comments about the works of others and personal attacks to successfully prevent the spread of knowledge and ideas that they disagreed with.

6. For Tory Shepherd ("Tory") and Amy McNeilage ("Amy"), the right of students at the University to learn about and discuss issues of public concern takes the back seat to what these reporters decree can be discussed.

7. Tory and Amy conducted a high-tech book-burning without even determining the content of the online Male Studies courses that they self-righteously proclaimed "extreme" and "radical" because its creators were men's rights activists, a group against which they invidiously discriminate in their reporting.

8. The older, alpha, man-hating feminist reporter, Tory, actually refers to men's rights activists as "MREs"—"Men's Rights Extremists." (Tory Shepherd, *Men's rights extremists go online*, The Advertiser-Sunday Mail Messenger, January 10, 2012, Ex. B).

9. In writing their initial articles on the Male Studies courses and its creators: Tory Shepherd's, *LECTURERS in a 'world-first' male studies course at the University of South Australia under scrutiny*, The Advertiser-Sunday Mail Messenger, January 12, 2014, Ex. C; and

Amy McNeillage's *University of South Australia distances itself from males studies proposals*, The Sydney Morning Herald, January 14, 2014, Ex. D, these notorious feminist bigots set out with the intent to use false statements and false factual connotations that disparaged the courses' creators and their content so as to prevent the courses from being taught at the University and the creators/teachers from receiving a fee for their efforts.

10. Tory and Amy's strategy followed the maxim that if you don't like the message, disparage it and verbally kill the messenger before he has a chance to deliver it. The politically correct justify this tactic under the false belief that the "personal is political"—it is not, it is private.

11. Tory and Amy intentionally misled their readers, including the University, that the courses' creators, including Roy, were going to present "extreme views" on men's rights (Ex. C), were unfit for teaching because they allegedly "rail" against feminism (Ex. C), were "hardline anti-feminist advocates" (Ex. D) and were "controversial Americans" (Ex. D) because they were offering an academic discipline that did not embrace man-hating feminism as a theoretical paradigm.

12. What Tory and Amy do not comprehend is that the rights of one sex do not conflict with the rights of the other and "extremism" only occurs when one sex is given preferential treatment over the other. Something Tory and Amy have enjoyed their entire lives.

13. If these two hardcore, left-wing feminist book-burners had not jumped on their broomsticks and scared the bejesus out of the administrators at the University and effectively intimidated them with the threat of further calumny from their newspapers, the University's students would have had an opportunity to acquire knowledge and consider views not available anywhere else in higher education. In addition, Roy would have received a fee for teaching his

“Males and the Law” section, and the value of his copyrighted work would not have been diminished.

14. In the 1950s, Senator Joseph McCarthy and Roy Cohn also used opprobrious and unsubstantiated accusations in order to shut down dissent and political criticism—as did the witch hunters of yesteryear, only today it is the witches who are doing the hunting with pogroms against non-conformists who do not genuflect to the dogma of extreme feminism and hardcore political correctionalism, which imprisons thought, speech and liberty.

15. In their day, McCarthy and Cohn even attacked the overseas library program of the U.S. State Department, which was meant as an educational resource for supporting lady liberty. Card catalogs were searched for works by authors whom McCarthy and Cohn deemed “inappropriate.” The State Department ordered its overseas librarians to remove from their shelves “material by any controversial persons, communists, fellow travelers, etc.” Griffith, Robert, *The Politics of Fear: Joseph R. McCarthy and the Senate*, p. 216, University of Massachusetts Press. Some libraries actually burned the newly forbidden books and works.

16. Tory and Amy have continued in the McCarthy-Cohn tradition by destroying courses at a public university, the contents and teachers of which they deemed “controversial” in order to crush dissent, expand the power of their positions and maintain their feelings of superiority.

17. They did not report the news, but vented their personal animosities against men’s rights advocates because such men do not view the world through the myopic lens of hardcore, man-hating feminism.

18. Tory and Amy “use of the big lie and the unfounded accusation against any citizen in the name of security [hardcore feminism]. It is the rise to power of the demagogue who lives on

untruth; it is the spreading of fear and the destruction of [liberty] in every level of society.”

President Harry Truman.

19. In the 1950s, newsletters such as *Counterattack* and *Confidential Information* were published to keep track of communist and leftist organizations, their publications and members. Today in Australia, it is Tory at The Advertiser-Sunday Mail Messenger and Amy at The Sydney Morning Herald who help other intolerant hardcore feminists keep track of so-called “anti-feminists,” “hardliners,” and “extreme right wing groups” that dare present viewpoints and facts contrary to hardcore feminist and politically correct ideology.

20. People like Tory and Amy, as with McCarthy and Cohn, just don’t understand that “In a free country, we punish men for the crimes they commit, but never for the opinions they have.” President Harry Truman. Tory, Amy and their fellow-travelers have recently made a mockery of that statement for higher education in Australia.

Parties

21. Plaintiff Roy Den Hollander is a resident of New York County, New York, a former card-carrying member of Students for a Democratic Society (“SDS”), former Riverside Democratic club officer, former New Democratic Coalition delegate, former Democratic County Committeeman from the Upper Westside, former legislative aide to the late State Senator for Haarlem, Sydney von Luther, former television news writer and political producer and an attorney who has practiced law for nearly 30 years and is admitted to practice in New York State, the U.S. Southern and Eastern District Courts of New York, the U.S. Court of Appeals for the Second Circuit and the U.S. Supreme Court.

22. Defendant Tory Shepherd is the Political Editor for the print and online newspaper The Advertiser-Sunday Mail Messenger, headquartered at 31 Waymouth Street, Adelaide, South

Australia 5000, Australia and, on information and belief, a resident of the State of South Australia.

23. Defendant Advertiser Newspapers Pty Ltd. (“Advertiser”) is a registered Australian company, ACN 007872997, located in Adelaide, Australia, which does business under the name of The Advertiser-Sunday Mail Messenger. Service of documents on Advertiser go to Sir Keith Murdock, 31 Waymouth Street, Adelaide, South Australia 5000, Australia. Advertiser is a subsidiary of Rupert Murdock’s News Corporation, which is headquartered in New York City.

24. Defendant Amy McNeilage is the Education Reporter for The Sydney Morning Herald headquartered at Fairfax Media, 1 Darling Island Road, Pyrmont NSW 2009, Australia and, on information and belief, a resident of the State of New South Wales, Australia.

25. The Sydney Morning Herald is part of Fairfax Media Publications Pty Ltd. (“Fairfax”), which is a registered Australian company, ACN 003357720, located at 1 Darling Island Road, Pyrmont NSW 2009, Australia.

Personal Jurisdiction

26. Every day of the year, both The Advertiser-Sunday Mail Messenger and The Sydney Morning Herald offer/sell their newspapers through the Internet and agents to residents of New York State, which amounts to transacting business in New York under CPLR 302(a)(1).

27. The “Australian Community” is a New York non-profit organization that has about 20,000 members whose mission is to connect Australians living in New York through social, professional and charitable initiatives. (Ex. N, <http://www.aucommunity.org/>). Many of its members in New York subscribe electronically to The Advertiser-Sunday Mail Messenger and The Sydney Morning Herald, which often provide articles pertinent to this community in New York.

28. The Advertiser-Sunday Mail Messenger and The Sydney Morning Herald websites offer for sale, sell, and deliver various goods and services through their websites that also allow the transmittal of information between Defendants and their readers, between their readers and between other companies and their readers.

29. The Advertiser-Sunday Mail Messenger online “provides its audience with the opportunity to become involved and be engaged on issues and stories, through debate and social media.”

30. The Sydney Morning Herald online provides “access to exclusive discounts, events and competitions, unlimited access to our award-winning tablet apps, interactive quizzes, crosswords, Sudoku free in the iPad app.” Both are highly interactive websites that qualify as transacting business in New York. *See Citigroup Inc. v. City Holding Co.*, 97 F.Supp.2d 549, 564-66 (S.D.N.Y. 2000).

31. News Corp is headquartered in New York City and identifies itself with News Corp Australia under the caption “Who We Are.” (Ex. M). Since News Corp Australia owns all of Advertiser, News Corp’s identity includes Advertiser, so Advertiser is present in New York.

32. The causes of action arise from the Defendants publications of their articles online, and, in the case of Fairfax also print newspapers, which are all part of Defendants transacting business in New York under CPLR 302(a)(1). *See Johnson v. Ward*, 4 N.Y.3d 516, 519 (2005).

33. The Defendants committed tortious acts without the state causing economic injury to a resident within the state while persistently conducting business in New York and soliciting subscribers. CPLR 302(a)(3). Persons committing tortious acts using the Internet should expect to be within the personal jurisdiction of a state at which the tortious acts were directed.

34. In addition, Tory contacted Roy at his email address and subsequently telephoned him at his New York County telephone number to interview Roy for her second article. She also contacted another lecturer in the Male Studies courses in New York, Professor Miles Groth.

Facts

Tory Shepherd's culpable conduct

35. The psychological-bacchanalian frenzy of the two zealot reporters (they believe there are two sides to every story: the extreme feminist side and the intemperate politically correct side) began when Tory, on or about January 9, 2014, contacted Dr. Gary Misan at the University, asking about the Male Studies courses, and claimed that Roy, the creator and slated teacher for the "Males and the Law" section of one course, had been "identified as belonging to extreme right wing groups in the USA."

36. Roy used to play right wing forward for a few rugby teams, perhaps that was what Tory meant; otherwise, it was totally false.

37. Tory's questioning of Dr. Misan and her subsequent articles show that she knew the University was offering the Male Studies courses and that Roy was to teach a section of one.

38. Shepherd's January 12, 2014, article in The Advertiser-Sunday Mail Messenger was headlined *LECTURERS in a 'world-first' male studies course at the University of South Australia under scrutiny* (Ex. C). In her January 14, 2014, article, she wrote "[a]n information sheet on the male studies course stating that it would be considered 'if there is sufficient interest,'" meaning if enough students registered for the course. (Ex. E, Tory Shepherd, *University of South Australia gives controversial Male Studies course the snip*, The Advertiser-Sunday Mail Messenger, January, 14, 2014).

39. Prior to Tory's January 12, 2014, article (Ex. C), the Male Studies courses were open for registration, which meant the University wanted to see what the enrollment numbers were in order to determine whether the courses would be profitable.

40. Roy had developed a three-week section for one of the courses that was based on the quote by Sir William Blackstone from 1765, "So great a favorite is the female sex of the laws."

41. The theme of Roy's section, which would have included three online lectures, assignments and online class discussions from New York, was that since the industrial revolution (1760-1830), common law countries, such as the U.S., England and Australia, had established legal systems that discriminated against men largely to their detriment while discriminating against females mainly to their benefit.

42. Roy and representatives for the University had already reached an agreement on compensation and content of the "Males and the Law" section in which he would be paid a maximum of \$1250 depending on the hours involved.

43. On the morning of January 10, 2014, Roy read an email from Tory requesting his telephone number because as she said, "I'm trying to get in touch for a story I'm doing on the UniSA [University of South Australia] course you're involved with" By her words, the story was to be about the course and Roy's involvement.

44. Roy emailed her his number at 7:40 AM that same morning of January 10th.

45. On January 12, 2014, Tory published an article in The Advertiser-Sunday Mail Messenger without having ever interviewed Roy, apparently to avoid the truth about what he would teach. (Ex. C, Tory Shepherd, *LECTURERS in a 'world-first' male studies course at the University of South Australia under scrutiny*, The Advertiser-Sunday Mail Messenger, January 12, 2014).

46. That seemed strange. Roy had in the past worked as a writer, political producer and researcher for Metromedia News, now Fox 5 News, and Channel 7 Eyewitness News in New York City, but he could not recall anyone ever publishing or airing a story and then interviewing one of the subjects of the story afterward, which is exactly what Tory did. Perhaps Tory has a Dr. Who view of time, or that's the way the media works in an erstwhile penal colony.

47. Tory's failure to interview Roy to determine what he was going to teach in the "Males and the Law" section indicates that she was not motivated by the quality of the education offered at the University but rather by an intent to defame and disparage Roy, a men's rights activist, and the section he would teach in her effort to abort it by publishing false and misleading information.

48. If Roy had not been a men's rights advocate, Tory, like any bush league reporter, would have first determined what he was going to teach before publishing an article concerning a course at a university.

49. The clear purpose of her January 12th news article (Ex. C) was to disparage the Male Studies courses, denigrate the teachers, defame their reputations and ultimately deep-six the Male Studies courses.

50. Her secondary headline for the January 12th article stated: "Lecturers . . . linked to extreme views on men's rights and websites that rail against feminism." That statement communicated that the content of the courses and the section Roy was to teach inveigh against the rights of women. It also defames the course's lecturers of whom Roy was one.

51. Tory also wrote in that article, "The course, which has no prerequisites, begins this year and will canvass subjects from men's health to gender bias." The lack of prerequisites was her way of communicating the courses and their sections lacked academic rigor.

52. Tory's malice toward men's rights activists is not a one-night stand. She has figuratively picked up Lizzie Borden's hatch and set off whacking any men's rights activist, whom she invariably calls MREs (Men's Rights Extremists), that comes to her attention.

53. For example in her news article *Men's rights extremists go online*," The Advertiser-Sunday Mail Messenger, January 10, 2012 (Ex. B), she wrote:

THERE'S a movement that sees males - generally straight, middle-aged, white males - as the new oppressed. Seriously.

They [MREs] have a persecution complex, and aggressively lobby for better rights for men - usually at the expense of women.

[Their] false claims are not just sinister ideas confined to the interwebs - they're calls to action. Men's Rights Extremists are actively lobbying to change Australian laws. They are spreading misinformation and trying to discredit good policies and good programs.

The MREs . . . Dr Flood says . . . have already influenced family law, government policy and community attitudes, subtly shifting the balance to better protect perpetrators and discredit victims.

They provide a heady, toxic mix of bitter, self-righteous fury. . . . [T]o come together and foment trouble.

54. Tory's dedicated purpose in life appears to be cultivating a public hatred toward men's rights advocates, or perhaps she's just a congenital "Hater of Men" ("HOM").

55. Tory did quote from both sides in her January 12, 2014, article, but in order to diminish the value of the quotes from the men's rights advocates involved in the courses, she first painted two of the lectures in a negative light by crafting a misleading impression of them so as to mold the reader's reaction right at the beginning of her story into one opposing the courses and viewing the lectures as disreputable:

Two lecturers [which included Roy] have been published by prominent US anti-Feminist site A Voice for Men, a site which regularly refers to women as "bitches" and "whores" and has been described as a hate site by the civil rights organisation Southern Poverty Law Centre. (Ex. C).

56. After various other false connotations exploiting her dissembling and prevaricating methods of attacking the courses and their creators, Tory quoted from those whom she had used in the past to support her anti-men's rights articles, and those so-called experts she depicted as pillars of PC left-thinking society:

Dr Michael Flood, from the University of Wollongong's Centre for Research on Men and Masculinity, said these types of male studies "really represents the margins". "It comes out of a backlash to feminism and Feminist scholarship. The new male studies is an effort to legitimise, to give academic authority, to anti-Feminist perspectives."

Flinders University School of Education senior lecturer Ben Wadham, who has a specific interest in men's rights, said there was a big difference between formal masculinity studies and "populist" male studies. He said there were groups that legitimately help men, and then the more extreme activists. "That tends to manifest in a more hostile movement which is about 'women have had their turn, feminism's gone too far, men are now the victims, white men are now disempowered'," he said. "I would argue that the kinds of masculinities which these populist movements represent are anathema to the vision of an equal and fair gendered world." Dr. Wadham said that universities needed to uphold research based traditions instead of the populist, partisan approach driven by some. (Ex. C).

57. Tory's disparagement of the courses, which included the "Males and the Law" section, occurred not only without her interviewing Roy for her first article, but with her being totally ignorant of what Roy was going to teach. Obviously, when it comes to men's rights activists, she follows the adage "don't let ignorance or tolerance get in the way of a story" that furthers her personal beliefs. Sounds like the three monkeys, or is it the three stooges? (Tory did do a quick 10 minute interview of Roy for her second article, but by then, as that article makes clear, she had accomplished her purpose of aborting six of the eight courses, including the one with Roy's section before it even had a chance at life.)

58. Had Tory followed the ethics of her profession and determined the content of the "Males and the Law" section before slinging her rabid-feminist mud, her readers, assuming she told

them the truth, would have had a completely different impression of that section—one that was based on the truth rather than her misleading statements masquerading as facts.

59. When dealing with yellow, female-dog-in-heat reporting such as that January 12, 2014, article, one has to understand what ideologically corrupt reporters like Tory are doing. They are not writing for the intellect of the average reader but for her gut. They write not to inform, not to enlighten, and not to elucidate, but to propagandize so as to churn the public's emotions against what others, who disagree with her, would say or in this case teach.

60. The false impression Tory intentionally created—with her chosen words, their arrangement, the out of context quotes she took from Roy's writings, prevarications and the selective quotes from others she knew agreed with her snake-oil ideology—was that Roy is evil and should figuratively, if not literally, have his tongue cut out to keep him from presenting his historical compilation of a legal issue on how the law treated the sexes.

61. Tory engaged in verbal mutilation of both the section and Roy in order to affect censorship.

62. In creating her spite filled tapestry of an “inappropriate” course section, this Harpy harped on the following descriptions of Roy in her January 12, 2014, article, and, by inference, the “Males and the Law” section he created and would teach: “extreme” right-winger, “anti-feminist,” associates with persons who use language Tory disapproves of, believes one remaining source of power in which men still have a near monopoly is the right to bear arms, calls women's studies “witches studies,” wants to eliminate the rights females have as humans, and believes females oppress men.

63. So is Tory's intended impression of the “Males and the Law” section and Roy correct, partially correct, politically correct, evolutionarily correct or some combination? Let's see.

64. In the 1960s, as an SDS activist engaging in civil disobedience against the Vietnam War, Roy was repeatedly accused of espousing communist doctrine. Today, Tory accuses him of propagating right-wing, extremist anti-female tenets and inferring such would undoubtedly be included in the “Males and the Law” section.

Roy “[has] been linked to extreme views on men’s rights and websites that rail against feminism.” (Ex. C).

65. Such words carry all the imagery of armed ISIS lunatics and suicide bombers, which was her intent.

66. Contrary to Tory’s false accusations, the political belief system espoused by Roy—based on the Declaration of Independence and the U.S. Constitution—has not changed since the 1960s, only the epithets that conformists use to scare others into agreeing with their self-righteous, self-serving, bigoted and hypocritical beliefs in order to censor views they disagree with.

67. Roy does describe himself as an anti-feminist because by his definition of feminism, he’s too intelligent not to be. He’s also anti-commie, anti-nazi, anti-bigot and anti-ignorance.

68. Tory, however, uses the term, “anti-feminist,” to depict Roy as an anti-female, modern-day pariah, but she not only never asked Roy what he meant by “feminist” or “feminism,” she failed to define what she meant by such. Was she referring to Mary Wollstonecraft’s brand described in *A Vindication of the Rights of Woman: with Strictures on Political and Moral Subjects* (1792); was she referring to First Wave, Second Wave, Third Wave or Run-For-The-Hills feminism? Readers of her articles have no way of knowing, but the tenor of the times to which the ignorant often blindly subscribe has “anti-feminist” connoting the same thing as “anti-female.”

69. Roy defines a feminist as a person who believes that an accident of nature, being born female, made her superior to men in all matters under the sun. One who believes men are guilty

until they prove themselves innocent, and that females are innocent until proven guilty, but even then a guy is still blamed for what the female did.

70. Another definition Roy relies on is that used by “Women Against Feminism” that real-life feminism has come to mean the “vilification of men, support for female privilege, and a demeaning view of women as victims rather than free agents.” Tory is definitely a feminist by both definitions—a hard-line, avid hater of men’s rights activists who is jealous of their accomplishments.

71. Tory used “anti-feminist” in her January 12, 2014, article as a disparaging term that communicated the “Males and the Law” section would be taught by “refer[ing] to women as ‘bitches’ and ‘whores,’” “rail against feminism [female rights],” and propagate “hate” toward 51% of the population. (Ex. C).

72. The falsity in her disparaging characterization is that the section is based on the history of the law. Since Roy was not around to write those laws, his views of the likes of Tory play no part in that history, unless Tory and her fellow man-hating travelers re-write history to give Roy a role he never had.

73. As for associating with persons who use language defined by Tory as “inappropriate,” Tory is not an American, although perhaps a descendant of unwelcome Britishers from Botany Bay, so it is somewhat understanding that she does not comprehend the right of association or speech guaranteed by the First Amendment to the U.S. Constitution.

74. Tory, like most PCers, use the word “inappropriate” to appropriate the free speech of others that upsets their subjective sensitivities, which often requires them to schedule an extra session with their therapists.

75. On information and belief, Tory must have uttered a disparaging word about men when going through the trouble of maintaining blonde hair at her age and plucking her eyebrows in a vain effort to remain attractive, or as she said on facebook “F**k yeah. All it takes is two inches of makeup and three hours of hairspray!”

76. In her January 12, 2014, article (Ex. C), Tory used her guilt-by-association and disparagement of speech she disagrees with to communicate that the “Males and the Law” section was part of a “right wing” conspiracy of groups with “extreme” views against females. Once again, the course section is simply a summary of the history of the law concerning the sexes, and, unless the Masons wrote all those laws, there is no right, nor left wing conspiracy at work—other than the one that Tory belongs to in demanding preferential treatment for her sex.

77. As for mainly men exercising their right to bear arms in the U.S.—it’s the truth, look at the statistics. More importantly, what Tory was really attacking as extreme was Roy advocating that men exercise their Second Amendment right. (Ex. C). So, how can the exercise of a right be extreme? It can’t.

78. The “Males and the Law” section did not even touch on the U.S. Constitution’s Second Amendment, but how could Tory have known that since she never reviewed the section’s contents. She simply saw it was going to be taught by one who was not a sycophant of the politically correct, so she created the false impression that Roy would advocate in his section using lefties and females for target practice.

79. The concept that Roy’s “out-of-context quote” was communicating is that the Second Amendment is crucial for preserving liberty. When a government effectively eliminates the rights that the members of a distinct group, such as men, are entitled to, the rights that are left, if any, are their remaining sources of power. The very reason for rights is to allow the individual

or individuals to exercise power against a government that treats them as less than human. For example, free speech is the power of the pen, the right of association is the power to organize, and the Second Amendment is to give people a fighting chance against unjust state violence, such as what occurred in 1776, 1848 Paris, 1956 Hungary, 1968 Czechoslovakia, 2011 Syria, 2014 Kiev and so on.

80. Thank goodness for Australians that Tory was not around for Australia's battle against the Japanese. Her anti-gun advocacy for men might have even resulted in her and Amy ending up as Japanese "comfort girls" or suffering the fate of Nanking, China.

81. The witchcraft label has been historically applied to practices people believe influence the mind, body or property of others against their will. Hard-line feminist linguistics, replete throughout Women's Studies programs, is an obvious effort to control thought, speech and action. As George Orwell wrote, "if thought corrupts language, language can also corrupt thought," *"Politics and the English Language,"* 1946, and once thought is corrupted, so is a person's beliefs, and corrupted beliefs are the real power for controlling people against what otherwise would be their free will and self interest. Hardline feminist Newspeak spreads by imitation, and like all ideologies, it is ready to relieve a person of having to think.

82. Tory's tactic with her "witches studies" reference, as with her other grabs for emotions via superficial out-of-context reporting, was meant to censor the historical research of a men's rights advocate that showed the law has generally treated females in a preferential fashion since the Industrial Revolution.

83. Tory simply exploited the modern-day stupidity that free speech is only allowed when it conforms to tenets Tory and the politically correct hold sacred. Those who do not conform must

be silenced, so the “Males and the Law” section was aborted. Then again, maybe she was afraid it would use the same linguistic tactics as Women’s Studies, making it “Warlock Studies.”

84. On eliminating the rights of females, every case brought by Roy sought equality of rights between the sexes. Each case would have eliminated preferential treatment of females. Tory criticizes the cases because for her equality means that “All animals are equal, but some animals are more equal than others.” George Orwell *Animal Farm*, last page.

85. For example, in the Ladies Nights’ case against New York City nightclubs, males have to pay \$20 or more just to enter a nightclub while females enter for free. Is that fair, especially when the average lady makes more on a per unit of time basis than the average guy—\$1.08 to \$1.00, when last I looked at the U.S. Bureau of Labor Statistics.¹ The average male makes more money over all, however, because he works longer hours.

86. Tory used her false representation of the cases to infer that the “Males and the Law” section and Roy would promote the derogation of rights for females. If anything, the section illustrated the importance that the laws act toward each sex with a blindfold so that the rights of both are protected.

87. On oppression by females, if she’s hot, she can walk all over Roy in her stiletto heels. (Tory actually quoted the last clause of this sentence from the Original Complaint as the secondary headline for a June 18, 2014, article (Ex. F), but in order to create a false impression of Roy as a lawyer, she left out the qualifier “Seriously, however,” which followed the quoted clause).

¹ Calculating this number requires using the U.S. Department of Labor, Bureau of Labor Statistics, *Time Use Survey 2007*, Table A-1.

88. Seriously, however, the Violence Against Women’s Act was written by the Feminist Majority and NOW’s Legal Defense Fund. Under a section of that Act, American men are targeted by allowing their alien wives or alien girlfriends to accuse them of some phony abuse. The Department of Homeland Security will then hold secret proceedings to determine whether the abuse occurred, but the one person barred from the proceeding is—you guessed it—the guy accused of the abuse. The only evidence the Department allows comes from the alien female, her lawyer and feminist consultant—both are usually paid for by the U.S. Government. That’s not the back of the bus—the man is not even allowed on the bus. He’s left at the station as the ultra-feminist VAWA Unit in Vermont runs over his career and reputation.

89. That section of the Act is nothing more than a corruption of the truth reached in a kangaroo administrative hearing under the abandonment of due process of law, which was primarily intended to harm men by the hard-line feminists who wrote it.

90. Now, to be fair, a word Tory should look up, American females can find themselves in a similar position, but the vast, vast majority are guys targeted by the ultra-feminists because they knew guys were the ones trying to escape them by going overseas for girlfriends and wives.

91. The purpose of Tory’s statement that Roy “argues that feminists [females] oppress men in today’s world” was to depict Roy as paranoid and the “Males and the Law” section as the ranting of a paranoid lawyer. (Ex. C, Tory Shepherd, *LECTURERS in a ‘world-first’ male studies course at the University of South Australia under scrutiny*, The Advertiser-Sunday Mail Messenger, January 12, 2014).

92. Tory didn’t bother to consider the truth or falsity of her statement because her purpose was to abort the “Males and the Law” section by scaring the University into believing that the section’s content was delusional because a paranoid had prepared it and would teach it.

93. Tory, besides inventing her own false statements and false innuendos about the “Males and the Law” section and Roy in her hostile desire to prevent the teaching of a section the contents of which she was ignorant, also enlisted the aid of pejorative quotes from “girlie-guys” who hope that by being PC sycophants, they can avoid being hexed by the likes of Tory.

94. Statements attributed to Dr. Michael Flood that Tory republished in her January 12, 2014, news article (Ex. C) included:

- a. “[T]hese types of male studies ‘really represents the margins.’”
- b. “‘It comes out of a backlash to feminism and feminist scholarship. The new male studies is an effort to legitimise, to give academic authority, to anti-feminist perspectives.’”

95. But did this alleged expert read any of the courses outlines? Don’t know because Tory does not say, but her article clearly infers that Flood’s disparagement of the courses and their creators, which included Roy and his section, relied on some information about Roy and the section that were not included in the article.

96. Flood obviously sides with Tory, and if he lived in America in 1776 would have also sided with the Tories, since the founding fathers were responding to injustices and clearly outside the main body of the British Empire.

97. Tory and Flood, however, rely on the term “margins” to hold the courses and its creators up to contempt, ridicule and moral discredit.

98. Another alleged expert Dr. Ben Wadham is a lecturer at Flinders University, which was founded all of 40 years ago and is ranked at 431 in the bottom half of the QS World University Rankings of 2013, who was used by Tory to disparage the proposed course section and Roy with statements she republished such as:

- a. “‘populist’ male studies”

- b. Roy belongs to ““a more hostile [men’s rights] movement””
- c. “[T]he kinds of masculinities which these populist movements represent are anathema to the vision of an equal and fair gendered world.””

99. So, did Wadham read any of the course outlines? Don’t know because Tory does not say, but her article clearly infers that Wadham’s disparagement of the courses and its creators, which includes Roy and his section, relied on some information about Roy and the section that the article never provided.

100. Wadham surely would have opposed the progressive programs of Teddy Roosevelt because they were “populist,” and he would have gleefully “crucif[ied] mankind upon a cross of gold” because William Jennings Bryan was a “populist.”

101. Tory and Wadham, however, rely on the term “populist” to hold the courses and their creators up to contempt, ridicule and moral discredit.

102. Flood and Wadham belong to Tory’s stable of alleged experts, or more accurately media hungry lackeys, whom she quotes in her articles to further her spiteful anti-men’s rights beliefs under the disguise of objectivity.

103. Take the hardcore feminist partisan Flood for example. He used some of the same dirty tricks that Nixon’s CREEP (Committee to Re-elect the President) did in 1972. Flood misrepresented himself as a separated father in order to infiltrate the Fathers4Equality organization in Australia. Under his Mata Hari disguise, he then tried to discredit that father’s group by sending out fraudulent letters to members of the Australian parliament to make it appear that members of the organization were unstable.

104. Often, the statements Tory uses from so-called experts attacking any man who disagrees with her are replete with the trigger words of PC obloquy common in today’s societies:

“extreme,” “discredit victims [females]” and “protect perpetrators [males].” For example, in her articles:

- a. Tory Shepherd, *Men’s rights extremists go online*,” The Advertiser-Sunday Mail Messenger, January 10, 2012 (Ex. B):

“Dr Flood says [Men’s Rights Extremists] have already influenced family law, government policy and community attitudes, subtly shifting the balance to better protect perpetrators and discredit victims.”

“[Dr. Flood] says the internet has transformed them [MREs] and allows them to appear a ‘massive horde’ out of proportion to their actual numbers.”

- b. Tory Shepherd, *Carnivorous men’ versus ‘lying bitches’ in sex war*, news.com.au, July 17, 2012 (Ex. G):

“[Dr. Flood] said vitriol and extremism were rife online. He said the false rape allegation claims were a standard way men’s rights activists tried to discredit rape victims. ‘It ends up disempowering victims and protecting perpetrators’, he said, adding that false rape allegations were rare”

105. Joseph McCarthy and Roy Cohn would have been proud of Tory’s effort even though those two were anti-communist while Tory is a Zil lefty. Polar opposites, but they used the same tactics, just like the Nazis and Soviets did.

106. In McCarthy and Cohn’s days, certain words were used to label persons and their creative works as anathemas and affronts to decent thinking people, words such as “communistic,” “red,” “commie sympathizer,” and “fellow traveler.” Today Tory and the hardcore feminists use the opprobrium associated with words such as “anti-feminist,” “right wing,” “extreme,” “hardline,” and “masculine.”

107. The hunters of communists in the 1950s had their “blacklists,” which were kept by private organizations and used by the media to silence lefties, prevent the publication of their works, exile them from academia and destroy their reputations and prospective economic advantages. Today the hunters of the evolutionarily correct keep their “pinklists” on the Internet,

thanks to the many rabid feminist bloggers out for revenge because they were not asked to the senior prom.

108. These “pinklists” serve the same purpose as the 1950s blacklists, only today the lefties are doing the hunting, ostracizing and destroying with unsubstantiated and false accusations.

109. Tory’s second article on the male studies course was dated January 14, 2014, and she headlined it: *University of South Australia gives controversial Male Studies course the snip*. (Ex. E, The Advertiser-Sunday Mail Messenger, January 14, 2014).

110. Why did she use the word “snip”? Tory’s a reporter and presumably chooses her words carefully for the impact she wants to have on her readers. Snip means to make a quick cut. Were her hate-filled desires for the emasculation or circumcision of men’s rights advocates at work? At the very least, the word connotes further feelings of ill will toward the Male Studies courses and its men’s rights creators.

111. In her second article, Tory reports that most of the Male Studies courses, including the section that was to be taught by Roy, were canceled and clearly credits her false and obloquious first article with the “snip”:

The Advertiser revealed yesterday that some of the lecturers listed for the professional certificates had links to extreme men’s rights organisations that believe men are oppressed, particularly by Feminists.

The university yesterday said two short courses that would cover male health and health promotion programs targeting males had been approved, that “no other courses have been approved” and that only university staff would teach the courses.

A statement from the university issued yesterday said only UniSA staff would develop and teach courses, and that the university did not “endorse or support the controversial comments on gender issues” revealed in [the January 12, 2014] Advertiser.

112. In her closing quote, Tory makes clear that in today's world colleges can teach anything so long as it is consistent with hardcore feminist ideology. Tory does this by intentionally and misleadingly equating "anti-feminist" with "anti-women" positions:

National Union of Students president Deana Taylor said a course like that proposed for the university provided "a dangerous platform for anti-women views".

(Ex. E, Tory Shepherd, *University of South Australia gives controversial Male Studies course the snip*, The Advertiser-Sunday Mail Messenger, January 14, 2014).

113. Tory, however, wasn't satisfied with axing Roy's course section about which she knew next to nothing. Her prejudice against men's rights activists drove her to dance on the grave of knowledge and ideas she disagreed with so as to assure such would not be resurrected in the future at the University or any other college. Her emotional rant against the Male Studies courses and their creators, which included Roy and his "Men and the Law" section, continued in her news article of nearly pure common law calumny headlined: *Pathetic bid for victimhood by portraying women as villains*, Tory Shepherd, The Advertiser-Sunday Mail Messenger, January 14, 2014 (Ex. H):

- a. But I'm pretty keen to go over some of the ground that's been covered this week after uncovering plans to have a Male Studies course at the University of South Australia.

With this statement, Tory expressed her intent to repeat her prior false accusations in a new issue of The Advertiser-Sun Mail Messenger in order to once again morally discredit the courses and their creators.

- b. Big ups to UniSA for having the sense to reject anything linked to those at the very fringe of the men's rights spectrum . . . overseas ring ins.

Here Tory falsely states and infers the creators and Roy belong to a lunatic fringe, which carries the imputation that they and he are not wholly sane. The only fringe Roy belongs to is that part

of the dwindling population that believes men are, according to biology, human beings, and therefore, according to Thomas Jefferson, have rights. Tory also likens the creators and Roy to criminal gang members. “Ring in” is an MS-13 gang term meaning members that are called to help in gang wars and fights (sounds a little like Tory). Roy has never been a criminal gang member unless the rugby teams he used to play for are considered criminal gangs.

- c. You’d think I’d shut up now the plans are off the table, but it’s really important to get across the bigger picture. See, most people probably think that the men’s rights guys I was talking about - the ones who habitually call women names, argue that they routinely make up rape, and put it about that women either incite their own domestic violence or are the abusers themselves - are just circle-jerk misogynists.

This shows that Tory is effectively driven by her hatred of men’s rights advocates to convince her readers of the demented view based on undisclosed false factual connotations that there exists a world-wide conspiracy to strip women of their rights. She also explicitly states some of the imputed defamations of her two former articles (Ex. C and Ex. E) in the second sentence. Roy, however, does not “habitually call women names,” he only habitually calls extreme feminists names. Roy does not argue that women routinely make up rape; he argues that false allegations of rape range from 1.5% to 90% depending on the geographical location and study methodology. *False allegations of rape*, The Cambridge Law Journal 65, Rumney, P. (2006). Similarly, he does not argue that women are abusers; he cites statistics from 2007 that 38.7% of child victims were maltreated by their mothers acting alone and 17.9% percent were maltreated by their fathers acting alone. U.S. Dept. Of Health & Human Services, *Child Maltreatment 2007*, p. 29. As for circle-jerk, not quite sure what Tory means by that, never having been to one, but I am sure she has.

- d. They are - misogynists, I mean. And we’re talking old-school misogyny - the hatred of women - as well as the new-school misogyny - entrenched prejudice against women.

As Roy told the U.S. Southern District Court for New York in the Ladies' Nights case, "one can't hate that which one lusts after."

- e. Not just harmless condescension or unthinking stereotypes, but some serious anger.

The imputation from "serious anger" coupled with Tory's out of context quote about Roy's statistically accurate statement that men own most of the guns in America, is, as interpreted by the popular website *We Hunted the Mammoth*, "that men's rights activists may have to take up arms against the evil Feminists who run the world." (David Futrelle, *Australian "Male Studies" initiative under fire because of its connections to raving misogynists; raving misogynists blame feminists*, January 13, 2014, Ex. I). Perhaps against the Government, but Roy never advocated firearms against the politically deluded.

- f. The problem is, the circle is no longer closed, no longer just a bunch of angry guys in a basement. They're trying to get up the stairs and into the light. They want to play outside with legitimate experts in men's issues . . .

Roy is not now, nor has he ever been a troglodyte, and to his knowledge, he is not illegitimate.

- g. It's a classic tactic, used by pseudoscientific fraudsters. Adopt the language of the actual scientists. Find odd reports and old stories, random statistics and shocking anecdotes, and stitch them into a Hannibal Lecter-style creation that mimics valid inquiry.

With this statement, Tory invoked the criminal and civil wrong terminology of fraud to assert Roy was a fraudster, but she could not possibly have concluded that what Roy was going to teach about the law was false because she did not know the specifics of what he was going to teach. Even a blind zealot on a crusade, such as Tory, must still have a portion of her brain entertaining serious doubts when describing that which she lacks knowledge about. The "Males and the Law" section was largely based on law review articles from the mid-1800s to the early 2000s,

including one commissioned by Congress for the federal court in New York. Tory did not know any of that, but went blindly ahead accusing Roy of fraud. The “odd reports and old stories, random statistics and shocking anecdotes” that’s Tory’s specialty, if a lawyer used such to create a false impression, he’s risking his license—something Tory is not constrained by. As for the imputation that Roy is Hannibal Lecter creating a Frankenstein course section of evil, “Males and the Law” just presents what the law was and is, and Roy is neither a serial killer nor a connoisseur of human flesh, which would definitely break his Kathy Freston “The Lean” diet.

- h. Try to sound like the real deal, and look enough like them to fool some people, some of the time.”

Just more unsubstantiated accusations of fraud, but at least Tory is consistent in her falsehoods and obloquy.

- i. Poor boys, trying desperately to claim the mantle of victimhood. It would be pathetic if it wasn’t for the fact that they are trying to make women into villains at the same time.

Tory confirms that her classification of Roy as “anti-feminist” means anti-female by her “women into villains” remark, but here, as elsewhere, she fails to disclose any of the information on which she based that classification. Anti-feminist is not anti-women and Tory, a reporter, knows that. Making such a stereotype classification by equating anti-feminist with anti-women smacks of recklessness—if not an intentional effort to hold up Roy to contempt from Tory’s readers. So why did she do it—hatred of Roy, a men’s rights advocate. Now, to be fair, it is possible that Roy belongs to both “anti” groups, but considering that since the age of 8 years, he has spent a lot of time and money chasing girls, he’s definitely not anti-women, although such might be why he’s now a “poor boy.” As for “claim[ing] the mantle of victimhood,” Roy considers himself more of a target—hopefully a moving target.

- j. It could be dismissed if they weren't trying to creep in where they are not needed, or wanted.

Once again, Tory makes a statement without disclosing the information on which it was apparently based. How did she know the students at the University did not want the slated Male Studies courses, which included learning how the law over the past 250 years discriminated based on sex? Did she take a poll—no. She simply assumed the students did not want the courses before the University even had a chance to carry out its usual procedure for determining whether enough students registered for the courses. Such an assumption is obviously reckless, especially for a newspaper article listed under “News.”

- k. It could be dismissed If they weren't trying to lobby for law changes or to brainwash people into thinking black is white.

Tory's contempt for men's rights advocates, including Roy, is so extreme that, as this quote communicates, they should be denied the right to petition their governments for a redress of grievances. Driven by such ill will, she then makes the unsubstantiated accusation that they, including Roy, are in fact “brainwash[ing] people.” By the time Tory wrote this article, she had interviewed Roy and knew that his section was on the history of the law concerning sex discrimination. (Tory Shepherd, *University of South Australia gives controversial Male Studies course the snip*, The Advertiser-Sunday Mail Messenger, January 14, 2014, Ex. E). Tory chose to ignore what she knew in order to accuse Roy of brainwashing when all he would have done was present legal history on a particular issue.

- l. But these guys drown out any real discussion with their endless angry spittle. And that's the real bitch.

The term “angry” is used today not to describe a human emotion but to derogate, mainly men, as barbarians. For example, “angry white men” raises the specter of guys in sheets burning crosses and worse. As a reporter, Tory is adept with words and their connotations. She intentionally

chose “angry” to communicate that the courses’ creators, including Roy, had breached the gates and were flooding civil discourse on sex discrimination with their innate savagery. As for the word “spittle,” apparently she was evoking images of ranting, zealots spewing forth more than lunatic ideology in order to further denigrate the courses’ creators.

114. Tory’s unslaked spite and hostility for Roy in particular is evinced in her June 18, 2014, news article concerning this legal proceeding, which she titled: *Men’s rights campaigner Roy Den Hollander attacks The Advertiser’s Tory Shepherd in bizarre legal writ filed in New York County*, The Advertiser-Sunday Mail Messenger, June 18, 2014, (Ex. F).

115. Tory wrote and published to her large audiences:

“I probably can’t bang on too much”

“[B]ang on” connotes verbally hammering Roy until he is at least figuratively six feet under and his reputation as an attorney in such shatters that he dare not again raise his voice in defense of men’s rights or file a case seeking to enforce such rights.

116. Driven by her irrational hatred of Roy, Tory even apparently relinquished part of her privilege of confidentiality with her lawyer and mostly likely ignored her lawyer’s advice when she wrote,

“Mr Den Hollander, representing himself, has penned a legal document . . . that cannot remain between me and my lawyer. It’s gold and genius like this should be shared.” (Ex. F).

117. Tory’s June 18, 2014, article defamed Roy in his profession as an attorney. Roy has practiced for nearly 30 years in state and federal courts and following law school had been an associate at Cravath, Swaine & Moore.

118. Tory’s false statements imputed dishonesty, deception and professional misconduct, which were injurious to Roy’s profession.

119. Tory wrote and published:

- a. “[B]izarre legal writ”

The word “bizarre” connotes there is something off or odd about Roy’s actions as a lawyer, he is legally incompetent and infers that others who may consider hiring him as a lawyer should not.

Tory ignores the obvious that among civilized persons there is nothing odd about using the legal system to enforce one’s rights.

- b. “UniSA [the University] was planning a course in men’s studies that included men with links to US men’s rights extremists”

Repetition is a disparaging technique that Tory uses well, but in this news article in a different edition for The Advertiser-Sunday Mail Messenger from her other articles, which makes it an independent and new libel, her “extremists” remark is clearly aimed at Roy’s professional reputation as an attorney and officer of the courts before which he practices. It is also false because none of the men’s rights advocates that Roy has represented or communicates with are “extreme.” They are merely advocating for equal treatment under the law.

- c. “Mr Den Hollander is a proudly ‘anti-feminist’ lawyer

The “anti-feminist” remark is another repetition, this time in a different issue of The Advertiser-Sunday Mail Messenger, the meaning of which was dealt with above at ¶¶ 67-71.

- d. Roy believes in “censor[ship of] a journalist”

Anyone advocating censorship in a democracy is morally discredited, especially a lawyer who perverts his oath to infringe the free speech of others. The legal protections for free speech, however, do not extend to false defamatory statements made intentionally or with reckless disregard. Tory’s statement that Roy supports censorship of the media is false and recklessly made because she failed to distinguish between protected and unprotected speech or inform her

readers that Roy had worked in the news media. Had she done so, her readers would have questioned the accuracy and motivation for such a statement.

- e. Roy is “an extremist by sounding like an extremist.”

More of Tory’s favorite word for disparaging men’s rights activists, still just as false as previously.

- f. Tory sarcastically demeans Roy’s legal complaint against her as “Brilliant, no?”

Tory’s sarcasm of “Brilliant, no?” is just another way to say “stupid” and “unintelligent.”

Characterizing the work product of an attorney in such terms discredits his reputation as a lawyer and clearly harms his occupation, which, of course, is what Tory intended.

- g. “In the men’s rights vernacular, ‘girlie-guys’ are usually known as ‘manginas’. The terms refer to males who believe in equality for women . . .”

Here Tory communicated the clearly false connotation that Roy does not believe in equality for women because he demeans males who do by calling them “girlie-guys.” Had Tory actually reviewed the civil rights cases brought by Roy, she would have realized that those cases were predicated on equal rights for both sexes. But she did not, so this statement was also recklessly made.

- h. “Why on Earth give such a man more publicity? But it’s important, I think, to remain aware and wary of people like Mr Den Hollander.”

Tory’s connotation with this quote is that Roy the attorney is so malevolent that Tory, the epitome of all that is true and just, must warn her audience of 1,750,000 readers to be suspicious of and guarded against Roy and other men’s rights advocates like him. As usual, Tory fails to provide any facts as to her conclusion, but her readers clearly received the message and assumed that Tory knew what she was talking about.

- i. “I suspect the people at UniSA [the University] who flirted with the idea of bringing him [Roy] over to teach may not have really understood his philosophy.”

Tory made an assumption here and communicated that she “really understood [Roy’s] philosophy” even though she interviewed him for all of 10 minutes. She imputes that his philosophy is morally bankrupt, which is what Tory wanted to communicate in order to justify her articles. Tory’s false attribution of a reprehensible philosophy to Roy stereotypes him with all her other boogiemen whom she calls Men’s Rights Extremists.

120. Tory is clearly adept at ignoring the facts, making up false facts, dissembling, prevaricating and using exaggerations and half truths to denigrate those she bears such unrelenting hostility toward—men’s rights advocates.

121. At the very least, Tory published her articles with reckless disregard for their falsities, without regard to their consequences and under circumstances where a reasonably prudent person would have anticipated that injury to other human beings would follow.

122. Tory, like a rooster, crows over her success at intentionally using illegal tactics to gain her hate-filled way against men’s rights advocates, such as Roy, when she wrote:

- a. “A statement from the university issued yesterday said only UniSA staff would develop and teach courses, and that the university did not ‘endorse or support the controversial comments on gender issues’ revealed in yesterday’s Advertiser.” (Tory Shepherd, *University of South Australia gives controversial Male Studies course the snip*, The Advertiser-Sunday Mail Messenger, January 14, 2014, Ex. E).
- b. “After The Advertiser revealed UniSA was planning a course in men’s studies that included men with links to US men’s rights extremists, the course was canned.” (Tory Shepherd, *Men’s rights campaigner Roy Den Hollander attacks The Advertiser’s Tory Shepherd in bizarre legal writ filed in New York County*, The Advertiser-Sunday Mail Messenger, June 18, 2014, Ex. F).

123. Before publishing her June 18, 2014, news article (Ex. F) defaming Roy’s reputation as an attorney, Tory advertised the article on her twitter account texting: “Harpy, dog-

in-heat bacchanalian reporter. Nicest thing anyone’s ever said about me.” (Ex. J, Tory Shepherd, *Tweet*, June 17, 2014). Her admission that some of the statements about her in the original Complaint were virtuous and respectable, synonyms for nice, eliminates any claim for defamation that she may harbor bringing.

Amy McNeilage’s culpable conduct

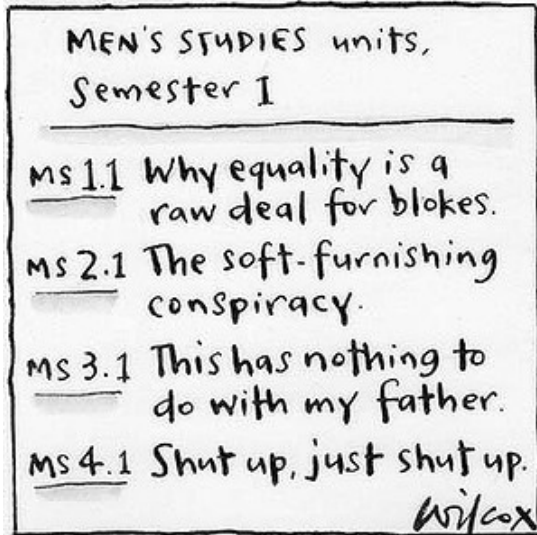
124. Amy, The Sydney Morning Herald reporter, threw her torch onto the electronic bonfire of knowledge unapproved by the *de facto* PC Ministry of Truth with her January 14, 2014 article. (Amy McNeilage, *University of South Australia distances itself from males studies proposals*, The Sydney Morning Herald, January 14, 2014, Ex. D).

125. Amy clearly knew the Male Studies courses in which Roy was to teach a section were being offered by the University, since she wrote “the courses, which were criticised in the media” (Ex. D).

126. Amy set out to injure the courses’ creators by preventing the courses from being taught through her publication of disparaging comments about the courses and its men’s rights creators, including Roy’s “Males and the Law” section and Roy.

127. In doing so, she published false and misleading information and created false impressions concerning the section that Roy would have taught.

128. Amy, most likely driven by an unbalanced urge to punish men for every stupid decision she ever made, was motivated by ill will toward the Male Studies courses and its men’s rights creators, which is plainly demonstrated by the chart at the head of her “male-baiting” article that stereotypically makes false-insulting statements about the courses and their creators, including the “Males and the Law” section:



(Ex. D).

129. Amy uses the false and misleading appellation “hardline anti-feminist advocate[]” in her lead sentence to open her McCarthyite assault of false factual connotations and unsubstantiated accusations motivated by her ill will against the courses and its creators, including the “Males and the Law” section and Roy.

130. To aid her spiteful effort to cancel the courses and thereby intentionally interfere with the interests of the courses’ creators in having the courses taught at the University, Amy enlisted a like-minded censor to quote from:

National Union of Students president Deanna Taylor said it was concerning that the academic who founded the course, Associate Professor Gary Misan, was linked to the controversial Americans. “It’s a slippery slope once you open the door to people with these views and give them a platform . . . it’s not long before proposals like the ones that were rejected actually get approved” she said.

(Ex. D).

131. A journalist, rather than an ideologue bubbling with hostility toward men’s rights advocates, would not have allowed this call for censorship to stand alone by balancing it with something along the following lines:

To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation. No field of education is so thoroughly comprehended by man that new discoveries cannot yet be made. Particularly is that true in the social sciences, where few, if any, principles are accepted as absolutes. Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die.”

Keyishian v. Board of Regents of University of State of N. Y., 385 U.S. 589, 603 (1967)(Brennan, J.).

132. The Australian Press Council to which Amy’s newspaper belongs requires that “Where individuals or groups are a major focus of news reports or commentary, the publication should ensure fairness and balance in the original article.” (Australian Press Council, *General Statement of Principles* at 3, Ex. K). Obviously when it comes to men’s rights advocates, “principles” take a back seat to Amy’s hatred and self-righteousness.

133. Amy’s objective was clear: destroy dissent and political criticism of that which she assumes are absolute truths in the social sciences and the only ones that universities should be allowed to teach—hardcore feminism and intolerant political correctness.

134. Her *modus operandi*, like Tory’s, is to not only castigate the courses but the courses’ creators so as to abort the message by making statements about both the message and the messengers without regard to the truth or falsity and under circumstances in which a reasonably prudent person should have anticipated that injury would follow.

135. Before publishing her “attack” article, Amy, as with Tory, failed to interview Roy to determine what he was going to teach in the “Males and the Law” section. That imputes she was not motivated by the quality of the education received at the University but rather by a desire to harm Roy’s section by disparaging it and him in her effort to stop the section from being taught.

136. If Roy had not been a men’s rights advocate, Amy, like any bush league reporter, would have first determined what was going to be taught before publishing an article concerning a course section at a university.

137. Had Amy followed the ethics of her profession and determined the content of the “Males and the Law” section before slinging her rabid-feminist mud, her readers, assuming she told them the truth, would have had a completely different impression of that section—one that was based on the truth rather than her misleading statements masquerading as facts.

138. Amy, like Tory, did not know how Roy defined the term feminism; yet she intentionally used the description “anti-feminist” to discredit his section of a course the way a reporter for *Pravda* in the old Soviet Union would have used the term “anti-communist” to discredit the work of a Soviet-dissident. At least a Russian commie reporter could point to intellectuals such as Marx and Lenin to define “Communism,” who can Amy point to for a definition of feminism—her fellow coeds in consciousness lowering sessions at Charles Sturt University? Charles Sturt University is not even ranked by the QS World University Rankings of 2013.

139. Instead of picking “extreme” from the reporter’s grab bag of disparaging words, Amy pulled “hardline” and “radical.” She intentionally used them to paint a false picture of Roy, and infer that the “Males and the Law” section would advocate the elimination of rights for females, such as muzzling them on college campuses the way she and Tory muzzled male points of view at the University by abusing their power of the press.

140. Amy could not possibly know what the “Males and the Law” section would teach because she had not interview Roy nor reviewed the copyrighted contents of the section.

Therefore, her imputation of its contents and her disapproval of the section were based on ignorance. Most reporters get the facts before writing a story but not Amy.

141. Amy uses “radical” the way Tory uses “extreme,” to depict Roy and by association his section of the course as dangerous. Amy wrote that Roy had “been published on radical men’s rights websites.” (Amy McNeillage, *University of South Australia distances itself from males studies proposals*, The Sydney Morning Herald, January 14, 2014, Ex. D).

142. Okay, Amy, which ones? She doesn’t say. Was she pulling a “McCarthy” when he said he had a list of known communists working in the U.S. State Department but never made the list public? At the very least, she was referring to information that she did not provide her readers.

143. Amy uses the word “radical” because she knows her readers will read it as connoting iniquity and never realize that the following were also called “radicals” whose activities actually benefitted mankind: America’s founding fathers, abolitionists, the South Australian Fabian Society, Australian Lucy Morice, Radical Women, the Paris Commune, anti-Vietnam War demonstrators, environmentalists and many others demonized by the press of their day.

144. Amy wrote that Roy had “filed a lawsuit against Columbia University for offering women’s studies courses that preached a ‘religionist belief system called feminism’.” (Ex. D). She intentionally cherry picked one issue from the case, which had three issues, in an effort to further disparage Roy and by inference the “Males and the Law” section.

145. The case was against the U.S. Department of Education, the Board of Regents for the State of New York and Columbia University charging the violation of Equal Protection, Title

IX, and the Establishment Clause in supporting and encouraging only Women's Studies programs but no Men's Studies programs.

146. By 2016 in the U.S., females will receive 64% of the Associate's Degrees, over 60% of the Bachelor's Degrees, 53% of the Professional Degrees, and 66% of the Doctor's Degrees. National Center for Educational Statistics, *Digest of Educational Statistics*, Table 258. If anyone needed help in getting into college and graduating—it was men.

147. The courts, however, refused to recognize that it was fundamentally unfair to have a Women's Studies program but no Men's Studies program, even though when a college has only a boys' rugby team, and the girls want one, the girls get one.

148. The case tried to at least temper New York State's higher education's enthusiastic and exclusive propagation of hardcore feminism through Women's Studies and allow countervailing masculine perspectives to enter the ivy tower to challenge extreme feminist orthodoxy harmful to men.

149. Higher education's banishment of Men's Studies scholarship, such as that offered by Dr. Warren Farrell, advances wholesale acceptance of hardcore feminism's invidious discrimination of men, which is inimical to the educational missions of fostering equal justice, ensuring a diverse student and alumni body, and helping both sexes find careers. It also has a deleterious impact on society as a whole, since "[n]o one should underestimate the vital role in a democracy that is played by those who guide and train our youth." *Keyishian v. Board of Regents of University of State of N. Y.*, 385 U.S. 589, 603 (1967).

150. But Amy doesn't care about an education that helps everyone because to her men are the incorrect sex, so her article intentionally tried to discredit that case of Roy's by failing to mention the other causes of actions and focusing on the innuendo that allegations of extreme

feminism as a religion are absurd. To hardened, intolerant feminists and those scared of them, yes, but the U.S. Supreme Court and Court of Appeals cases on religion indicate otherwise.

151. Amy also used quotes from ultra-feminist academic Eva Cox who emotionally opposes any Male Studies courses, especially ones taught by men's rights advocates.

152. Amy gave free play to Cox's spite and desire to thwart the interests of men's rights advocates by printing Cox's all too common tactic that whenever the establishment of the day violates the rights of a group, and that group fights back, the establishment mocks them in the hope they will give up.²

153. Amy printed a Cox quote that derided the creators of the courses and men in general: "men who want to complain that they haven't had enough attention as victims, and that does worry me." (Ex. D). What, Cox worry? Absurd, no man would want attention from her, now Amy is a different story.

154. In another quote by Cox that Amy printed: "some men have difficulties with going to doctors." (Ex. D). Cox and Amy must have laughed gleefully over that statement. It is meant as derision toward men in general, but cannot possibly apply to Roy, since whenever he injured himself playing Lacrosse, Rugby, or now Krav Maga, he hurried down to the emergency room to flirt with the nurses and exploit their Florence Nightingale qualities. Qualities that Cox and Amy admittedly lack.

155. Amy also wrote the Male Studies courses were "rejected in 2012"—that was false. Six of the eight courses, including the course with the "Males and the Law" section,

² Establishment means a unitary belief system held by enough influential persons so that it dominates over other beliefs in a society, such as the principles of the Declaration of Independence and the Constitution. Today, that belief system is Feminism and its sister ideology Political Correctness.

were canceled as a result of Tory's first article and Amy's one article, both published in January 2014 before the courses were canceled. The reason for Amy's falsehood was, on information and belief, to keep these two online newspapers and their reporters from being sued for injurious falsehoods and tortious interference with a prospective economic advantage, since the 2012 cancellation would mean their articles were not the cause of the cancellation.

Causes of Action

Injurious Falsehoods

156. Tory and Amy knowingly or with reckless disregard published falsehoods and false factual connotations concerning (1) the property interest of Roy in his copyrighted compilation the "Males and the Law" section of a Male Studies course and (2) Roy so as to intentionally harm him by aborting that section of the Male Studies course for which he would have received a fee to teach and to indirectly disparage his copyrighted compilation.

157. If Tory in writing her January 12, 2014, news article and Amy in writing her January 14, 2014 news article did not know their disparaging statements concerning the "Males and the Law" section and Roy were false, or they were not motivated by ill will, or did not make their statements with the intent to interfere with Roy's interests; they clearly made them with reckless disregard as to their truth or falsity, without regard to the consequences, and under circumstances where a reasonably prudent person would have anticipated that injury to another human being would follow.

158. The falsehoods, motivated by spite, hostility and ill will were calculated in the ordinary course of things to produce, and did produce actual damage to Roy's economic and legal relationship with the University in an amount capped at \$1250, the maximum amount he would have been paid for teaching the "Males and the Law" section depending on the hours.

Tortious Interference with Prospective Contractual Relations

159. Tory and Amy’s purpose in publishing their first articles was to keep the creators of the Male Studies courses from teaching their course sections at the University, which included the “Males and the Law” section to be taught by Roy. Tory and Amy knew or were substantially certain such would occur as a result of their actions.

160. Tory intended her article of January 12, 2014 (Ex. C) and Amy intended her article of January 14, 2014, (Ex. D) to directly interfere with the prospective contractual relations between Roy and the University for Roy to teach the “Males and the Law” section of a Male Studies course for a fee.

161. Tory and Amy were motivated solely by a desire to harm the creators of the Male Studies courses, including Roy, by keeping them from teaching their respective sections at the University when Tory and Amy used their power of the media to pressure the University into aborting the courses with the result that the University canceled six of the eight courses, including the “Males and the Law” section.

162. Tory and Amy are “reporters”—not lawyers trained and experienced in understanding and communicating what the law is on a particular topic. Plaintiff has been interpreting and communicating about the law for nearly 30 years. Tory and Amy are not in competition with him; therefore, their motive to interfere with his prospective contract to teach law was not legitimate economic self interest but spite for men’s rights activists who do not curtsy to their intolerant ideologies.

163. Tory and Amy also engaged in wrongful means that aborted six Male Studies courses by dishonestly characterizing the creators, including Roy, and the Male Studies courses, including the section “Males and the Law,” as extreme right wing, railing against feminism

[women], referring to women as bitches and whores, advocating gun violence, lacking in academic rigor, on the margins of society, extreme activists, hostile toward women and non-whites, opposed to an equal and fair world, not objective and dangerous to women.

164. In authoring and publishing their articles, Tory and Amy engaged in purposeful misrepresentations in that many of their deceptive, misleading and untrue statements which disparaged the section Roy would have taught and himself were false in the sense in which they were intended and understood by the public, including the University.

165. Tory and Amy violated news media established customs and ethics in order to create and publish their intentionally fallacious communications by unfairly and improperly failing to even interview Roy about the section he was slated to teach before they wrote and published their first articles. This purposeful avoidance of the truth enabled them to make up whatever they wanted in order to mobilize public opinion and pressure the University into keeping the courses from being taught at the University.

166. As reporters for newspapers with large audiences—The Advertiser-Sunday Mail Messenger 1,750,000 and The Sydney Morning Herald 5,580,000, which includes print and online—Tory and Amy hold positions of power in society, and with that power comes the ability to intimidate others, including public Universities, into doing their bidding.

167. Tory and Amy unfairly and inappropriately used that power to interfere with the University's lawful liberty to offer six courses, including one with the "Males and the Law" section, causing the University to abort that section and cause damage to Roy's pecuniary interests, including the value of his copyright in the section.

168. Had it not been for Tory and Amy's desire to harm the creators of the Male Studies courses by their wrongful and unjustified publications (Tory's January 12, 2014 article

(Ex. C) and Amy's January 14, 2014 article (Ex. D)), Roy would have entered into a contract with the University for teaching the section on "Males and the Law," and most likely taught the same section at other colleges.

169. Tory and Amy's interference damaged Roy's economic interests in the amount of the fee he would have received for teaching his section, which was a maximum of \$1250, and lost opportunities for teaching the same section in other universities by damaging his copyright interests in the "Males and the Law" in the amount of \$5,000.

Prima Facie Tort

170. In the alternative, Tory and Amy are liable under *prima facie* tort in that if their acts are found to be lawful, their sole motivation in harming the men's rights creators of the Male Studies courses by preventing them from teaching and being paid for such, including Roy teaching the "Males and the Law" section, was Tory and Amy's "disinterested malevolence" to invidiously discriminate against men's rights activists in authoring and publishing their articles. (Exs. C and D).

171. Tory and Amy took active steps without justification to prevent the courses' creators, including Roy, from teaching their respective sections by ostracizing them in their two articles and engaging the aid of others, whom they quoted in those articles, to support their "pink-listing" of the courses' creators as dangerous to woman because they were men's rights activists.

172. The actions in pink-listing the creators of the courses, including Roy, was motivated by a desire for revenge against men's rights advocates rather than any economic interest the advancement of which would constitute a lawful reporter's objective, and that the

singling out of the creators for punishment in this manner went beyond the bounds of economic justification.

173. The wholesale invidious discrimination against men's rights activists teaching Male Studies courses was not warranted as legitimate reporting.

174. Evidence of Tory and Amy's invidious discrimination toward men's rights activists includes that they did not publish articles criticizing Women's Studies at the University even though some of its courses propagate misandry.

175. Tory and Amy's actions are without lawful justification because in their effort to injure the creators of the Male Studies courses, including Roy, they censored ideas and knowledge, and in Roy's case, knowledge of the history of the law.

176. Universities were supposed to be open to differing views, but today under hardcore feminism, the winds of a cult-like conformity blow through the halls of academia when centers of learning and the press believe they have discovered the one and only truth.

177. Roy incurred financial damage in losing his fee for teaching his section, which was capped at a maximum of \$1250.

Defendant Tory Shepherd's Libel

178. In four news articles authored by Tory and published to The Advertiser-Sunday Mail Messenger's 1,750,000 audience and the World Wide Web, she wrote numerous statements that from the context of her news articles make clear they were about Roy because not only was he specifically identified, but he was also a member of the small group of slated lecturers and creators of the Male Studies courses.

179. Tory's written statements that are false and susceptible of a defamatory meaning from her January 12, 2014, news article *Lecturers in world-first male studies course at*

University of South Australia under scrutiny (Ex. C), which she wrote without even interviewing Roy or reviewing the content of the “Males and the Law” section in a purposeful avoidance of the truth in which Roy, an attorney, was identified as one of the lecturers, follow:

- a. Lecturers “have been linked to extreme views on men’s rights and websites that rail against feminism.”
- b. “Two lecturers [includes Roy] have been published by prominent US anti-feminist site A Voice for Men, a site which regularly refers to women as ‘bitches’ and ‘whores’ and has been described as a hate site by the civil rights organisation Southern Poverty Law Centre.”
- c. “One American US lecturer . . . has written that the men’s movement might struggle to exercise influence but that ‘there is one remaining source of power in which men still have a near monopoly—firearms’.”
- d. Roy, an attorney, was one of “the more extreme activists.” This is as highly injurious to professional reputation as calling an attorney a communist in the 1940s.
- e. Roy “blames feminists for oppressing men.”
- f. “The course, which has no prerequisites [including Roy’s “Males and the Law” section]”
- g. “[U]niversities needed to uphold research based traditions instead of the populist, partisan approach driven by some” such as Roy.
- h. Republication of defamatory statements:
 - i. “[T]hese types of male studies ‘really represents the margins.’”
 - ii. “‘It comes out of a backlash to feminism and feminist scholarship. The new male studies is an effort to legitimise, to give academic authority, to anti-feminist perspectives.’”
 - iii. “‘populist’ male studies”
 - iv. Roy belongs to “‘a more hostile [men’s rights] movement’”
 - v. “‘[T]he kinds of masculinities which these populist movements represent are anathema to the vision of an equal and fair gendered world.’”

180. Tory's written statements that are false and susceptible of a defamatory meaning from her January 14, 2014, news article *University of South Australia gives controversial Male Studies course the snip* (Ex. E) where Roy is once again identified as one of the creators and lecturers:

- a. "[T]hat some of the lecturers listed for the professional certificates had links to extreme men's rights organizations"
- b. "US 'anti-feminist' lawyer Roy Den Hollander"
- c. "Mr Den Hollander also stood by his claim that men's remaining source of power was 'firearms'." Here Tory even edited her quoted statement in her January 12th article to ratchet up her obloquy by leaving out "one" as the qualifier for "remaining source of power."

181. Tory's written statements that are false and susceptible of a defamatory meaning from her January 14, 2014, article *Pathetic bid for victimhood by portraying women as villains*, (Ex. H), which was listed under "News." Given her statement that "I'm pretty keen to go over some of the ground that's been covered this week after uncovering plans to have a Male Studies course at the University of South Australia," it clearly includes Roy in the group of men she is attacking with her stiletto words:

- a. "Pathetic bid for victimhood by portraying women as villains"
- b. "Big ups to UniSA for having the sense to reject anything linked to those at the very fringe of the men's rights spectrum . . . overseas ring ins. ("Ring in" is a gang term meaning persons that are called to help in gang wars/fights).
- c. "They are - misogynists, I mean. And we're talking old-school misogyny - the hatred of women - as well as the new-school misogyny - entrenched prejudice against women."
- d. "Not just harmless condescension or unthinking stereotypes, but some serious anger."
- e. "The problem is, the circle (Tory is referring to "circle-jerk misogynists") is no longer closed, no longer just a bunch of angry guys in a basement. They're trying to get up the stairs and into the light.

- f. “They want to play outside with legitimate experts in men’s issues”
- g. “It’s a classic tactic, used by pseudoscientific fraudsters . . . [to create] a Hannibal Lecter-style creation that mimics valid inquiry.”
- h. “Try to sound like the real deal, and look enough like them to fool some people, some of the time.”
- i. “It would be pathetic if it wasn’t for the fact that they are trying to make women into villains at the same time.”
- j. “It could be dismissed if they weren’t trying to creep in where they are not needed, or wanted.”
- k. “It could be dismissed If they weren’t trying to lobby for law changes or to brainwash people into thinking black is white.
- l. “But these guys drown out any real discussion with their endless angry spittle. And that’s the real bitch.

182. Tory’s written statements that are false and susceptible of a defamatory meaning to Roy’ profession as an attorney from her June 18, 2014, article *Men’s rights campaigner Roy Den Hollander attacks The Advertiser’s Tory Shepherd in bizarre legal writ filed in New York County*, (Ex. F):

- a. “[B]izarre legal writ”
- b. “UniSA [the University] was planning a course in men’s studies that included men with links to US men’s rights extremists”
- c. “Mr Den Hollander is a proudly “anti-feminist” lawyer”
- d. Roy believes in “censor[ship of] a journalist”
- e. Roy is “an extremist by sounding like an extremist.”
- f. Tory sarcastically demeans Roy’s legal complaint against her as “Brilliant, no?”
- g. Tory communicated that Roy does not believe in equality for women because he demeans males who do by calling them “girlie-guys.” Tory wrote “In the men’s rights vernacular, ‘girlie-guys’ are usually known as ‘manginas’. The terms refer to males who believe in equality for women”

- h. “Why on Earth give such a man more publicity? But it’s important, I think, to remain aware and wary of people like Mr Den Hollander.”
- i. “I suspect the people at UniSA who flirted with the idea of bringing him over to teach may not have really understood his philosophy.”

183. The purpose of Tory’s June 18, 2014, article attacking Roy’s exercise of his historic right to vindicate harm to his reputation via the courts, especially his professional reputation, was to intimidate him into withdrawing this action by sending him the message that she would continue to harm his occupation by using her position as a reporter to denigrate, demean and defame Roy and his practice of the law with her direct falsehoods and false connotations to her worldwide audience, which includes readers in New York.

184. Tory’s statements were false because they had a different effect on the minds of her audience from that of the truth.

185. In addition to her outright false and defamatory statements, such as Roy has been “identified as belonging to extreme right wing groups in the USA,” Tory artfully defames by making false and defamatory suggestions, impressions and implications arising from otherwise accurate quotes taken out of context, such as the internal quotation include in “One American US lecturer [Roy] . . . has written . . . that ‘there is one remaining source of power in which men still have a near monopoly—firearms,’” which infers, according to the conclusion reach by the popular Australian website *We Hunted the Mammoth*, “that men’s rights activists may have to take up arms against the evil Feminists who run the world.” (David Futrelle, *Australian “Male Studies” initiative under fire because of its connections to raving misogynists; raving misogynists blame feminists*, January 13, 2014, Ex. I).

186. Tory made and wrote her defamatory statements knowing they were false or with reckless disregard for whether they were false, which amounts to constitutional malice.

187. Tory knew the statements were false or had serious doubts as to the truth of the statements or made the statements with a high degree of awareness that they were probably false.

188. Tory made and wrote her defamatory statements with a state of mind and motive of ill will, bias, spite and prejudice toward Roy because she knew he was a men's rights activist.

189. Evidence of Tory's reckless disregard for the truth is that she failed to meet the standards of her profession in information gathering and dissemination:

- a. Tory did not misread the outline or content of Roy's "Males and the Law" section—she did not read either at all, nor did she even interview Roy before her first libelous article on January 12, 2014.
- b. When she finally got around to interviewing Roy, it was a cursory, cover her tail 10 minute interview.
- c. Tory failed to conduct a reasonable search of material, or do any original research on Roy.
- d. Tory relied on sketchy, one-sided and anti-men's rights material whose reliability the press community considered low and which would have raised in an objective and fair-minded reporter substantial questions as to their accuracy and the good faith of the authors of those materials.
- e. Tory cherry-picked any research matter that depicted Roy in a negative, anti-women light.
- f. Tory knew that she wanted to find any indication, no matter how untrustworthy and indicative of falsehood, that Roy was, as she often rails against in her articles, a "Men's Rights Extremist," so in her investigation, if one could call it that, she

simply avoided the truth with a deliberate decision not to acquire knowledge of facts that might confirm the falsity of the statements she was going to publish.

190. Further evidence of Tory’s constitutional malice is that her written articles as analyzed above violated the Australian Press Council’s *General Statement of Principles* (Ex. K) to which her newspaper subscribes:

- a. “Publications should take reasonable steps to ensure reports are accurate, fair and balanced. They should not deliberately mislead or misinform readers either by omission or commission.” *General Principle 1*.
- b. “Where individuals or groups are a major focus of news reports or commentary, the publication should ensure fairness and balance in the original article.” *General Principle 3*.
- c. Publications are free to advocate their own views and publish the bylined opinions of others, as long as readers can recognise what is fact and what is opinion. Relevant facts should not be misrepresented or suppressed . . .” *General Principle 6*.
- d. “Publications should not place any gratuitous emphasis on . . . gender” *General Principle 8*.

191. Tory also violated her own paper’s, The Advertiser-Sunday Mail Messenger’s, Code of Conduct (Ex. L):

- a. “Try always to tell all sides of the story in any kind of dispute. Every effort must be made to contact all relevant parties.” (Ex. L, [The Advertiser-Sunday Mail Messenger] Code of Conduct at 1.4).

Tory’s effort to contact Roy before the publishing her first article on January 12, 2014, was woefully inadequate. She sent Roy an email asking for his telephone number, which raises the question as to how she obtained the email address. Email addresses are more difficult to look up than telephone numbers. In addition, on every federal court document that Roy ever filed, including in the cases Tory refers to in her articles, his telephone number is listed and these documents are available to the public online. Further, there have been a number of news reports

concerning Roy that are listed on the Internet. A call by Tory to one of the reporters would have resulted in Roy's number.

b. "Do not knowingly withhold or suppress essential facts." (Ex. L at 1.5).

Why did it take Tory until after the University canceled the course to ask Roy the content of the "Males and the Law" section? She could have done that in her first email but didn't because she did not want any facts to interfere with the fraudulent image she had decided on projecting to her audience concerning Roy. All that mattered to her was that in her paranoid mind an MRE had prepared the section and would teach it.

192. Tory communicated her written words to her editor at The Advertiser-Sunday Mail Messenger and, on information and belief, to other employees at the newspaper and associates of Tory.

193. As a result of Tory's actions, her written words and innuendos were distributed to The Advertiser-Sunday Mail Messenger's 1,750,000 audience and across the World Wide Web that circulated her statements to unknown persons, which Tory intended.

194. Tory's written statements were reasonably susceptible of meaning that rendered them defamatory *per se* because they brought Roy into contempt and ridicule by asserting moral discredit on him and also resulted in the University community depriving him of association with its members.

195. Tory intentionally ridiculed Roy and his professional ability that discredited him as a lawyer.

196. Tory's written statements also imputed Roy lacked professional integrity and that he was not only unfit to practice law but also unfit to teach the law.

197. Tory's written statements imputed the existence of false factual connotations about Roy and his professional ability that were unknown to her audience.

198. Tory's written statements impaired and continue to impair Roy's professional reputation, impaired and continue to impair his profession as a lawyer, cost him business opportunities and good will, injured and continue to injure his business relations by tending to expose him to hatred, obloquy, contempt, ridicule, aversion, ostracism, degradation and to induce an evil opinion of him in the minds of a substantial number of persons, Tory's audience and the University's community.

199. Tory's written statements prevented Roy from teaching the "Males and the Law" section at the University and other colleges, which would have resulted in pecuniary gain to him.

200. Tory's written statements were intentionally chosen because as a matter of common knowledge they were meant to scorn, ridicule, harass and injure.

201. Tory's written publication of false and injurious statements by those she quoted and paraphrased make her personally liable because New York does not recognize the "neutral reporter" privilege.

202. The defamatory tendency of a statement depends upon the "temper of the times" and the "current of contemporary public opinion." *Mencher v. Chesley*, 297 N.Y. 94, 100 (1947). A statement that is harmless in one age may be considered highly damaging to reputation in another time.

203. In the 1940s, linking an attorney to a communist organization that imputed the attorney was in accord with the Communist Party's aims and methods in a written article was libelous, *Grant v. Reader's Digest Ass'n*, 151 F.2d 733, 734 (2d Cir. 1945)(Hand L., J.), *cert. denied*, 66 S.Ct. 492 (1946).

204. Today, linking Roy to “extreme men’s rights organizations,” “to extreme views on men’s rights and websites that rail against feminism,” to “a hate [web]site,” and labeling him as a “more extreme [men’s rights] activist[,]” “anti-feminist [meaning anti-female],” “misogynist,” “pseudoscientific fraudster[,]” and a “Hannibal Lecter” who is filled with “hatred of women,” “prejudice against women,” “serious anger [toward women]” are just as libelous as false accusations of being a Communist in the 1940s because they arouse hatred, contempt, scorn and obloquy.

205. Tory’s written words were not pure opinions because they infer they were based on undisclosed facts and those undisclosed facts were gross misrepresentations of the truth.

206. All her articles were published under the heading “NEWS.” (Exs. C, E, F, H).

207. Tory’s written words were not intended as humor.

208. Tory’s written words imputed features of Roy’s professional reputation that are *per se* harmful for an attorney in this day and age: lack of integrity, hatred of women, as evil as Hannibal Lecter, defrauder, untrustworthy, bigoted against women, unreliable and not sane.

209. Tory’s words, as she admits in her articles, were a substantial factor in the University canceling Roy’s “Males and the Law” section of a Male Studies course:

From Ex. E, Tory Shepherd, *University of South Australia gives controversial Male Studies course the snip*, The Advertiser-Sunday Mail Messenger, January 14, 2014:

- a. “CONTROVERSIAL aspects of a Male Studies course will not go ahead”
- b. “The Advertiser revealed yesterday that some of the lecturers listed for the professional certificates had links to extreme men’s rights organizations”
- c. “A statement from the university issued yesterday said only UniSA staff would develop and teach courses, and that the university did not ‘endorse or support the controversial comments on gender issues’ revealed in yesterday’s Advertiser.”

From Ex. H, Tory Shepherd, *Pathetic bid for victimhood by portraying women as villains*,

The Advertiser-Sunday Mail Messenger, January 14, 2014:

- d. “But I’m pretty keen to go over some of the ground that’s been covered this week after uncovering plans to have a Male Studies course at the University of South Australia. Most of the courses now won’t go ahead”
- e. “Big ups to UniSA for having the sense to reject anything linked to those at the very fringe of the men’s rights spectrum”
- f. “You’d think I’d shut up now the plans are off the table”

From Ex. F, Tory Shepherd, *Men’s rights campaigner Roy Den Hollander attacks The*

Advertiser’s Tory Shepherd in bizarre legal writ filed in New York County, The Advertiser-

Sunday Mail Messenger, June 18, 2014:

- g. “After The Advertiser revealed UniSA was planning a course in men’s studies that included men with links to US men’s rights extremists, the course was canned.”

Libel damages

210. Roy seeks special damages in an amount up to \$1250 for Tory’s libel, which is the maximum amount Roy would have received for teaching the “Males and the Law” section, assuming such an amount is not awarded from the Injurious Falsehoods, Tortious Interference or *Prima Facie* Tort causes of action in this case.

211. Roy requests the jury determine the compensatory damages not only for past harm but also for future harm caused by Tory’s libelous articles.

212. In addition to constitutional malice, Tory made her defamatory statements with a deliberate intent to injure and out of hatred, ill will or spite and with willful, wanton or reckless disregard for Roy’s rights.

213. Tory knew full well the harm her words would cause and, in fact, was motivated by a desire to injure a men's rights activist by trashing Roy's reputation and thereby causing the cancellation of Roy's "Males and the Law" section.

214. Roy, therefore, also requests the jury grant him \$300,000 in punitive damages from Tory personally and individually in order to deter her in the future from abusing her position as a reporter by willfully and wantonly causing hurt and injury to another and to serve as a warning to others.

The danger from the likes of Tory and Amy

215. The explanation behind the irresponsible actions of Tory and Amy is simple: they hate, loathe and fear men's rights activists, so when they learned that some would be teaching a college course, they didn't bother to find out what would be taught but immediately ripped off their verbal high heels to impale the course and injure those men who would dare stand up for the rights of other men.

216. What is it that these two powerful reporters fear? If they had first determined what was going to be taught in the Male Studies courses and heard the evidence presented by its teachers, their knowledge would have been improved. And, if they did not find reasonable what they heard, they could walk over to the University's Women's Studies program for succor. But no, men's rights advocates were going to teach, and these reporters' irrational fear and hatred required the courses be torched and the teachers gagged.

217. Are hardcore feminists and intolerant PCers the only ones to determine what the young in any country can hear? Aren't college students wise enough to decide for themselves? If someone tries to teach them an incredible history or theory, they wouldn't pay much attention

to it. Isn't it often the case in history that the self-appointed protectors of youth censor knowledge in order to protect the protectors' positions and righteousness?

218. As defense attorney Dudley Field Malone in the Scope Trial said, "The least that this generation can do . . . is to give the next generation all the facts, all the available data, all the theories, all the information that learning, that study, that observations has produced—give it to the children in the hope of heaven that they will make a better world of this than we have been able to make it. . . . [L]et the children have their minds kept open—close no doors to their knowledge; shut no door from them."

219. Let both Male Studies and Women Studies be taught. Let them both live. Let the duel between them be fought out in the centers of learning rather than the media or the courts where the limitations of the medium, mendacity and superficially pithy statements substitute for understanding. In the end, the truth will win out. There is no need for Tory and Amy to be fearful of it.

220. The creators of the Male Studies courses were ready to tell the truth as they understood it, and they did not fear the truth that others could present as facts for the courses' creators stand with intelligence, open mindedness and the fundamental freedom to learn. Unlike Tory and Amy, the creators of the Male Studies courses are not afraid of facts or differing theories because that is how knowledge progresses.

221. Unfortunately, thanks to Tory, Amy, their unthinking followers and their fear ridden targets, the message from down under is clear. On college campuses, everybody's freedom to learn and free speech are limited to ingesting and parroting hardcore feminist propaganda as determined by the self-appointed members of the PC Ministry of Truth, such as Tory, Amy, and other purveyors of ignorance and unanimity.

222. The part of the media that has been infected by hard-line feminists, such as Tory and Amy, uses its power to inhibit the flow of ideas and invidiously treat differently those with unpopular viewpoints by suppressing their speech in favor of politically correct speech. Today unpopular viewpoints are a masculine perspective beneficial to males.

223. The real danger that is demonstrated in this case, which Edward R. Murrow would describe as a small picture demonstrating a larger societal problem, is that

Feminism, like “[n]ationalism is a relatively recent phenomenon but at other times and places the ends have been racial or territorial security, support of a dynasty or regime, and particular plans for saving souls. As first and moderate methods to attain unity have failed, those bent on its accomplishments must resort to an ever-increasing severity. As governmental pressure toward unity becomes greater, so strife becomes more bitter as to whose unity it shall be Ultimate futility of such attempts to compel coherence is the lesson of every such effort from the Roman drive to stamp out Christianity as a disturber of its pagan unity, the Inquisition, as a means to religious and dynastic unity, the Siberian exiles as a means to Russian unity, down to [the failed] efforts of [World War II’s] totalitarian [regimes]. Those who begin coercive elimination of dissent soon find themselves exterminating dissenters. Compulsory unification of opinion achieves only the unanimity of the graveyard.”

West Virginia State Board of Education v. Barnette, 319 U.S. 624, 640-42 (1943)(Justice Jackson).

Damages

224. The total compensatory damages sought from Defendants for Injurious Falsehoods, Tortious Interference or, in the alternative, *Prima Face* Tort is a maximum of \$6250, which consists of the maximum amount Roy would have received for teaching the “Males and the Law” section at \$1250, and \$5,000 for the diminution in value of his copyrighted compilation, since other universities are not about to offer a similar section after the Defendants’ actions.

225. In addition, Roy seeks \$50,000 in punitive damages from Defendants for Injurious Falsehoods, Tortious Interference or, in the alternative, *Prima Face* Tort as a result of

Tory and Amy's conscious and deliberate disregard of the interests of others that made their conduct willful or wanton.

226. In the Defamation cause of action, Roy requests the jury determine the compensatory damages not only for past harm but also for future harm, and, in addition, grant him \$300,000 in punitive damages from Tory personally and individually as punishment for gross misbehavior and to serve the public good by acting as a deterrent upon Tory so that she will not repeat her offense.

227. Any award of damages from any of the causes of action will be donated to a deserving charity.

228. Roy also seeks reimbursement for his out of pocket expenses.


Conclusion

229. One purpose of this case is to put on notice the private "pinklisters" and those who use them that they are legally liable for the professional and financial damage they cause.

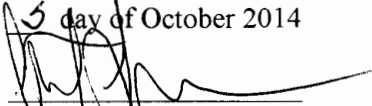
230. Tory and Amy wrap themselves in the flag of feminism to justify the imposition of a unitary belief-system of extreme feminist orthodoxy for dictating the thought, speech, and conduct of members of the educational community and society-at-large. Thanks, in part, to these two hardcore feminists and their androgynous male sycophants, teachers are under constant surveillance; their pasts are combed for signs of PC disloyalty; their utterances are watched for clues to dangerous anti-feminist thoughts. The Soviet Union used similar tactics to ostracize anti-communists to the Gulags. Today the extreme feminists simply keep those who disagree with them out of the universities. What are they afraid of? I thought they were "strong and independent persons."

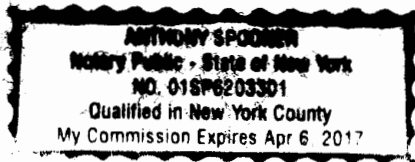
Verification

Roy Den Hollander, being duly sworn, deposes and says that I am the plaintiff in this proceeding, have written the foregoing complaint and know the contents of, which are true to my knowledge, and to those matters that I believe to be true.


Roy Den Hollander
Plaintiff and attorney
545 East 14 St., 10D
New York, N.Y. 10009
(917) 687 0652
roy17den@gmail.com

Sworn to before me on
5 day of October 2014


Notary Public



5. Respondents' Notice of Motion to Dismiss dated October 27, 2014 [A77-A78]

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INDEX NO. 152656/2014

RECEIVED NYSCEF: 10/27/2014

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

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ROY DEN HOLLANDER,	:	
	:	Index No. 152656/2014
	:	
Plaintiff,	:	
	:	
-against-	:	NOTICE OF MOTION
	:	
TORY SHEPHERD, ADVERTISER NEWSPAPERS	:	ORAL ARGUMENT
PTY LTD., AMY McNEILAGE, FAIRFAX MEDIA	:	REQUESTED
PUBLICATIONS PTY LIMITED,	:	
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Defendants.	:	
-----	X	

PLEASE TAKE NOTICE that, upon (i) the accompanying Memorandum of Law in Support of Defendants Tory Shepherd, Advertiser Newspapers, Amy McNeilage, and Fairfax Media’s Motion to Dismiss the First Amended Complaint, (iii) the Affidavit of Tory Shepherd, (iv) the Affidavit of Amy McNeilage, (v) the Affidavit of Michael Cameron, (vi) the Affidavit of Richard Coleman, (vii) the Affirmation of Katherine Bolger, and the exhibits annexed thereto, and upon all the proceedings in this case to date, Defendants Tory Shepherd, Advertiser Newspapers, Amy McNeilage, and Fairfax Media will move this Court at the Motion Submission Part, 60 Centre Street, Courtroom 130, New York, New York 10007, on November 14, 2014 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to Rules 3211(a)(1), (7) and (8) of the New York Civil Practice Law and Rules dismissing the First Amended Complaint in the above-captioned action in its entirety as against all Defendants’ and granting such other and further relief (together with costs) as this Court deems appropriate, on the grounds that this Court lacks jurisdiction, the statements complained of do not appear in the article or are either true, opinion, not defamatory, or not “of and concerning” Plaintiff,

Defendants did not act with the sole purpose of harming Plaintiff, and Plaintiff has not pled liability as to each and every Defendant.

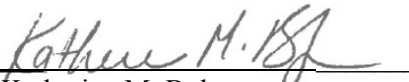
PLEASE TAKE FURTHER NOTICE that pursuant to CPLR 2214(b), answering affidavits, if any, are to be served on the undersigned so that they are received no later than seven days before the return date of this motion.

The Complaint in the above-entitled action is one for injurious falsehood, tortious interference with prospective economic advantage, libel and *prima facie* tort.

Dated: New York, New York
October 27, 2014

Respectfully submitted,

LEVINE SULLIVAN KOCH & SCHULZ, LLP

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Counsel for Defendants

TO:

Roy Den Hollander, Esq.
545 14th Street, 10 D
New York, NY 10009

Plaintiff *pro se*

A 79

6. Outline for course section "Males and the Law" [A79-A80]

Outline for course Males and the Law

By Roy Den Hollander, Esq.

As Sir William Blackstone said in 1765, "So great a favorite is the female sex of the laws."

Theme: Since the industrial revolution (1760-1830), common law countries such as the U.S., England and Australia have established legal systems that discriminate against men largely to their detriment while discriminating against females mainly to their benefit.

Week 1

Lecture

1. Similarities of U.S. and Australian common law legal systems
2. *Stare decisis* and the power it gives judges to rule in accordance with their personal beliefs rather than the law.
3. Three men's rights cases in which the judges ruled in accordance with their Feminist and political correctionalist ideologies.

Assignment 1:

Familiarize yourself with Australia's Sex Discrimination Act of 1984 and how to file a complaint under the Act.

Then come up with an example where you or someone you know was treated differently than their opposite sex and draft up a sample complaint of around 250 words or more.

Week 2

Lecture

1. Some of the history of British and U.S. laws that gave females preferential treatment and how some of those laws compare to today's.
 - a. Employment
 - b. Crime
 - c. Private relations
 - d. Financial support for females
 - e. Property
 - f. Divorce
 - g. Illegitimate children
 - h. Seduction

Assignment 2:

A 80

Read the *Commentaries on the Laws of England*, by William Blackstone, Book 1, Chapter 15, Of Husband And Wife, 1765. It's on the Internet

Research and list the 25 most dangerous occupations in Australia, the percentage of men in each, the death rates for each and why you think those occupations have so many male employees—250 words.

Or

Find a story or stories of an Australian man who spent time in prison for rape but was later exonerated, summarize the story or stories—250 words.

Or

Find a story or stories about a divorce father who deserved custody of his children, but a court awarded custody to the mother who then harmed the children. Summarize in 250 words.

Week 3

Lecture

1. Criminal sentencing of females compared to males
2. Female specific defenses that allow them to murder males with little or no punishment.
3. The last remaining course of action for men to fight for their rights—civil disobedience.

Assignment 3:

Read Howard Zinn's *Disobedience and Democracy—Nine Fallacies on Law and Order*.

In 725 words, do one of the following:

Find an example of one of the female defenses used in Australia, summarize it and comment on how it could be prevented,

Or

Find a new female only defense and do the same

Or

Write up a civil disobedience action that will bring the attention of the public and government to discrimination against men, include why you think such an action would have the required effect.

7. Shepherd's January 12, 2014, article "Lecturers in world-first male studies course at University of South Australia under scrutiny" [A81-A83]

Lecturers in world-first male studies course at University of South Australia under scrutiny

- POLITICAL EDITOR TORY SHEPHERD
- THE ADVERTISER
- JANUARY 12, 2014 8:08PM

LECTURERS in a "world-first" male studies course at the University of South Australia have been linked to extreme views on men's rights and websites that rail against feminism.

The lecturers' backgrounds are likely to spark controversy, but organisers of the predominantly online course, promoted as the first of its type in the world, insist they are not anti-feminist and "it's very difficult for anybody who has opposing views to get a word in".

Two lecturers have been published by prominent US anti-feminist site A Voice for Men, a site which regularly refers to women as "bitches" and "whores" and has been described as a hate site by the civil rights organisation Southern Poverty Law Centre.

The US site specifically welcomed the UniSA course as a milestone, editor Paul Elam saying it marked the end of feminists' control of the agenda.

One American US lecturer - US attorney and self-professed "anti-feminist lawyer" Roy Den Hollander - has written that the men's movement might struggle to exercise influence but that "there is one remaining source of power in which men still have a near monopoly - firearms".

He also argues that feminists oppress men in today's world and refers to women's studies as "witches' studies".

Another, US psychology professor Miles Groth, says that date-rape awareness seminars might be deterring men from going to university.

Mr Den Hollander has tried to sue ladies' nights for discrimination against men. He has likened the position of men today to black people in America's south in the 1950s "sitting in the back of the bus", and blames feminists for oppressing men.

The course, which has no prerequisites, begins this year and will canvass subjects from men's health to gender bias.

Course founder Gary Misan, from UniSA's Centre for Rural Health and Community Development, said they were "not anti-women" and that lecturers were associated with a range of groups.

"I wouldn't say any of them are extreme or anti-feminist," Dr Misan said.

"The aim of the courses are to present a balanced view and to counter some of the negative rhetoric that exists in society in general and in some areas of academe about men.

"It's very difficult for anybody who has opposing views to get a word in. As soon as somebody mentions anything they perceive as being anti-feminist, they're pilloried, and in some cases almost persecuted."

Dr Misan also said that writing something for a specific website did not necessarily suggest an affiliation.

Dr Michael Flood, from the University of Wollongong's Centre for Research on Men and Masculinity, said these types of male studies "really represents the margins".

"It comes out of a backlash to feminism and feminist scholarship. The new male studies is an effort to legitimise, to give academic authority, to anti-feminist perspectives," he said.

Flinders University School of Education senior lecturer Ben Wadham, who has a specific interest in men's rights, said there was a big difference between formal masculinity studies and "populist" male studies.

He said there were groups that legitimately help men, and then the more extreme activists.

"That tends to manifest in a more hostile movement which is about 'women have had their turn, feminism's gone too far, men are now the victims, white men are now disempowered'," he said.

"I would argue that the kinds of masculinities which these populist movements represent are anathema to the vision of an equal and fair gendered world."

Dr Wadham said that universities needed to uphold research based traditions instead of the populist, partisan approach driven by some.

Men's Health Australia spokesman and Male Studies lecturer Greg Andresen is also the Australian correspondent for US-based site *National Coalition For Men*, which declares false rape accusations to be "psychological rape", argues that talking about violence against women makes men invisible.

Asked about his connection to NCFM, he said they were the longest-running organisation in the world to look at discrimination against men and boys.

"Certainly they don't shy away from touching issues like false rape allegations, domestic violence, some of those hot topics," he said.

"We have had 20 if not 30 or 40 years where the only study on gender has been from a feminist perspective ... that's why I think this course is so long overdue," he said.

UniSA's Provost and Chief Academic Officer, Professor Allan Evans, said the courses covered important men's health issues and would equip allied health professionals who deal with men's health.

"All new courses are reviewed thoroughly prior to being offered to ensure they are suitable and beneficial to our students," he said.

8. Shepherd's January 14, 2014, article "University of South Australia gives controversial Male Studies course the snip" [A84-A85]

University of South Australia gives controversial Male Studies course the snip

- TORY SHEPHERD POLITICAL EDITOR
- THE ADVERTISER
- JANUARY 14, 2014 11:15AM

CONTROVERSIAL aspects of a Male Studies course will not go ahead, the University of South Australia says - though lecturers involved with it still believe that it will.

The Advertiser revealed yesterday that some of the lecturers listed for the professional certificates had links to extreme men's rights organisations that believe men are oppressed, particularly by feminists.

The university yesterday said two short courses that would cover male health and health promotion programs targeting males had been approved, that "no other courses have been approved" and that only university staff would teach the courses.

Over the past two days, *The Advertiser* has spoken to several lecturers who believe the remainder of the proposed courses - on topics including gender bias and male power and privilege - are set to go ahead. An information sheet on the Male Studies course said it would be considered "if there is sufficient interest".

US "anti-feminist" lawyer Roy Den Hollander said yesterday that he was preparing a course that looked at how the law favours females when it comes to employment, crime, domestic relations, property, divorce and illegitimate children.

"The course is really looking back at 200 or 300 years of history and how the law treated guys and girls - and it treated girls more favourably than guys and it still does, maybe even more so.

Mr Den Hollander also stood by his claim that men's remaining source of power was "firearms". Asked whether he thought that was "extreme", he said that it was true that it was "really the only area that they control in society now".

He said that even where men dominate areas such as boards and politics, they are still enforcing the belief system of feminism.

However, Mr Den Hollander is unlikely to be able to tell Adelaide students about similarities he sees between the men's rights movement and the civil rights movement, as the university says the subject he is down to teach was never approved.

A statement from the university issued yesterday said only UniSA staff would develop and teach courses, and that the university did not "endorse or support the controversial comments on gender issues" revealed in yesterday's *Advertiser*.

Yesterday men's rights activists attacked criticism of the course as lies, corruption and fascism.

"As we know, feminist ideologues are well placed with the luxury of great control. But while this is clearly an exercise in their power, it is an exercise in power that is waning," Paul Elam, editor of the anti-feminist site A Voice For Men wrote, adding the "only way forward" was "straight through them".

National Union of Students president Deana Taylor said a course like that proposed for the university provided "a dangerous platform for anti-women views".

9. Shepherd's January 14, 2014, article "Pathetic bid for victimhood by portraying women as villains" [A86-A88]

NEWS

Tory Shepherd: Pathetic bid for victimhood by portraying women as villains

- TORY SHEPHERD
- THE ADVERTISER
- JANUARY 14, 2014 11:04PM

IF you accuse a bunch of men's rights extremists of calling women whores and bitches, be prepared for them to deny they call women whores and bitches.

And then prepare for them to call you a whore and a ... well, worse.

Which is no big drama - I learned long ago what happens if you cross these guys. Besides, last week I was called ShortHairLargeArse and ButchHairBargeBum. Far more accurate insults, although my hair has really grown quite long lately.

But I'm pretty keen to go over some of the ground that's been covered this week after uncovering plans to have a Male Studies course at the University of South Australia.

Most of the courses now won't go ahead - the uni says they were never approved, while other materials they say were pending sufficient interest, and a swag of proposed lecturers seemed to think they were locked in.

READ MORE: [Gillard 'treatment' a political turnoff](#)

Big ups to UniSA for having the sense to reject anything linked to those at the very fringe of the men's rights spectrum, and instead focus on men's health, taught by their own lecturers, not overseas ring ins.

You'd think I'd shut up now the plans are off the table, but it's really important to get across the bigger picture. See, most people probably think that the men's rights guys I was talking about - the ones who habitually call women names, argue that they routinely make up rape, and put it about that women either incite their own domestic violence or are the abusers themselves - are just circle-jerk misogynists.

They are - misogynists, I mean. And we're talking old-school misogyny - the hatred of women - as well as the new-school misogyny - entrenched prejudice against women.

Not just harmless condescension or unthinking stereotypes, but some serious anger.

The problem is, the circle is no longer closed, no longer just a bunch of angry guys in a basement. They're trying to get up the stairs and into the light.

They want to play outside with legitimate experts in men's issues and male disadvantage.

It's a classic tactic, used by pseudoscientific fraudsters. Adopt the language of the actual scientists. Find odd reports and old stories, random statistics and shocking anecdotes, and stitch them into a Hannibal Lecter-style creation that mimics valid inquiry.

Try to sound like the real deal, and look enough like them to fool some people, some of the time.

The good news is most of them struggle to keep up the farce. Paul Elam, editor of *A Voice For Men*, which is the global hub of men's rights delirium, popped up on FiveAA yesterday and said it was a lie that his site referred to women as bitches. That is, in turn, a lie. Any doubters should just Google it.

I suspect that Mr Elam's defence, as it is entirely clear that he loves to call women names, that he thinks women sometimes are "begging" to be raped, that he scoffs at domestic violence and seems to think women deliberately provoke violence against themselves to somehow get at men, is rather piss weak.

Maybe he just uses those words to describe feminists. He may even follow his managing editor's line of logic. Dean Esmay, talking about *The Advertiser* story on how their site likes to call women whores and bitches, said yesterday:

"We do not regularly call women as a class whores or c**ts... we will on occasion call a woman, like Tory Shepherd or a man like (University of Wollongong lecturer) Michael Flood a whore, a c**t, or a bitch... yes, we use heated rhetoric."

Yes, they do use heated rhetoric, and they do bang on interminably about how hard done-by men are.

Not in the important areas of health, where men are behind, or even education, where the same thing is happening. Or suicide.

No, not because of that, but because they keep getting ripped off and attacked by crazy bitches and feminazis out to oppress them.

Poor boys, trying desperately to claim the mantle of victimhood. It would be pathetic if it wasn't for the fact that they are trying to make women into villains at the same time.

It could be dismissed if they weren't trying to creep in where they are not needed, or wanted. If they weren't trying to lobby for law changes or to brainwash people into thinking black is white.

The shades of grey, of course, are that sometimes men are victims - of domestic violence, of false rape accusations, of gold diggers.

But these guys drown out any real discussion with their endless angry spittle. And that's the real bitch.

10. Shepherd's June 18, 2014, article "Men's rights campaigner Roy Den Hollander attacks The Advertiser's Tory Shepherd in bizarre legal writ filed in New York County" [A89-A92]

8/21/2014 Men's rights campaigner Roy Den Hollander attacks The Advertiser's Tory Shepherd in bizarre legal writ filed in New York County | The Advertiser News

The Advertiser

News

Men's rights campaigner Roy Den Hollander attacks The Advertiser's Tory Shepherd in bizarre legal writ filed in New York County

- by: TORY SHEPHERD
- From: The Advertiser
- June 18, 2014 2:15PM

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8/21/2014 Men's rights campaigner Roy Den Hollander attacks The Advertiser's Tory Shepherd in bizarre legal writ filed in New York County | The Advertiser

Roy Den Hollander speaks to Fox News.

Source: Supplied

ROY Den Hollander calls me a female-dog-in-heat reporter and a harpy, and says if feminists are hot, they can walk all over him in their stilettos.

Which isn't all that interesting in and of itself, except this is the guy who wanted to teach the men of South Australia about their position in the world.

After *The Advertiser* (<http://www.adelaidenow.com.au/news/south-australia/lecturers-in-worldfirst-male-studies-course-at-university-of-south-australia-under-scrutiny/story-fni6uo1m-1226800150348>) revealed **UniSA was planning a course in men's studies that included men with links to US men's rights extremists,** (<http://www.adelaidenow.com.au/news/south-australia/lecturers-in-worldfirst-male-studies-course-at-university-of-south-australia-under-scrutiny/story-fni6uo1m-1226800150348>) (<http://www.adelaidenow.com.au/news/south-australia/lecturers-in-worldfirst-male-studies-course-at-university-of-south-australia-under-scrutiny/story-fni6uo1m-1226800150348>) the course was canned.

Well, according to the university it was never formally approved, although there was a course list in existence and certainly Mr Den Hollander thinks he was in line to be paid \$1250 to lecture.

His subject was going to be about how the law discriminates against men and in favour of women.

See, Mr Den Hollander is a proudly "anti-feminist" lawyer with a fairly unsuccessful track record.

Most famously, **he lost a court case** (<http://www.adelaidenow.com.au/news/south-australia/lecturers-in-worldfirst-male-studies-course-at-university-of-south-australia-under-scrutiny/story-fni6uo1m-1226800150348>) where he tried to sue nightclubs for hosting ladies' nights – alleging they discriminated against men by giving women cheaper or free drinks or entry.

Now Mr Den Hollander is suing me (as the political editor of the "online newspaper The-Advertiser-Sunday-Mail-Messenger) and Fairfax journalist Amy McNeillage from his home base of New York County.

■ **WATCH: THE COLBERT REPORT ON ROY DEN HOLLANDER** (<http://www.ovguide.com/video/the-colbert-report-difference-makers-roy-den-hollander-ed7ca39ce100891b1e1170c06b2c189b>)

So this is now the subject of legal action – from the land where free speech is in the Constitution.

So I probably can't bang on too much. But Mr Den Hollander, representing himself, has penned a legal document (handed over to *The Advertiser* by a sheriff – who knew we had sheriffs?) that cannot remain between me and my lawyer. It's gold and genius like this should be shared.

So with no further ado, here are some lessons from Mr Den Hollander, who will not be paid to give lessons at UniSA:

Lesson 1: How to censor a journalist by accusing them of censorship.

"Two modern-day, book-burning, Bacchae reporters from down-under authored and published false and misleading information concerning Plaintiff (Den Hollander) with the intent and result of harming his economic interests and interfering with a prospective economic advantage by causing the University of SA to incinerate the section of a proposed male studies course that Plaintiff would have taught," he writes. But wait.

Lesson 2: How to personally attack a journalist by accusing them of personal attacks.

"The two reporters, Tory Shepherd, AKA "Tory the Torch" for *The Advertiser* and Amy McNeillage, AKA

8/21/2014 Men's rights campaigner Roy Den Hollander attacks The Advertiser's Tory Shepherd in bizarre legal writ filed in New York County | The Advertiser
 "Amy McNeuter" for *The Sydney Morning Herald*, used their power as reporters to do what weak-minded ideologues have done throughout history — employ personal attacks to prevent the spread of knowledge and ideas that they disagreed with."

Lesson 3: How to prove you are not an extremist by sounding like an extremist.

"If these two feminist book-burners had not jumped on their broomsticks and scared the bejesus out of the administrators of the University of SA, students there would have had an opportunity to acquire information and consider views not available anywhere else in higher education."

Brilliant, no?

Mr Den Hollander goes on to argue that the "psychological-bacchanalian frenzy" was "yellow, female-dog-in-heat reporting" that somehow created the impression that he was "evil and should figuratively, if not literally, have his tongue cut out". And questions where I "ever uttered a disparaging word about men when going through the trouble of maintaining blonde hair at (my) age". Whatever that means.

"Thank goodness for Australians that Tory was not around for Australia's battle against the Japanese. Her anti-gun advocacy for men might have even resulted in her and Amy ending up as Japanese 'comfort girls'," he writes.

He also talks of his concern that "alien wives and girlfriends" are making up phony abuse cases against men, and that men are being targeted by feminists because they were trying to escape said feminists by going overseas for girlfriends.

Guys don't get off scot-free, though — he also has a crack at "girlie-guys". In the men's rights vernacular, "girlie-guys" are usually known as "manginas". The terms refer to males who believe in equality for women — in Mr Den Hollander's words: "girlie-guys who hope that by being sycophants, they can avoid being hexed by the feminists".

It's at about this point that I start to wonder: Why on Earth give such a man more publicity?

But it's important, I think, to remain aware and wary of people like Mr Den Hollander.

I suspect the people at UniSA who flirted with the idea of bringing him over to teach may not have really understood his philosophy.

I also wanted to use this opportunity to put on the public record that I may be a harpy, and somewhat bacchanalian, but I never, ever wear stilettos.

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11. McNeilage's January 14, 2014, article "University of South Australia distances itself from males studies proposals" [A93-A94]

Sydney Morning Herald National

University of South Australia distances itself from males studies proposals

Date January 14, 2014



Amy McNeilage

Reporter

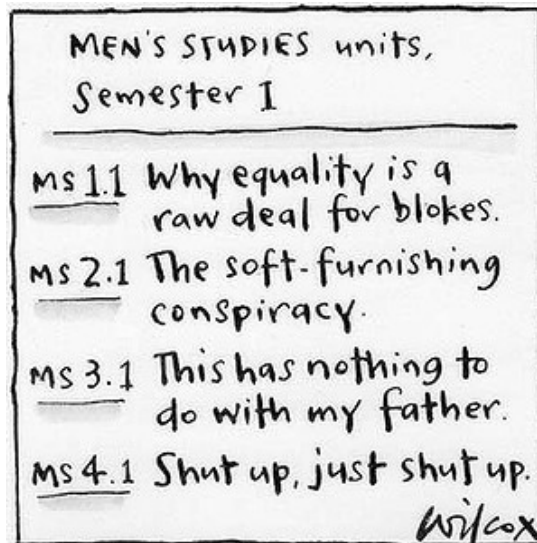
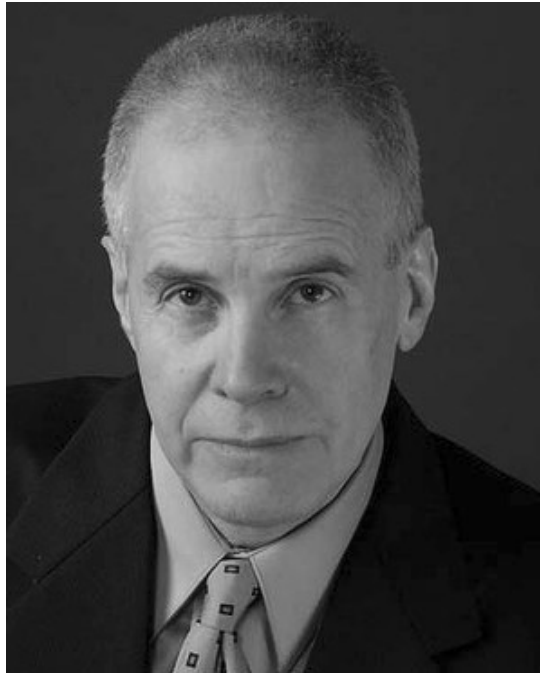


Illustration: Cathy Wilcox

The University of South Australia has distanced itself from a proposal for a series of male studies courses, some of which were to be taught by hardline anti-feminist advocates.

The university has approved one of four proposed graduate courses, a certificate in male health and health promotion, which will begin online next month.

But an original proposal by one of the university's academics outlined three further certificates, including a course called "males and sexism", which named lecturers who have been published on radical men's rights websites.



American lawyer and self-described anti-feminist: Roy Den Hollander. *Photo: Supplied*

Among those named was American lawyer and self-described anti-feminist Roy Den Hollander, who filed a lawsuit against Columbia University for offering women's studies courses that preached a "religionist belief system called feminism", *The New York Times* reported in 2008.

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Another proposed lecturer, Miles Groth from Wagner College in New York, wrote on the New Male Studies Facebook page on Sunday: "Two years of preparation and the support of the university from the start now seem to be jeopardy because of unnamed critics making erroneous accusations. It has been known for some years now that academe is held hostage by radical ideological feminists in the humanities and social sciences, and administration, who fear them."

The university emphasised it did not endorse views of the suggested lecturers. It said the courses, which were criticised in the media on Monday, were rejected in 2012.

Any future courses would need to go through the same approval process, a spokeswoman said.

But National Union of Students president Deanna Taylor said it was concerning that the academic who founded the course, Associate Professor Gary Misan, was linked to the controversial Americans.

"It's a slippery slope once you open the door to people with these views and give them a platform ... it's not long before proposals like the ones that were rejected actually get approved," she said.

Feminist academic Eva Cox said it was probably time to take a good look at how assumptions about gender constrain both men and women:

"Whether we need to run a university course on them, I've got my doubts," she said. "The only reason I can see that you'd be running men's studies is for the men who want to complain that they haven't had enough attention as victims, and that does worry me.

"Yes, some men have difficulties with going to doctors ... but I think we need to look at the assumptions about masculinity and femininity and how they trap both genders rather than picking on one or the other."

12. University of South Australia information sheet on the Male Studies program

[A95-A96]



University of South Australia



 In association with the Australian Institute of Male Health and Studies (AIHMS)

UniSA in association with AIMHS will be offering Graduate Courses in Male Studies commencing in February of 2014. The outline of the approved and proposed courses and are described on the following pages.

The courses will be offered as Professional Certificates each comprising two courses which consist of three or four modules each. Courses will be offered over 12 weeks and will be delivered fully on-line. The average workload for students enrolling in the full program is 10 hours per week, including lectures, tutorials, discussion forums, research, reading, reflection and assessment activities.

The *Professional Certificate in Male health and health promotion* is the first program being offered, confirmed for February 2014. The others listed haven't been confirmed yet but will be considered if there is sufficient interest. That's why we would like you to indicate which of the courses (hopefully all) you might consider undertaking in the near future.

While there are no prerequisites, participants will ideally have post-secondary qualifications or equivalent work experience, and be computer literate. The cost is very competitive, just \$900 per course or \$1800 for the full Professional Certificate. Participants may be eligible for tax incentives, professional development scholarships or CME points to offset course costs.

So please review the documentation and indicate your interest below.

We look forward to seeing you in 2014.

Sincerely

Gary Misan PhD

*Associate Research Professor, Centre for Regional Engagement
University of South Australia*

Graduate Courses in Male Studies

I (insert name), _____

would like to register my interest in receiving further information regarding the proposed Male Studies courses indicated below.

My postal address: _____

My phone / mobile: _____

My Email: _____

Please return (Email, post, fax) to –

Associate Professor Gary Misan

University of South Australia - Whyalla Campus
Nicolson Avenue,
Whyalla Norrie SA 5608

M: 0408 894 168 | **Fax:** 08 8647 8156 | **Email:** gary.misan@unisa.edu.au

Please indicate below by ticking in the check box, your interest in one or more courses or modules.

Tick	Course title	Modules <i>(Tick if only interested in certain modules)</i>	Start date & Cost
PROPOSED – Professional Certificate 1: Male health and male health promotion, comprising			
<input type="checkbox"/>	Male Health in Perspective	<input type="checkbox"/> Biological, physiological, social, economic, cultural and other determinants of male health <input type="checkbox"/> Statistics of male health and illness and service utilisation <input type="checkbox"/> National and international male health policy	February 2014 Cost: \$900
<input type="checkbox"/>	Male Health Promotion	<input type="checkbox"/> Male health seeking behaviour <input type="checkbox"/> Principles & approaches for male health promotion <input type="checkbox"/> Resources, media, and strategies for achieving better male health promotion outcomes <input type="checkbox"/> Health promotion program evaluation	February 2014 Cost: \$900
PROPOSED – Professional Certificate 2: Males and society, comprising			
<input type="checkbox"/>	Being Male in Contemporary Society	<input type="checkbox"/> Sex and Gender <input type="checkbox"/> Masculinity and Manhood <input type="checkbox"/> The Experience of Being Male in Contemporary Culture <input type="checkbox"/> Portrayals of Men in Popular Culture	? July 2014 Cost: TBA
<input type="checkbox"/>	Significant Male Life Transitions	<input type="checkbox"/> Boyhood to Manhood <input type="checkbox"/> Separations <input type="checkbox"/> Fatherhood <input type="checkbox"/> Healthy Aging	? July 2014 Cost: TBA
PROPOSED – Professional Certificate 3: Males and sexism, comprising			
<input type="checkbox"/>	Facts and Fallacies of Male Power and Privilege	<input type="checkbox"/> An Analysis of Male Power and Privilege <input type="checkbox"/> Males and Work <input type="checkbox"/> Males in Education <input type="checkbox"/> Males and the Law	? Mar 2015 Cost: TBA
<input type="checkbox"/>	Critical Analyses of Gender in Literature and Research	<input type="checkbox"/> Gender bias <input type="checkbox"/> Gender bias popular literature <input type="checkbox"/> Gender bias in scholarly literature <input type="checkbox"/> Gender bias in policy and research	? Mar 2015 Cost: TBA
PROPOSED – Professional Certificate 4: Psychological therapy with males, comprising			
<input type="checkbox"/>	Elements of Male Psychology	<input type="checkbox"/> Males, emotions, coping, and communication <input type="checkbox"/> Male mental ill-health and suicide <input type="checkbox"/> Powerlessness as a concept in male mental ill-health <input type="checkbox"/> Contemporary assumptions of male psychological dysfunction	? July 2014 or July 2015 Cost: TBA
<input type="checkbox"/>	Psychological Therapy with Males	<input type="checkbox"/> Preparation of the therapist for work with males <input type="checkbox"/> Technical guidelines for establishment of the therapeutic alliance <input type="checkbox"/> Understanding male-positive attitudes in working with males <input type="checkbox"/> Special problems of the reluctant client	? July 2014 or July 2015 Cost: TBA

13. University of South Australia agreement with appellant to teach the "Males and the Law" section dated October 12, 2013 [A97-A98]

12 October, 2013

Dear Mr. Den Hollander:

On behalf of The Australian Institute of Male Health and Studies and the University of South Australia, thank you for agreeing to develop content for, and to teach, a **three-week-long module on "Males and the Law"** for the course, *Facts and Fallacies of Male Power and Privilege*, to be offered **on line** between **March and June of 2015** as part of the Professional Certificate, *Males and Sexism*.

For your module we would like you to develop the following materials:

- **Course-map content for the module.** [Please review the attached Word document, *Being Male in Contemporary Society*, for examples of the requested course-map content. As noted below, your content should be submitted as Word or PowerPoint documents; we shall arrange your materials in the relevant course map.] This course-map content should include
 - A description of the formative-assessment written assignments (each approximately 200 words long) and the end-of-module summative –assessment written assignment (approximately 725 words long) [see pages 7-9 of the attached Word document]
 - A module-description narrative [four different examples are given under the heading, ‘module outcomes’ on pages 9-13 the attached Word document] that
 - describes the overall content of the module,
 - names the three weekly topics within the module,
 - states how you will distribute the 25 points of assessment for the module through two formative- assessments response papers and one end-of-module summative assessment
 - states the module-end outcomes.
 - The weekly learning activities (required and additional readings) with their corresponding learning tasks (those questions for the students to consider while doing the readings) [see the learning activities templates on pages 13-27 of the attached Word document];
 - The weekly assessment activities (the above-mentioned formative and summative writing assignments) [see pages 27-28 of the attached Word document]; and
 - The weekly teaching activities (lectures or tutorials, for example) [see page 29 of the attached Word document].
- **Complete teaching-ready, online activities; lectures in PowerPoint or written form;** with optional supplementary tutorials that comprise up to four hours of online instruction per week for each topic in the module. These would be similar to traditional classroom teaching resources.

You are welcome to submit materials you have already developed for your teaching and research.

Please submit the course-map information and teaching-ready online activities to me as Word or PowerPoint documents; I will then adapt them to the required course map format (given in the attached sample appendix) and pass on relevant information to the Moodle developers.

The submission deadline for all of these materials is **Thursday, December 12, 2013**. If this proves difficult, do let me know, and I’ll accommodate you wherever possible.

If you require more time to complete your course map and teaching ready activities, or if you have any questions, please email me at dgouws@aimhs.com.au

Sincerely Yours,
Dennis S. Gouws

Director, The Australian Institute of Male Health
and Studies



A 99

14. Shepherd's January 9, 2014, email requesting interview about the course appellant would be teaching [A99]

Male Studies course



Shepherd, Tory tory.shepherd@news.com.au via gsb.columbia.edu

1/9/1
4

to rdhhh

Hi there – I'm trying to get in touch for a story I'm doing on the UniSA course you're involved with, but can't find a phone number for you – could you please get in touch? By email or phone – 0061 8 8206 2270

Thank you!

Tory

Tory Shepherd
Political Editor

D: +61 8 8206 2270 **E:** tory.shepherd@news.com.au

Twitter: [@ToryShepherd](https://twitter.com/ToryShepherd)

adelaidenow.com.au

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15. List of perjuries and omissions concerning respondents' contacts with New York [A100-A108]

List of perjuries and omissions concerning respondents' contacts with N.Y.

“1st Aff.” refers Bolger’s First Affirmation that presents Respondents first set of affidavits and “2nd Aff.” to Bolger’s Second Affirmation. Each falsehood includes discovery questions that the lower court prevented from being asked because it denied discovery.

Advertiser relied on Michael Cameron, either National Editorial Counsel at News Corp Australia (doing business as News Limited)(App Doc 17 at ¶ 2) or National Editorial Counsel at News Limited (doing business as News Corp Australia)(App Doc 22 at ¶ 2). Cameron’s confusion over who is “doing business as” and for which simply makes the relationship among News Corp Australia, News Limited and Advertiser even murkier. Such uncertainty in his role and whom he actually works for raises concern as to his knowledge of jurisdictional facts.

Lie 1st Aff.: Advertiser “does not sell any products in New York.” (App Doc 17 at ¶ 7).
Exposed: Advertiser sells the Sunday Mail Messenger paper to members of the Australian Community in New York City. (App Doc 28).
Revision 2nd Aff.: Advertiser “does not directly sell any products in New York.” (App Doc 22 at ¶ 7, emphasis added).
Questions: Aren’t subscriptions over the Internet to the Australian Community in New York City direct sales?
Does Advertiser sell its papers and other products in New York through agents?

Lie 1st Aff.: Advertiser “does not publish in New York.” (App Doc 17 at ¶ 7).
Exposed: Advertiser publishes the Sunday Mail Messenger in New York via its website because the site of downloading is considered the site of publication, *see Penguin Group (USA), Inc. v. American Buddha*, 16 N.Y. 3d 295, 301 (2011).
Revision 2nd Aff.: None, Advertiser continues with the falsehood. (App Doc 22 at ¶ 7).
Questions: How many New Yorkers are subscribers and what other types of goods or services are provided them?
What do News Corp Australia’s partnerships with Digital First Media, located in N.Y.C. and Press Reader, a Canadian company, do for Advertiser in New York?
Do they act as agents?

Lie 1st Aff.: Advertiser “does not target any New York audience.” (App Doc 17 at ¶ 8).

Exposed: Published 12 articles concerning New York in 2014, and many of the members of the Australian Community in New York City subscribe to The Advertiser. (App Doc 28).

Revision 2d Aff.: Advertiser “does not target subscribers in New York.” (App Doc 22 at ¶ 8).

Questions: What criteria does The Advertiser use in determining to publish a story concerning New York and what sources in New York does it use?
What promotional efforts does Advertiser use to acquire New York subscribers?
How many subscribers in New York?

Lie 1st Aff.: Advertiser does not have employees in New York. (App Doc 17 at ¶ 10).

Exposed: Bloomberg lists the Chairman for Advertiser as Brian Leonard Sallis with a corporate address of 1211 Avenue of the Americas, N.Y., N.Y. (App Doc 38).

Revision 2d Aff.: None, Advertiser continues with the falsehood. (App Doc 22 at ¶ 11).

Questions: Why is the business address of the Chairman for Advertiser in New York?
Who else at Advertiser has a business address at News Corp or in New York?
Does Advertiser use this N.Y.C. address for obtaining credit from N.Y. financial institutions?

Lie 1st Aff.: Advertiser “does not have any business ventures in New York.” (App Doc 17 at ¶ 9).

Exposed: On January 27, 2014, News Corp Australia, sole owner of Advertiser, entered into a partnership agreement with Digital First Media, headquartered in New York City, to provide advertising and marketing solutions for all of Advertiser’s websites, which include the Sunday Mail Messenger interactive website on which four of the five articles at issue here were published. (App Doc 35).

Revision 2d Aff.: None, Advertiser continues with the falsehood. (App Doc 22 at ¶ 10).

Question: What exactly does the business venture with Digital First Media entail?

Lie 1st Aff.: Omitted relationship between Rupert Murdoch's News Corp headquartered in N.Y.C. and News Corp Australia which controls Advertiser. (App Doc 17 at ¶ 3).

Exposed: News Corp Australia is a business department of News Corp N.Y.C. News Corp, 10-K Filing, August 14, 2014.

Revision 2d Aff.: Still dissembling, News Corp Australia is a wholly-owned subsidiary of News Corp in N.Y., which "make[s] broad policy decisions" for Advertiser. (App Doc 22 at ¶¶ 4, 5).

Question: How does News Corp accounting treat News Corp Australia? Exactly what decisions does News Corp in N.Y.C. make for Advertiser?

Shepherd is the Political Editor and reporter for the Sunday Mail Messenger owned and operated by Advertiser, which is wholly owned by News Corp Australia which is a segment of News Corp in New York City.

Lie 1st Aff.: In researching her articles, Shepherd's only contact with New York was an email and telephone conversation with appellant. (App Doc 18 at ¶¶ 9, 11).

Exposed: Shepherd had also contacted Miles Groth, Ph.D., a professor and resident in New York City, with six emails over a period of two months sent to his email address on the server located in Staten Island for Wagner College. (App Doc 39).

Revision 2d Aff.: This editor for a major metropolitan newspaper concerning an article she wrote eight months earlier, said she "forgot."¹ (App Doc 23 at ¶ 14).

Question: What other research contacts and sources did she have that involved New York?

Lie 1st Aff.: Shepherd emailed appellant "requesting comment on the controversy" (App Doc 18 at ¶ 9).

Exposed: The email did not request comment on any controversy. It stated, "I'm trying to get in touch for a story I'm doing on the UniSA

¹ When appellant worked for Eyewitness TV News and Metromedia TV News in N.Y.C., he kept a list of everyone interviewed for stories he produced, which is common in the media.

course you're involved with, but can't find a phone number for you-could you please get in touch?" Also, at that time, there was no controversy. (App Doc 14).

Revision 2d Aff.: No revision, she still claims her email was "requesting comment on the controversy" (App Doc 23 at ¶ 11).

Question: Didn't the controversy begin with her contacting Dr. Gary Misan at the University and accusing appellant of being a "member of extreme right wing groups in the USA"?

Lie 1st Aff.: Shepherd wrote only "two" articles regarding the Male Studies courses. (App Doc 18 at ¶ 4).

Exposed: She wrote four articles. (App Doc 7-10).

Revision 2d Aff.: She wrote "articles" and lists the four. (App Doc 23 at ¶¶ 4-8).

Questions: How could she have forgotten about the fourth article she wrote after being served with the Complaint, which was just two months prior to her first affidavit, or the second of two articles that she wrote on January 14, 2014?
What other writings and communications has she written and published on the Male Studies courses concerning the product of two New Yorkers?

Lie 1st Aff.: Shepherd implies that the two articles were only published in print in Australia by failing to mention they were published on the Sunday Mail Messenger website. (App Doc 18 at ¶¶ 7, 8).

Exposed: All four known articles were published on the Sunday Mail Messenger website. (App Doc 7-10).

Revision 2d Aff.: The four articles appeared on the Sunday Mail Messenger website. (App Doc 23 at ¶¶ 5-8).

Questions: Does her contract with Advertiser address the publication of her articles on the Sunday Mail Messenger website?
Is she paid extra for such?
Where else have the articles appeared?

Lie 1st Aff.: The two articles "were intended for publication in Australia and were directed at an Australian audience." (App Doc 18 at ¶ 7).

Exposed: All four known articles were published in New York via the Sunday Mail Messenger website. *See Firth v. State*, 98 N.Y.2d 365, 370 (2002).

Revision 2d Aff.: All of the four articles “were intended for publication in Australia and were directed at an Australian audience.” (App Doc 23 at ¶ 9).

Questions: Why publish on her newspaper’s interactive website if the articles were only intended for Australians?
Were print copies of the four articles published or circulated in New York?
Did she expect the publication of her articles to have consequences in New York?

Fairfax relies on Richard Coleman who in his first affidavit lists himself as solicitor for Fairfax Media Limited (App Doc 19 at ¶ 1), the parent of Fairfax. In his second affidavit, he is the solicitor for Fairfax (App Doc 24 at ¶ 1). In both affidavits he states he is responsible for pre-publication advice, but role as solicitor raises the question that he may not have firsthand knowledge of jurisdictional facts.

Lie 1st Aff.: Fairfax and the Sydney Morning Herald do not have any business ventures or bank accounts in New York. (App Doc 19 at ¶¶ 9, 10).

Exposed: Fairfax does have a “representative” in New York City, World Media, Inc., for selling advertisements in its Sunday newspaper edition. (App Doc 37).

Revision 2d Aff.: None. (App Doc 24 at ¶¶ 7, 8).

Questions: What exactly does World Media, Inc. do for Fairfax and the Sydney Morning Herald?
Is World Media, Inc. an agent or part of a joint venture or partnership with Fairfax?
How does Fairfax pay for World Media, Inc.’s services, does it use a New York bank or a correspondent account with a New York bank?

Lie 1st Aff.: Fairfax and the Sydney Morning Herald do not have office facilities, locations, employees, telephone listings and/or bank accounts in New York. (App Doc 19 at ¶ 10).

Exposed: Fairfax currently has two known freelance correspondents in New York City, and previously had at least two correspondents and a New York office. (App Doc 31, 32).

Revision 2d Aff.: Fairfax did have correspondents in New York City until 2012. (App Doc 24 at ¶ 8).

Questions: Apparently Fairfax has replaced its salaried correspondents with independent contractors, which raises the question as to why it uses freelancers?
 Besides the two freelancers, who or what else does it rely on for news stories from New York?
 Is the New York market important to Fairfax's business?

 Lie 1st Aff.: Fairfax and the Sydney Morning Herald do not target "any New York audience." (App Doc 19 at ¶ 8).

Exposed: Fairfax has a partnership with the New York Times to "bring[] together two of the world's most trusted and independent news brands." (App Doc 33). Fairfax published 13 articles in 2014 concerning New York and many of the members of the Australian Community in New York City subscribe to the Sydney Morning Herald. (App Doc 28).

Revision 2d Aff.: None. (App Doc 24 at ¶ 6).

Question: What criteria does The Sydney Morning Herald use in determining to publish a story concerning New York and what sources in New York does it use?

How many subscribers does it have in New York?

Does it cater to the Australian community in New York?

 Lie 1st Aff.: Fairfax and the Sydney Morning Herald "do not directly publish in New York" but the Sydney Morning Herald is available online at its website. (App Doc 19 at ¶¶ 6, 8).

Exposed: By making the Sydney Morning Herald available on its website, Fairfax is publishing in New York, *Penguin Group (USA), Inc. v. American Buddha*, 16 N.Y. 3d 295, 301 (2011); see *Firth v. State*, 98 N.Y.2d 365, 370 (2002).

Revision 2d Aff.: None. (App Doc 24 at ¶¶ 4, 6).

Questions: Does Fairfax's joint venture with the New York company News Alert LLC involve publication of The Sydney Morning Herald in New York? (App Doc 36).

Fairfax has a "representative," World Media Inc., in New York City for selling advertisements in its Sunday newspaper edition, so why sell advertising space in New York if the advertisements are not going to appear in the New York market? (App Doc 37).

Does Fairfax's partnership with the Canadian company Press Reader include publishing the Sydney Morning Herald in New York? (App Doc 34).

-
- Lie 1st Aff.: Fairfax and the Sydney Morning Herald “do not directly sell any products in New York.” (App Doc 19 at ¶ 6).
- Exposed: Fairfax sells the Sydney Morning Herald to the Australian Community in New York City with some 20,000 members. (App Doc 28). The Sydney Morning Herald’s website provides “access to exclusive discounts, events and competitions, unlimited access to our award-winning tablet apps, interactive quizzes, crosswords, Sudoku free in the iPad app.” (App Doc 4 at ¶ 30). The website offers an interactive photographer section called “Clique” where readers can publish their photographs, win prizes and receive advice; an online Sydney Morning Herald Shop where readers can purchase art and other gifts; it offered a cruise trip for two from Spain to Italy; accounts for readers to receive “tweets,” and the “goodfood” section provides recipes; investment research; and investment advice. (www.smh.com.au). The Sydney Morning Herald’s website’s answers to frequently asked questions states “[o]ur digital subscription packages are GST-free for subscribers living and using our products overseas.” (www.smh.com.au, emphasis added). GST means the Australian tax on goods and services, so Fairfax and the Sydney Morning Herald are clearly selling enough products overseas to make a question about sales taxes one that is frequently asked.
- Revision 2d Aff.: “[D]o not sell any products in New York.” (App Doc 24 at ¶ 4).
- Questions: Aren’t subscriptions to the Sydney Morning Herald sales?
How many New York subscribers does the Herald have?
To what extent are the Sydney Morning Herald website offers taken up by persons in New York?
What is the extent of Fairfax’s contracts to supply goods into New York?
-
- Lie 1st Aff.: Fairfax disturbs a print edition of the Sydney Morning Herald in the U.S. via Press Reader but has no “control” as to whether its U.S. edition is distributed in New York, and omitted to say whether it was or was not circulated in New York. (App Doc 19 at ¶ 7).
- Exposed: Press Reader allows its 30 million users to digitally download the Sydney Morning Herald. (App Doc 34). Downloading in New York means publishing here. *Penguin Group (USA), Inc. v.*

American Buddha, 16 N.Y. 3d 295, 301 (2011); *see Firth v. State*, 98 N.Y.2d 365, 370 (2002). “Press Reader has developed major partnerships . . . [with] Fairfax Media [and] News Corp [Australia] . . . [that gives] publishers the ability to target audiences . . . [and] allow publishers to use [its] technology and adapt it to their market.” Fairfax is using Press Reader to “grow global circulation and revenues, and increase brand awareness and exposure of their publications in new international markets.” (App Doc 34).

Revision 2d Aff.: None. (App Doc 24 at ¶ 5).

Questions: Does Press Reader have an exclusive distributorship with Fairfax?
Is Press Reader an agent of Fairfax and where are the printed editions printed?
How many customers does Press Reader have in New York?
How many of them download the Sydney Morning Herald?
What markets is Fairfax targeting?

Lie 1st Aff.: “Fairfax Media and the Sydney Morning Herald do not have any business ventures in New York.” (App Doc 19 at ¶ 9).

Exposed: In 2000, Fairfax entered into a joint venture with the New York company News Alert LLC. The joint venture agreement with News Alert was to create News Alert Asia-Pacific, a subsidiary company that would create a number of websites aimed at providing financial and business information on the Asia-Pacific region for investors and business people in the United States. (App Doc 36).

Revision 2d Aff.: None. (App Doc 24 at ¶ 7).

Questions: What websites has the joint venture created?
Are persons or entities in New York customers of the joint venture?
Does the joint venture publish articles from the Sydney Morning Herald?

McNeilage is the education reporter for the Sydney Morning Herald.

Lie 1st Aff.: McNeilage “did not intend to target” New York readers. (App Doc 20 at ¶ 6).

Exposed: The Sydney Morning Herald published the article on its interactive website that McNeilage knew reached into New York.

Revision 2d Aff.: None. (App Doc 25 ¶ 6)

Questions: If she did not intend to target New York readers, then why was the article placed on the Sydney Morning Herald's website?
Does her contract with Fairfax provide for placing her articles online?
Is she paid an additional amount for articles published online?
Were print copies of her article published or circulated in New York?
Did she expect the publication of her article to have consequences in New York?

Lie 1st Aff.: McNeilage "made no contact with anyone" in New York in the process of reporting on the Male Studies courses. (App Doc 20 at ¶ 7). Such infers she also did not access information from non-human sources in New York.

Exposed: McNeilage's article includes a photograph of Plaintiff that was taken by a New York photographer in New York (for which her newspaper failed to pay the photographer for its use).
McNeilage cites the New York Times concerning one of Plaintiff's cases and quotes from a website posting by a New York professor both of which infer she accessed websites located in or connected with New Yorkers—meaning New York sources.

Revision 2d Aff.: None. (App Doc 25 at ¶ 7).

Questions: Where did she obtain the photograph?
Were her sources for information about one of Plaintiff's cases and the posting of the New York professor from New York sources?
Whom or what else did she contact in New York?

16. First affirmation of Attorney Katherine M. Bolger to dismiss dated August 29, 2014 [A109-A112]

FILED: NEW YORK COUNTY CLERK 08/29/2014 03:08 PM

NYSCEF DOC. NO. 9

INDEX NO. 152656/2014

RECEIVED NYSCEF: 08/29/2014

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- X
ROY DEN HOLLANDER,

Plaintiff,

-against-

TORY SHEPHERD, ADVERTISER NEWSPAPERS
PTY LTD., AMY McNEILAGE, FAIRFAX MEDIA
PUBLICATIONS PTY LIMITED,

Defendants.
----- X

Index No. 152656/2014

AFFIRMATION OF
KATHERINE M. BOLGER

KATHERINE M. BOLGER, a duly admitted attorney at law, does hereby affirm that
the following is true under penalty of perjury pursuant to CPLR 2106:

1. I am a member of Levine Sullivan Koch & Schulz, LLP, counsel to
Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeilage, and Fairfax Media
Publications Pty Limited, defendants in the above-captioned action. I submit this affirmation in
support of Defendants' Motion to Dismiss the Complaint of Plaintiff Roy Den Hollander ("Den
Hollander") pursuant to Rules 3211(a)(1), (7), and (8) of the New York Civil Practice Law and
Rules. I make this statement upon my personal knowledge, and I would be competent to testify
at trial to the facts set forth herein.

2. A true and correct copy of the Complaint against Defendants is annexed hereto as
Exhibit 1.

3. Annexed hereto as **Exhibit 2** is a true and correct copy of the affidavit of Michael
Cameron, sworn to on August 7, 2014 in Sydney, Australia.

4. Annexed hereto as **Exhibit 3** is a true and correct copy of the affidavit of Tory Shepherd, sworn to on August 25, 2014 in Adelaide, Australia.

5. Annexed hereto as **Exhibit 4** is a true and correct copy of the affidavit of Richard Coleman, sworn to on August 28, 2014 before a solicitor in Sydney, Australia in the ordinary course of business.

6. Annexed hereto as **Exhibit 5** is a true and correct copy of the affidavit of Amy McNeilage, sworn to on August 28, 2014 before a solicitor in Sydney, Australia in the ordinary course of business.

7. Annexed hereto as **Exhibit 6** is a true and correct copy of Den Hollander's Brief for Plaintiff-Appellant filed in *Hollander v. Members of the Board of Regents of the University of the State of New York*, No. 12-2362-cv (2d Cir. July 19, 2012).

8. Annexed hereto as **Exhibit 7** is a true and correct copy of Den Hollander's Brief for Plaintiff-Appellant filed in *Hollander v. Copacabana Nightclub*, No. 08-5547-cv (2d Cir. Mar. 19, 2009).

9. Annexed hereto as **Exhibit 8** is a true and correct copy of Den Hollander's Brief for Plaintiffs-Appellants filed in *Hollander v. United States*, No. 08-6183-cv (2d Cir. Apr. 23, 2009).

10. On August 31, 2012, Den Hollander wrote an article for *A Voice for Men* article titled "Update on the Church of Feminism." A true and correct copy of the article available at <http://www.avoicemen.com/feminism/feminist-governance-feminism/update-on-the-church-of-feminism> is annexed hereto as **Exhibit 9**.

11. On August 20, 2012, Den Hollander wrote an article for *A Voice for Men* titled "Hollander files human rights complaint in NYC" in which he described a complaint he had filed

before the New York Human Rights Commission. A true and correct copy of the article available at <http://www.avoicemen.com/mens-rights/hollander-files-human-rights-complaint-in-nyc> is annexed hereto as **Exhibit 10**.

12. Annexed hereto as **Exhibit 11** is a true and correct copy of Den Hollander's Copyright Complaint filed in *Hollander v. Swindells Donovan*, No. 08-4045 (E.D.N.Y. Oct. 3, 2008).

13. Annexed hereto as **Exhibit 12** is a true and correct copy of Den Hollander's Memorandum of Law in Support of Named Plaintiff's Motion for Disqualification of Judge Cedarbaum filed in *Hollander v. Copacabana Nightclub*, No. 07-cv-5873(MGC) (S.D.N.Y. Oct. 9, 2007).

14. On October 24, 2010, Den Hollander wrote an article for *A Voice for Men* titled "Why Can't the Men's Movement Get its Act Together?". A true and correct copy of the article available at <http://www.avoicemen.com/mens-rights/hollander-files-human-rights-complaint-in-nyc> is annexed hereto as **Exhibit 13**.

15. Annexed hereto as **Exhibit 14** is a true and correct copy of the Establishment Clause and Equal Protection Complaint filed in *Hollander v. Institute for Research on Women & Gender at Columbia University*, No. 08 Civ. 7286 (S.D.N.Y. Aug. 18, 2008).

16. Annexed hereto as **Exhibit 15** is a true and correct copy of a *Southern Poverty Law Center* article titled "Misogyny: The Sites" available at <http://www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2012/spring/misogyny-the-sites>.

17. For the convenience of the Court and counsel for the parties, attached hereto as **Exhibit 16** is a true copy of a decision in *Grimaldi v. Ho*, No. 6909/2012 (Sup. Ct. Dutchess Cnty. Sept. 3, 2012) which is not readily available.

Dated: New York, New York
August 29, 2014


KATHERINE M. BOLGER

-----	x	
ROY DEN HOLLANDER,	:	
	:	
	:	Index No. 152656/2014
Plaintiff,	:	
	:	
-against-	:	
	:	
TORY SHEPHERD, ADVERTISER NEWSPAPERS	:	
PTY LTD., AMY McNEILAGE, FAIRFAX MEDIA	:	
PUBLICATIONS PTY LIMITED,	:	
	:	
Defendants.	:	
-----	x	

City of Sydney)
) ss.:
State of New South Wales, Australia)

1. I have personal knowledge of the facts stated in this affidavit and submit this affidavit in support of Defendants' Motion to Dismiss.

3. Advertiser Newspapers Proprietary Limited (“Advertiser Newspapers”) is a wholly-owned subsidiary of News Corp Australia and publishes *The Advertiser*.


5. Advertiser Newspapers does not have any offices in New York.

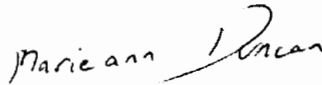
6. Advertiser Newspapers does not have any employees in New York.
7. Advertiser Newspapers does not publish in New York and does not sell any products in New York.
8. Advertiser Newspapers does not target any New York audience.
9. Advertiser Newspapers does not have any business ventures in New York.
10. Advertiser Newspapers does not have office facilities, locations, employees, telephone listings and/or bank accounts in New York..

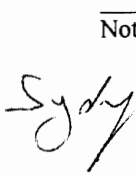
WHEREFORE, Defendants Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeilage and Fairfax Media Publications Pty Ltd. respectfully request that this Court grant their motion to dismiss the Complaint with prejudice in its entirety together with costs and such other relief as is appropriate.

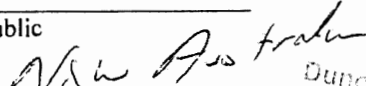

MICHAEL CAMERON

Sworn to and subscribed before me
this 7th day of August, 2014.

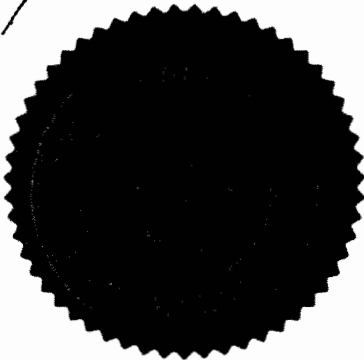

Notary Public


Marie Ann Duncan


Sydney


NSW Attorney General

Duncan & Associates
49/51-59 Buckingham Street
Sunny Hills, NSW 2010
www.lawyersnotaries.com.au



M Duncan & Associates
39/61-89 Buckingham Street
Sunny Hills, NSW 2010
www.lawyersnotaries.com.au

3

A circular notary seal for M. D. LA VINCENTE, a Public Notary in South Australia. The seal features the text "M. D. LA VINCENTE" around the top inner edge, "PUBLIC NOTARY" in the center, and "SOUTH AUSTRALIA" around the bottom inner edge. There is a handwritten mark on the left side of the seal.

5. A true and correct copy of the article published on January 12, 2014 and given the headline "Lecturers in a world-first male studies course at the University of South Australia under scrutiny" is annexed hereto as Exhibit A.

6. A true and correct copy of the article published on January 14, 2014 and given the headline "University of South Australia gives controversial Male Studies court the snip" is annexed hereto as Exhibit B.

7. I wrote the articles because they related to a controversy taking place in Australia, and the articles were intended for publication in Australia and were directed at an Australian audience.

8. By writing the articles, I did not intend to target the United States or the State of New York.

9. In researching the articles I sent one email to Roy Den Hollander requesting comment on the controversy, as Mr. Den Hollander was slated as one of the professors potentially teaching the male studies course.

10. After writing the January 12 article, I spoke briefly to Mr. Den Hollander by telephone about the controversy.

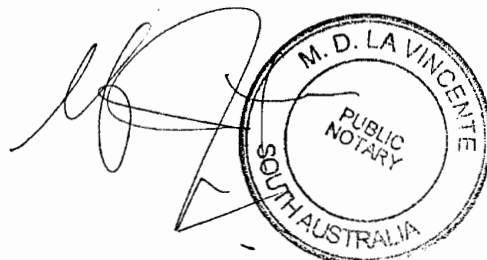
11. Except for that telephone call, I had no other contact with anyone in New York regarding the articles.

12. I have never visited the State of New York or travelled through the State of New York.

13. I do not reside in New York and I do not own any property, real or personal, that is situated there.



(00745072;v1)2

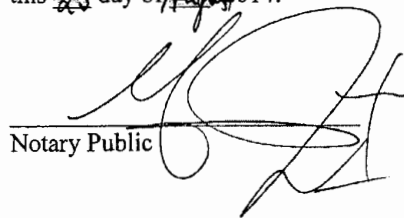


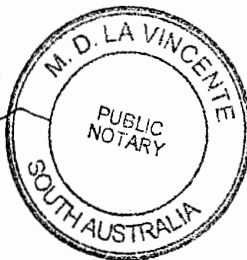
14. I do not have and have never had office facilities, locations, employees, telephone listings and/or bank accounts in New York.
15. I have never voted or been registered to vote in New York.
16. I have never undertaken any business ventures involving New York properties or entities.

WHEREFORE, Defendants Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeillage and Fairfax Media Publications Pty Ltd. respectfully request that this Court grant their motion to dismiss the Complaint with prejudice in its entirety together with costs and such other relief as is appropriate.


TORY SHEPHERD

Sworn to and subscribed before me
this 25 day of August 2014.


Notary Public



-----	x	
ROY DEN HOLLANDER,	:	
	:	Index No. 152656/2014
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
TORY SHEPHERD, ADVERTISER NEWSPAPERS	:	
PTY LTD., AMY McNEILAGE, FAIRFAX MEDIA	:	
PUBLICATIONS PTY LIMITED,	:	
	:	
	:	
Defendants.	:	
-----	x	

City of Sydney)
) ss.:
In the state of New South Wales

I am an employee of Fairfax Media Limited of which Fairfax Media Publications Pty Limited ("Fairfax Media") is a subsidiary. I have personal knowledge of the facts stated in this affidavit and submit this affidavit in support of Defendants' Motion to Dismiss.

1. Since 1993, I have been employed as a Solicitor by Fairfax Media Limited. In that capacity I am responsible for prepublication advice to a range of publications of Fairfax Media and other subsidiaries of Fairfax Media Limited.
2. *The Sydney Morning Herald* is published by Fairfax Media.
3. Fairfax Media is organized under the laws of Australia.
4. Fairfax Media and *The Sydney Morning Herald* do not have any offices in New York.

5. Fairfax Media and *The Sydney Morning Herald* do not have any employees in New York.

6. Fairfax Media and *The Sydney Morning Herald* do not directly publish in New York and do not directly sell any products in New York.

7. Pursuant to a contract with Fairfax Media, Press Reader, an independent company, prints copies of *The Sydney Morning Herald* to be distributed in the United States but and neither Fairfax Media nor *The Sydney Morning Herald* has any control over whether copies printed by Press Reader are distributed in New York.

8. Fairfax Media and *The Sydney Morning Herald* do not target any New York audience, although readers of *The Sydney Morning Herald* are able to subscribe to the online version of *The Sydney Morning Herald* via its website.

9. Fairfax Media and *The Sydney Morning Herald* do not have any business ventures in New York.

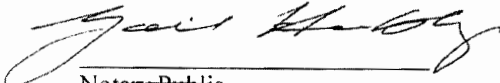
10. Fairfax Media and *The Sydney Morning Herald* do not have office facilities, locations, employees, telephone listings and/or bank accounts in New York.

11. **WHEREFORE**, Defendants Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeilage and Fairfax Media Publications Pty Ltd. respectfully request that this Court grant their motion to dismiss the Complaint with prejudice in its entirety together with costs and such other relief as is appropriate, with costs and such other relief as is appropriate.



Richard Coleman

Sworn to and subscribed before me
this 28th day of August, 2014.



Notary Public

Solicitor

Index No. 152656/2014

that article, which was given the headline "University of South Australia distances itself from males studies proposal" (the "Article"), is annexed hereto as Exhibit A.

5. I wrote the Article because it related to a controversy taking place in Australia, and the articles were intended for publication in Australia and were directed at an Australian audience.

6. By writing the Article, I did not intend to target the United States or the State of New York.

7. I made no contact with anyone in the United States or New York in the process of reporting on the controversy.

8. I did not attempt to contact Roy Den Hollander in the process of writing the Article and did not otherwise have any contact with Mr. Den Hollander.

9. I have never visited the State of New York or travelled through the State of New York.

10. I have only visited the United States once, and my travel at that time was limited to the west coast.

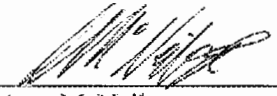
11. I do not reside in New York and I do not own any property, real or personal, that is situated there.

12. I do not have and have never had office facilities, locations, employees, telephone listings and/or bank accounts in New York.

13. I have never voted or been registered to vote in New York.


14. I have never undertaken any business ventures involving New York properties or entities.

WHEREFORE, Defendants Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeillage and Fairfax Media Publications Pty Ltd. respectfully request that this Court grant their motion to dismiss the Complaint with prejudice in its entirety together with costs and such other relief as is appropriate, with costs and such other relief as is appropriate.



Amy McNeillage

Sworn to and subscribed before me
this Thursday 28th of August, 2014.



Notary Public
Solicitor

21. Second affirmation of Attorney Katherine M. Bolger to dismiss dated October 27, 2014 [A124-A128]

FILED: NEW YORK COUNTY CLERK 10/27/2014 05:32 PM

NYSCEF DOC. NO. 45

INDEX NO. 152656/2014

RECEIVED NYSCEF: 10/27/2014

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----	X	
ROY DEN HOLLANDER,	:	
	:	Index No. 152656/2014
Plaintiff,	:	
	:	
-against-	:	AFFIRMATION OF
	:	KATHERINE M. BOLGER
TORY SHEPHERD, ADVERTISER NEWSPAPERS	:	
PTY LTD., AMY McNEILAGE, FAIRFAX MEDIA	:	
PUBLICATIONS PTY LIMITED,	:	
	:	Hon. Milton A. Tingling
Defendants.	:	
-----	X	

KATHERINE M. BOLGER, a duly admitted attorney at law, does hereby affirm that the following is true under penalty of perjury pursuant to CPLR 2106:

1. I am a member of Levine Sullivan Koch & Schulz, LLP, counsel to Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeilage, and Fairfax Media Publications Pty Limited, defendants in the above-captioned action. I submit this affirmation in support of Defendants' Motion to Dismiss the Complaint of Plaintiff Roy Den Hollander ("Hollander") pursuant to Rules 3211(a)(1), (7), and (8) of the New York Civil Practice Law and Rules. I make this statement upon my personal knowledge, and I would be competent to testify at trial to the facts set forth herein.
2. A true and correct copy of the Amended Complaint against Defendants is annexed hereto as **Exhibit 1**.¹

¹ We have provided the exhibits in PDF-A format, as required by the Court. In the process of converting the exhibits from PDF to PDF-A, however, some exhibits have lost the ability to be searched. If the Court would like a searchable PDF copy of any exhibit, we will provide one.

3. Annexed hereto as **Exhibit 2** is a true and correct copy of the affidavit of Michael Cameron, sworn to on October 27, 2014 in Sydney, Australia.

4. Annexed hereto as **Exhibit 3** is a true and correct copy of the affidavit of Tory Shepherd, sworn to on October 24, 2014 in Adelaide, Australia.

5. Annexed hereto as **Exhibit 4** is a true and correct copy of the affidavit of Richard Coleman, sworn to on October 22, 2014.

6. Annexed hereto as **Exhibit 5** is a true and correct copy of the affidavit of Amy McNeilage, sworn to on October 22, 2014 before a solicitor in Sydney, Australia in the ordinary course of business.

7. On August 31, 2012, Hollander wrote an article for *A Voice for Men* article titled “Update on the Church of Feminism.” A true and correct copy of the article available at <http://www.avoicemen.com/feminism/feminist-governance-feminism/update-on-the-church-of-feminism> is annexed hereto as **Exhibit 6**.

8. On August 20, 2012, Hollander wrote an article for *A Voice for Men* titled “Hollander files human rights complaint in NYC” in which he described a complaint he had filed before the New York Human Rights Commission. A true and correct copy of the article available at <http://www.avoicemen.com/mens-rights/hollander-files-human-rights-complaint-in-nyc> is annexed hereto as **Exhibit 7**.

9. Annexed hereto as **Exhibit 8** is a true and correct copy of Hollander’s Copyright Complaint filed in *Hollander v. Swindells Donovan*, No. 08-4045 (E.D.N.Y. Oct. 3, 2008).

10. Annexed hereto as **Exhibit 9** is a true and correct copy of Hollander’s Brief for Plaintiff-Appellant filed in *Hollander v. Copacabana Nightclub*, No. 08-5547-cv (2d Cir. Mar. 19, 2009).

11. Annexed hereto as **Exhibit 10** is a true and correct copy of Hollander's Brief for Plaintiffs-Appellants filed in *Hollander v. United States*, No. 08-6183-cv (2d Cir. Apr. 25, 2009).

12. On October 24, 2010, Hollander wrote an article for *A Voice for Men* titled "Why Can't the Men's Movement Get its Act Together?". A true and correct copy of the article available at <http://www.avoicemen.com/mens-rights/hollander-files-human-rights-complaint-in-nyc> is annexed hereto as **Exhibit 11**.

13. Annexed hereto as **Exhibit 12** is a true and correct copy of Hollander's Memorandum of Law in Support of Named Plaintiff's Motion for Disqualification of Judge Cedarbaum filed in *Hollander v. Copacabana Nightclub*, No. 07-cv-5873(MGC) (S.D.N.Y. Oct. 9, 2007).

14. Annexed hereto as **Exhibit 13** is a true and correct copy of the Establishment Clause and Equal Protection Complaint filed in *Hollander v. Institute for Research on Women & Gender at Columbia University*, No. 08 Civ. 7286 (S.D.N.Y. Aug. 18, 2008).

15. Annexed hereto as **Exhibit 14** is a true and correct copy of a *Southern Poverty Law Center* article titled "Misogyny: The Sites" available at <http://www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2012/spring/misogyny-the-sites>.

16. Annexed hereto as **Exhibit 15** is a true and correct copy of Hollander's Complaint filed in *Hollander v. Norton*, No. 08-113595 (Sup. Ct. N.Y. Cnty. Oct. 7, 2008).

17. Annexed hereto as **Exhibit 16** is a true and correct copy of a cached screen shot of Hollander's website, <http://www.roydenhollander.com>, captured by an Internet archiving website. Hollander's website is no longer operable.

18. Annexed hereto as **Exhibit 17** is a true and correct copy of Hollander's Appeal and Complaint in *Hollander v. Velez*, No. M-P-A-11-1024266 (N.Y.C.H.R. Aug. 17, 2012).

19. Annexed hereto as **Exhibit 18** is a chart of the defamatory statements complained of in this case for the Court's convenience.

20. For the convenience of the Court and counsel for the parties, attached hereto as **Exhibit 19** is a true copy of a decision in *Grimaldi v. Ho*, No. 6909/2012 (Sup. Ct. Dutchess Cnty. Sept. 3, 2013) which is not readily available.

21. Annexed hereto as **Exhibit 20** is a true and correct copy of a *The New York Times* article titled "Court Rejects Men's Studies Lawsuit" available at <http://cityroom.blogs.nytimes.com/2009/04/27/court-rejects-mens-studies-lawsuit>.

22. Annexed hereto as **Exhibit 21** is a true and correct copy of a *The Washington Free Beacon* article titled "Anti-Feminist Lawyer Plans Lawsuit to Force Women to Register for Draft: Has difficulty finding plaintiff" available at <http://freebeacon.com/issues/anti-feminist-lawyer-plans-lawsuit-to-force-women-to-register-for-draft/>.

23. Annexed hereto as **Exhibit 22** is a true and correct copy of a *Media Matters* article titled "Cavuto hosted 'anti-feminist attorney' Hollander, who advocated 'cut[ting] out the feminazi, feminist women's studies programs' at Columbia," available at <http://mediamatters.org/research/2008/08/21/cavuto-hosted-anti-feminist-attorney-den-hollan/144512>.

24. Annexed hereto as **Exhibit 23** is a true and correct copy of a *Ivy-Gate* article titled "Middle-Aged White Guy Sues Columbia for Discrimination; An Interview with Roy Hollander, Men's Rights Pioneer" available at <http://www.ivygateblog.com/2008/08/middle-aged-white-guy-sues-columbia-for-discriminationan-interview-with-roy-hollander-mens-rights-pioneer>.

25. Annexed hereto as **Exhibit 24** is a true and correct copy of a *The New Yorker* article title “Hey, La-a-a-dies!: Ladies’ Night lawsuit” available at <http://www.newyorker.com/magazine/2007/08/06/hey-la-a-a-dies>.

26. A true and correct copy of a clip from the cable television show *The Colbert Report* titled “3/31/11 in :60 Seconds” available at, <http://thecolbertreport.cc.com/videos/ypge4c/3-31-11-in--60-seconds>. *See also* http://gothamist.com/2011/04/01/video_ladies_night_lawyer_gets_roas.php.

Dated: New York, New York
October 27, 2014



KATHERINE M. BOLGER

Defendants.

[illegible]

Index No. 152656/2014

**AFFIDAVIT OF MICHAEL CAMERON IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

City of Sydney)
) ss.:
State of New South Wales, Australia)

MICHAEL CAMERON, being duly sworn, deposes and says:

1. I have personal knowledge of the facts stated in this affidavit and submit this affidavit in support of Defendants' Motion to Dismiss.
2. Since 2013 I have been employed as the National Editorial Counsel at News Limited (doing business as News Corp Australia). In that capacity I am responsible for oversight of the provision of legal advice for several newspapers and news websites across Australia.
3. Advertiser Newspapers Proprietary Limited ("Advertiser Newspapers") is organized under the laws of Australia.

4. Advertiser Newspapers is a wholly-owned subsidiary of News Corp Australia and publishes *The Advertiser*. News Corp Australia, in turn, is a wholly-owned subsidiary of News Corp, which is a Delaware Corporation with its principal place of business in New York.

5. Neither News Corp nor News Corp Australia run the day-to-day operations of Advertiser Newspapers, although News Corp does make broad policy decisions for Advertiser Newspapers.

6. *The Advertiser* is targeted to an Australian audience and particularly to people in Adelaide and South Australia. It is available at the URL: <http://www.adelaidenow.com.au>. The home page includes a weather icon listing the current temperature in Celsius in Adelaide, Australia and a section called "SA News." SA stands for South Australia. The publication contains local sports for the schools and regional teams in the Adelaide area as well as local news, restaurant reviews, and stories of local interest to individuals in Adelaide and South Australia.

7. Advertiser Newspapers does not publish in New York and does not directly sell any products in New York.

8. *The Advertiser* allows visitors to the website to subscribe to *The Advertiser*, but does not target subscribers in New York. Anyone with a computer and a credit card can subscribe.

9. Advertiser Newspapers does not target any New York audience or New York, generally.


10. Advertiser Newspapers does not have any business ventures in New York.

11. Advertiser Newspapers does not have office facilities, locations, employees, telephone listings and/or bank accounts in New York.

WHEREFORE, Defendants Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeilage and Fairfax Media Publications Pty Ltd. respectfully request that this Court grant their motion to dismiss the First Amended Complaint with prejudice in its entirety together with costs and such other relief as is appropriate.


MICHAEL CAMERON

Sworn to and subscribed before me
this 27th day of October, 2014.


Larina Mullins
Legal Practitioner
State of New South Wales
Australia

Defendants.

X
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Index No. 152656/2014
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X

A. Short 24/10/14
Andrew David Short
A Commissioner for taking
Affidavits in the Supreme Court
of South Australia

4. In my capacity as the Political Editor, I wrote articles regarding a prospective male studies course at the University of South Australia, one of which was dated January 12, 2014, two of which were dated January 14, 2014, and another which was dated June 18, 2014.

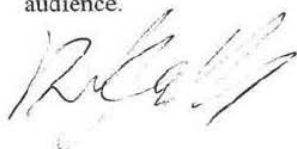
5. A true and correct copy of the article published on January 12, 2014 and given the headline "Lecturers in a world-first male studies course at the University of South Australia under scrutiny" is annexed hereto as Exhibit A. This article appears on *The Advertiser* website under the "South Australia" news section.

6. A true and correct copy of the article published on January 14, 2014 and given the headline "University of South Australia gives controversial Male Studies court the snip" is annexed hereto as Exhibit B. This article appears on *The Advertiser* website under the "South Australia" news section.

7. A true and correct copy of the article published on January 14, 2014 and given the headline "Tory Shepherd: Pathetic bid for victimhood by portraying women as villains" is annexed hereto as Exhibit C. This article appears on *The Advertiser* website under the "Opinion" subsection, which is within the "News" section.

8. A true and correct copy of the article published on June 18, 2014 and given the headline "Men's rights campaigner Roy Den Hollander attacks The Advertiser's Tory Shepherd in bizarre legal writ filed in New York County" is annexed hereto as Exhibit D. This article appears on *The Advertiser* website under the "Opinion" subsection, which is within the "News" section.

9. I wrote the articles because they related to a controversy taking place in Australia, and the articles were intended for publication in Australia and were directed at an Australian audience.



A. Short 24/10/14
Andrew David Short
A Commissioner for taking
Affidavits in the Supreme Court
of South Australia

10. By writing the articles, I did not intend to target the United States or the State of New York.

11. In researching the articles I sent one email to Roy Den Hollander requesting comment on the controversy, as Mr. Den Hollander was slated as one of the professors potentially teaching the male studies course.

12. After writing the January 12 article, I spoke briefly to Mr. Den Hollander by telephone about the controversy.

13. In my original affidavit in support of the Defendants' motion to dismiss the complaint, I erroneously stated that I had no other contact with anyone in New York besides the telephone call with Mr. Den Hollander. I regret this inadvertent error.

14. In fact, I also exchanged several emails with Miles Groth, a professor at a New York college. I did not purposefully omit this fact from my prior affidavit and did not intend to deceive the Court by accidentally omitting this fact. I simply forgot to include it.

15. Besides the email exchanges with Mr. Groth, the email sent to Mr. Den Hollander, and the single telephone call with Mr. Den Hollander, I had no contact with anyone else in New York in preparing the articles.

16. I have never visited the State of New York or travelled through the State of New York.

17. I do not reside in New York and I do not own any property, real or personal, that is situated there.

18. I do not have and have never had office facilities, locations, employees, telephone listings and/or bank accounts in New York.

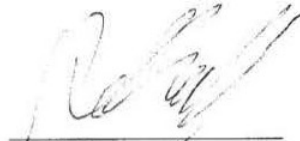
19. I have never voted or been registered to vote in New York.



A Short 24/10/14

20. I have never undertaken any business ventures involving New York properties or entities.

WHEREFORE, Defendants Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeilage and Fairfax Media Publications Pty Ltd. respectfully request that this Court grant their motion to dismiss the First Amended Complaint with prejudice in its entirety together with costs and such other relief as is appropriate.


TORY SHEPHERD

Sworn to and subscribed before me
this 24th day of October, 2014.



Andrew David Short
A Commissioner for taking
Affidavits in the Supreme Court
of South Australia

Ad


5. Pursuant to a contract with Fairfax Media, Press Reader, an independent company, prints copies of *The Sydney Morning Herald* to be distributed in the United States, but neither Fairfax Media nor *The Sydney Morning Herald* has any control over whether copies printed by Press Reader are distributed in New York.

6. Fairfax Media and *The Sydney Morning Herald* do not target any New York audience, although readers of *The Sydney Morning Herald* are able to subscribe to the online version of *The Sydney Morning Herald* via its website. It is available at the URL: <http://www.smh.com.au/>. Like other local news websites, the homepage includes a weather icon for Sydney, Australia noting the temperature in Celsius and also has a link for live updates on traffic conditions in Sydney. It also has a section specific to "New South Wales" and articles tagged with "NSW," which stands for "New South Wales."

7. Fairfax Media and *The Sydney Morning Herald* do not have any business ventures in New York.

8. Fairfax Media and *The Sydney Morning Herald* do not have office facilities, locations, employees, telephone listings and/or bank accounts in New York. *The Sydney Morning Herald* formerly had correspondents located in New York City, but has not done so since 2012, almost two years before the Article was published.

WHEREFORE, Defendants Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeilage and Fairfax Media Publications Pty Ltd. respectfully request that this Court grant their motion to dismiss the First Amended Complaint with prejudice in its entirety together with costs and such other relief as is appropriate.


Richard Coleman

Sworn to and subscribed before me
this 22 day of October, 2014.



Notary Public



25. Second affidavit of Fairfax's Amy McNeilage dated October 22, 2014 [A139-A141]

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

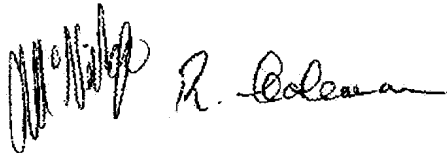
-----	x	
ROY DEN HOLLANDER,	:	
	:	Index No. 152656/2014
Plaintiff,	:	
	:	
-against-	:	
	:	
TORY SHEPHERD, ADVERTISER NEWSPAPERS	:	
PTY LTD., AMY McNEILAGE, FAIRFAX MEDIA	:	
PUBLICATIONS PTY LIMITED,	:	
	:	
----- Defendants. -----	x	

**AFFIDAVIT OF AMY McNEILAGE IN SUPPORT OF
DEFENDANT'S MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

City of Sydney)
) ss.:
State of New South Wales, Australia)

AMY McNEILAGE, being duly sworn, deposes and says:

1. I am a defendant in this matter. I am a citizen of Australia and a resident of Newtown, Australia. I have personal knowledge of the facts stated in this affidavit and submit this affidavit in support of Defendants' Motion to Dismiss.
2. At all times relevant to this lawsuit, I was a reporter for *The Sydney Morning Herald National* in Sydney, Australia.
3. As a reporter for *The Sydney Morning Herald National*, my responsibilities included research, sourcing, and writing articles about general interest news in Australia, and, specifically, in New South Wales.
4. In my capacity as a reporter, I wrote one article dated January 14 regarding a prospective male studies course at the University of South Australia. A true and correct copy



of that article, which was given the headline "University of South Australia distances itself from males studies proposal" (the "Article"), is annexed hereto as Exhibit A. The Article appeared online under *The Sydney Morning Herald's* "Education" subsection, which is under the "National" section.

5. I wrote the Article because it related to a controversy taking place in Australia, and the Article was intended for publication in Australia and was directed at an Australian audience.

6. By writing the Article, I did not intend to target the United States or the State of New York.

7. I made no contact with anyone in the United States or New York in the process of reporting on the controversy.

8. I did not attempt to contact Roy Den Hollander in the process of writing the Article and did not otherwise have any contact with Mr. Den Hollander.


9. I have never visited the State of New York or travelled through the State of New York.

10. I have only visited the United States once, and my travel at that time was limited to the west coast.

11. I do not reside in New York and I do not own any property, real or personal, that is situated there.

12. I do not have and have never had office facilities, locations, employees, telephone listings and/or bank accounts in New York.

13. I have never voted or been registered to vote in New York.

 22/10/18 R. Balkman


14. I have never undertaken any business ventures involving New York properties or entities.

WHEREFORE, Defendants Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeilage and Fairfax Media Publications Pty Ltd. respectfully request that this Court grant their motion to dismiss the First Amended Complaint with prejudice in its entirety together with costs and such other relief as is appropriate.



Amy McNeilage

Sworn to and subscribed before me
this 22 day of October, 2014.



Notary Public
*Solicitor of Supreme Court
of NSW*

26. Affirmation of attorney Bolger in opposition to discovery dated January 12, 2015 [A142-A144]

FILED: NEW YORK COUNTY CLERK 01/12/2015 04:45 PM

NYSCEF DOC. NO. 70

INDEX NO. 152656/2014

RECEIVED NYSCEF: 01/12/2015

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- X
ROY DEN HOLLANDER,

Plaintiff,

-against-

TORY SHEPHERD, ADVERTISER NEWSPAPERS
PTY LTD., AMY McNEILAGE, FAIRFAX MEDIA
PUBLICATIONS PTY LIMITED,

Defendants.
----- X

Index No. 152656/2014

**AFFIRMATION OF
KATHERINE M. BOLGER**

Hon. Milton A. Tingling

KATHERINE M. BOLGER, a duly admitted attorney at law, does hereby affirm that
the following is true under penalty of perjury pursuant to CPLR 2106:

1. I am a member of Levine Sullivan Koch & Schulz, LLP, counsel to
Tory Shepherd, Advertiser Newspapers Pty Ltd., Amy McNeilage, and Fairfax Media
Publications Pty Limited, defendants in the above-captioned action. I submit this affirmation in
support of Defendants' opposition to Plaintiff Roy Den Hollander's ("Plaintiff") oral motion for
an immediate trial pursuant to Rule 3211(c) of the New York Civil Practice Law and Rules. I
make this statement upon my personal knowledge, and I would be competent to testify at trial to
the facts set forth herein.

2. A true and correct copy of the "Media Release" available at Plaintiff's MR Legal
Fund website, http://www.mensrightslaw.net/main/Down_Under/Press_Responses.pdf, is
attached hereto as **Exhibit 1**.

3. A true and correct copy of the first affidavit of Michael Cameron originally filed in this Court on August 29, 2014 in support of Defendants' original motion to dismiss is attached hereto as **Exhibit 2**.

4. A true and correct copy of the first affidavit of Tory Shepherd originally filed in this Court on August 29, 2014 in support of Defendants' original motion to dismiss is attached hereto as **Exhibit 3**.

5. A true and correct copy of the first affidavit of Richard Coleman originally filed in this Court on August 29, 2014 in support of Defendants' original motion to dismiss is attached hereto as **Exhibit 4**.

6. A true and correct copy of the first affidavit of Amy McNeillage originally filed in this Court on August 29, 2014 in support of Defendants' original motion to dismiss is attached hereto as **Exhibit 5**.

7. A true and correct copy of the second affidavit of Michael Cameron originally filed in this Court on October 27, 2014 in support of Defendants' operative Motion to Dismiss is attached hereto as **Exhibit 6**.

8. A true and correct copy of the second affidavit of Tory Shepherd originally filed in this Court on October 27, 2014 in support of Defendants' operative Motion to Dismiss is attached hereto as **Exhibit 7**.

9. A true and correct copy of the second affidavit of Richard Coleman originally filed in this Court on October 27, 2014 in support of Defendants' operative Motion to Dismiss is attached hereto as **Exhibit 8**.

10. A true and correct copy of the second affidavit of Amy McNeilage originally filed in this Court on October 27, 2014 in support of Defendants' operative Motion to Dismiss is attached hereto as **Exhibit 9**.

11. For the convenience of the Court and counsel for the parties, attached hereto as **Exhibit 10** is a true and correct copy of a decision in *Salfinger v. Fairfax Media Limited, et al.*, No. 13-cv-0100081 (Wis. Cir. Ct. Dec. 8, 2014).

Dated: New York, New York
January 12, 2015


KATHERINE M. BOLGER

27. Forgery of the McNeillage article by attorney Bolger in her First Affirmation at Exhibit 5(A), her Second Affirmation at Exhibit 5(A) and her Affirmation in opposition to discovery at Exhibits 5(A) and 9(A) [A145-A146]

"A"

Tuesday 14th of January 2014 - Sydney Morning Herald (Web-Only)
Pagenumber: 0 Section: News and Features Subsection:

University of South Australia distances itself from males studies proposals

AMY MCNEILAGE

The University of South Australia has distanced itself from a proposal for a series of male studies courses, some of which were to be taught by hardline anti-feminist advocates.

The University of South Australia has distanced itself from a proposal for a series of male studies courses, some of which were to be taught by hardline anti-feminist advocates.

The university has approved one of four proposed graduate courses, a certificate in male health and health promotion, which will begin online next month.

But an original proposal by one of the university's academics outlined three further certificates, including a course called "males and sexism", which named lecturers who have been published on radical men's rights websites.

Among those named was American lawyer and self-described anti-feminist Roy Den Hollander, who filed a lawsuit against Columbia University for offering women's studies courses that preached a "religionist belief system called feminism", The New York Times reported in 2008.

Another proposed lecturer, Miles Groth from Wagner College in New York, wrote on the New Male Studies Facebook page on Sunday: "Two years of preparation and the support of the university from the start now seem to be jeopardy because of unnamed critics making erroneous accusations. It has been known for some years now that academe is held hostage by radical ideological feminists in the humanities and social sciences, and administration, who fear them."

The university emphasised it did not endorse views of the suggested lecturers. It said the courses, which were criticised in the media on Monday, were rejected in 2012.

Any future courses would need to go through the same approval process, a spokeswoman said.

But National Union of Students president Deanna Taylor said it was concerning that the academic who founded the course, Associate Professor Gary Misan, was linked to the controversial Americans.

"It's a slippery slope once you open the door to people with these views and give them a platform ? it's not long before proposals like the ones that were rejected actually get approved," she said.

Feminist academic Eva Cox said it was probably time to take a good look at how assumptions about gender constrain both men and women:

University of South Australia distances itself from males studies proposals



"Whether we need to run a university course on them, I've got my doubts," she said. "The only reason I can see that you'd be running men's studies is for the men who want to complain that they haven't had enough attention as victims, and that does worry me.

"Yes, some men have difficulties with going to doctors ? but I think we need to look at the assumptions about masculinity and femininity and how they trap both genders rather than picking on one or the other."

28. The Australian Community email dated September 10, 2014 [A147]

From: **The Australian Community** <info@aucommunity.org>
Date: 2014-09-10 19:16 GMT+02:00
Subject: RE: September Newsletter Feedback

I do not believe they fly the newspapers to New York, however, many of our members subscribe electronically to these newspapers.

<http://www.theaustralian.com.au/>

<http://www.smh.com.au/>

<http://www.adelaidenow.com.au/>

We hope this helps,

Best Regards,

[646.249.1741](tel:646.249.1741) | info@AUCommunity.org | www.AUCommunity.org

Connecting 20,000 Australians in New York | | |

The Advertiser Code of Conduct

The policy of our publications across all platforms

This policy applies to News Limited and its editorial employees in both print and digital media platforms. It is an update of the News Limited Professional Conduct Policy which applies to editorial employees of News NSW; News Victoria, News Queensland, Davies Bros Limited, Advertiser Newspapers Limited and the regional and suburban newspaper and operations around Australia.

News Limited group publications aim for the highest editorial and ethical standards.

Editorial employees and contributors should be open-minded, be fair and respect the truth.

To this end, all staff need to be familiar with the policy detailed in the following pages, to follow the rules they contain, and to apply their underlying principles.

1. Accuracy

1.1 Facts must be reported impartially, accurately and with integrity.

1.2 Publications should take reasonable steps to ensure reports are accurate, fair and balanced.

1.3 Clear distinction must be made between fact, conjecture, comment and opinion.

1.4 Try always to tell all sides of the story in any kind of dispute. Every effort must be made to contact all relevant parties.

1.5 Do not knowingly withhold or suppress essential facts.

1.6 Journalists should not rely on only one source. Be careful not to recycle an error from one reference source to another.

1.7 Direct quotations should not be altered except to delete offensive language, protect against defamation, or to make minor changes for clarity.

1.8 Headlines and captions must reflect the tone and content of the article

1.9 Reports of new drugs or medical treatments must be considered with great caution. It is easy to raise false hopes or alarm among readers.

1.10 Information sourced from social media must be verified and checked for accuracy before publication on any platform.

1.11 Editors must be informed of photographs sourced from social media sites.

1.12 Images prepared for publication must meet the guidelines of the Photographic Enhancement and Manipulation policy, outlined below in Section 18.

2. Mistakes

2.1 Serious factual errors should be corrected at the first opportunity, subject to legal advice where appropriate, and corrections should be given due prominence. Individuals or organisations that have been criticised in News group publications should be given a fair opportunity to respond.

2.2 News Limited supports self regulation in the newspaper industry and participates in the activities of the Australian Press Council. Editors must publish prominently and promptly all Council adjudications on complaints by the public in respect of their newspapers.

2.3 All mastheads must publish prominent and permanent details in print and online that advise how to contact the publisher re concerns about content; how to contact the Council; how to access the standards of News Limited and of the Council. As well, all publications must publish a permanent column/section in print and online that deals with corrections and readers' right of response.

3. Misrepresentation

3.1 Do not use false names when representing a News Limited publication.

3.2 Do not try to get information or photographs by deception.

4. Privacy

4.1 All individuals, including public figures, have a right to privacy. Journalists have no general right to report the private behaviour of public figures unless public interest issues arise. The right to privacy diminishes when the suitability of public figures to hold office or perform their duties is under scrutiny and such scrutiny is in the public interest.

4.2 Unless it is in the public interest to do so, do not identify the family or friends of people accused of, or convicted of, a crime.

4.3 The publication of sensitive personal information — such as taxation details, Family Court records and health and welfare matters — may be prohibited by legislation. Seek legal advice.

4.4 Private investigators will not be contracted to provide editorial services without the approval of the group editorial director.

4.5 Private investigators conducting work on behalf of the company will be required to comply with our editorial code of conduct and provide a written assurance that they will not engage in unlawful surveillance.

5. Covert activities

5.1 Journalists and photographers may at times have to operate to expose crime, significantly anti-social conduct, public deception or some other matter in the public interest. All such operations must be approved in advance by the divisional head and the group editorial director. This approval will be given only where good cause exists to suspect crime or deception has taken place, and after all other means of gathering the facts have been exhausted. The group editorial director must be satisfied that the importance of publishing the information sought outweighs any damage to trust and credibility which your newspaper might suffer by allowing employees to operate surreptitiously. Where appropriate, the nature and reasons for operating covertly should be disclosed to readers.

5.2 Rules surrounding permission to tape telephone conversations differ between states. Seek specific legal advice as pertains to your state before taping any conversations. Be aware that approval must be sought if recording is to be used as audio in any online capacity.

6. Confidential sources

6.1 The sources of information must be identified, wherever possible. When an informant insists on anonymity, verification of the information offered must be sought from other, preferably attributable, sources.

6.2 A promise of confidentiality to a source must, of course, be honoured. However, journalists must be aware of the possible consequences. For example, a judge may order the source to be identified. Defiance of this order could lead to conviction for contempt of court, with the consequence of being imprisoned or being sanctioned with a heavy fine.

7. Harassment

7.1 Do not harass or try to intimidate people when seeking information or photographs.

7.2 Do not photograph people on their property without their consent unless the public interest in doing so is clear.

7.3 If asked to leave private property, do so promptly.

7.4 Do not persist in telephoning, pursuing, questioning, door-stopping or obstructing access after you have been asked by an authorised person to stop.

8. Discrimination

8.1 Do not make pejorative reference to a person's race, nationality, colour, religion, marital status, sex, sexual preferences, age, or physical or mental capacity. No details of a person's race, nationality, colour, religion, marital status, sex, sexual preferences, age, or physical or mental incapacity should be included in a report unless they are relevant.

9. Grief and distress

9.1 Reporters and photographers must always behave with sensitivity and courtesy toward the public, and in particular towards those involved in tragic events. No one should be put under pressure to be photographed or interviewed. Initial approaches might best be made through friends or relatives. We should respect the wishes of the bereaved or grieving.

9.2 Do not go into non-public areas of hospitals, welfare institutions, funeral parlours, churches, etc, without identifying yourself or without permission of the people affected or their intermediaries, subject to the conditions of covert activity outlined above.

9.3 Maintain sensitivity when recalling tragedy or crime.

10. Children

10.1 Extreme care should be taken that children are not prompted in interviews, or offered inducements to cooperate.

10.2 Do not identify children in crime and court reports without state specific legal advice.

10.3 Do not approach children in schools without the permission of a school authority.

11. Suicide

11.1 Do not reveal graphic details of a suspected suicide. Avoid making judgements about the method of death which suggest suicide is an acceptable means of resolving problems, particularly among young people.

11.2 Do not report details of method and location of a suicide unless the public interest in doing so clearly outweighs the risk, if any, of causing further suicides.

11.3 Do not sensationalise, glamorise or trivialise suicides.

11.4 Adopt special sensitivity and moderation in gathering and reporting news to mitigate harm or hurt to all of those affected by suicide or attempted suicide, including the person themselves and their family.

11.5 Where possible, include in such reports the contact number of support groups where people with problems may seek help.

12. Illegal drugs

12.1 Do not report recipes for drug manufacture details of distribution or descriptions of the use of other harmful substances unless justified by public safety considerations or at the request of authorities.

13. Weapons and threats

13.1 Do not report threats to use bombs or other weapons or threats of extortion unless public safety justifies it, or when the authorities request you to do so, or when it is necessary to explain public disruption caused by the authorities' reaction to such a threat.

13.2 Do not report details of the manufacture or methods of using explosives, ammunition, firearms, fireworks, crossbows, booby traps or any potentially lethal device.

14. Payment for information

14.1 Payment must not be made for interviews or information. In the event that a demand for payment or other form of reward or compensation is made, agreement must not be given without the group editorial director's approval.

14.2 The same principle applies to payments to criminals and their families and associates, witnesses in criminal proceedings and their families and associates.

15. Personal gain

15.1 Employees must not request or accept any money, travel, goods, discounts, entertainment or inducements of any kind outside the normal scope of business hospitality.

15.2 Bribes are to be rejected promptly and the managing editor and divisional head informed immediately.

15.3 Only the managing editor, editorial director or a nominee is authorised to accept offers of free or discounted travel, accommodation etc on behalf of a publication.

15.4 The managing editor has the absolute right to decide whether to accept an offer, who should be assigned and whether a report is published as a consequence. These conditions must be made clear to whoever made the offer.

15.5 Gifts of cash (any sum) are never acceptable.

15.6 Employees must never solicit or request any gift or benefit for themselves or anyone else in connection with their employment.

15.7 Employees must never solicit discount travel or accommodation for themselves; nor misrepresent their role within News in order to secure any form of travel discount or accommodation. Any travel provided free of charge by non-News Ltd companies must be approved prior to any commitment being entered into. All international travel must be approved in advance by the group editorial director.

15.8 Employees must never use their employment with News Limited as a means of gaining any form of entitlement or benefit from a commercial organization.

15.9 Employees must not accept personal gifts above a nominal value of \$100. If a gift has more than a nominal value, it may only be accepted following approval of the relevant departmental manager or editorial executive.

16. Financial reporting

16.1 It is illegal for employees to make personal gain from financial information received in advance of general publication. It is illegal to pass this information to others.

16.2 Journalists must not write about shares, securities or companies in which they, their family or friends, have a financial interest without disclosing that interest to the editor.

16.3 A declaration of interest must be made if journalists have traded or intend to trade, directly or indirectly, in shares or securities about which they have written recently or intend to write soon.

16.4 Journalists should not write about prospectuses prior to their lodgment without confirming that regulations of the Australian Securities Commission are not breached.

17. Plagiarism

Plagiarism is theft.

18. Photographic enhancement and manipulation policy

18.1 Images prepared for publication should meet the following guidelines. It is the responsibility of staff to produce true and accurate representations for publication. The credibility of our photographs is all important to the integrity of our newspapers and online sites. Enhancement of photographs is acceptable. However, this should be limited to simple procedures which improve reproduction quality, ie; auto enhancement.

18.2 Colour alteration, over sharpening and image manipulation is prohibited.

18.3 Subject to Clause 1, wire services pictures and images bought from non-News Group sources must not be altered except where an editor or the most senior editorial executive on duty deems it necessary to delete matter which might cause offence. Picture sources should be credited and any alteration explained in the caption.

18.4 Freelance, occasional and on-the-spot contributors must give an undertaking in writing that their pictures have not been altered. Except in special circumstances and on approval of the editor or the most senior editorial executive on duty, the source should be credited in the caption.

18.5 Any image that has had the subject altered or added to should be clearly acknowledged in the caption as “ Digitally Altered Image ”.

18.6 Images that News Limited companies sell for publication or private sales must be offered without electronic manipulation subject to clause 1.

18.7 Pictures by staff photographers being published in News Limited publications may be altered to achieve special effects or for artistic purpose, but only with the approval of the editor or the most senior editorial executive on duty. Pictures so treated must carry a warning in the captions explaining that the image has been altered when they are published or transmitted interstate or overseas.

18.8 Any special image that requires archiving and has been altered must be clearly marked to this effect before being archived and an original filed.

19. Interviews/Requests for information or documentation in third party litigation

19.1 In general, News Limited expects employees and contributors to co-operate with the authorities in investigations. However, requests by police or other authorities for work-related interviews must be referred to the managing editor and divisional head.

19.2 No employee of News Limited should speak in that capacity to another media organisation or at a public event without permission of the state editorial director or managing editor. (See the External Media policy guidelines below).

20. Advertising

20.1 Editorial material created as a condition of placing an advertisement (i.e. for favourable consideration) must carry a clear label at the top of the page, or directly above an isolated item: “advertisement”, “advertorial” or “advertising feature”.

20.2 Where possible, news stories which inadvertently relate to an advertisement, or advertiser, should not be carried on the same page.

21. Conflict of interest

21.1 A conflict of interest arises when personal interests or divided loyalties interfere with the ability to make sound, objective business decisions on behalf of the company. Staff may join and participate in any lawful political or community organisations or activities but must avoid any potential conflict of interest with their employment, and notify the editor if such a potential exists;

21.2 The editor must be made aware as soon as possible if a reporter is assigned to a story that presents a possible or real conflict of interest. Employees have an obligation to report potential personal conflicts of interest to the editor and managing editor.

21.3 Any employee wishing to perform paid or unpaid work for a rival party publication, radio or television outlet must receive written approval from the editor before doing so.

21.4 Contributors must comply with provisions relating to conflicts and must declare any real or potential conflict of interest arising from material submitted for publication and supervisors must do their utmost to ensure no conflict exists. Any association which may have a bearing, or appear to have a bearing, on a contributor's view, must be identified with the published material.

21.5 Failure to notify the editor and managing editor of any real or potential conflict of interest may result in dismissal.

22. Standards of Business Conduct

22.1 News Corporation has in place Standards of Business Conduct with which employees must comply. These are available on the Intranet.

23. Confidential Information

23.1 The company's reputation is one of our most valuable assets. We are all responsible for protecting the confidentiality of company information and we cannot:

- Disclose that information to third parties without proper authorisation to do so;
- Use the information for personal gain; or
- Use the information in any manner that is inconsistent with the company's interests.
- Confidential information may include information or data about the company's planning, business strategy, projects, existing or potential customers, competitors or suppliers, financial results or operations, major contracts, commencement of major litigation, confidential personnel information and anything else which is not in the public domain.

24. Other Obligations

24.1 Do not bring the reputation of the company, your colleagues or your masthead into disrepute.

24.2 Respect the confidences and sensitivities of your colleagues at all times.

24.3 Familiarise yourself with the company policies regarding employees such as bullying and harassment.

25.3 All employees are required to be neat and dressed appropriately for their particular job.

25.5 Employees must protect company assets from theft, carelessness, waste and misuse and respect the property rights of others.

26. Breaches of policy

26.1 Group publications must regularly publish advice to readers on how to lodge a complaint about the conduct of an editorial employee or the content of a story.

26.2 Responses to complaints by an authorised officer of the company should be timely, subject to any legal considerations.

26.3 Complaints involving alleged breaches of this policy will be investigated by the managing editor of the newspaper concerned, or by an executive of equivalent status. Proven breaches will be dealt with in accordance with the company's disciplinary procedures.

News Limited

Editorial Code of Conduct Professional Conduct Policy July 2012

30. Australian Press Council General Statement of Principles dated February 2009 [A157-A158]



General Statement of Principles

To assist the public and the press, the Australian Press Council has laid down the broad principles to which it is committed.

First, the freedom of the press to publish is the freedom, and right, of the people to be informed. These are the justifications for upholding press freedom as an essential feature of a democratic society. This freedom includes the right to publish the news, without fear or favour, and the right to comment fairly and responsibly upon it.

Second, the freedom of the press is important more because of the obligation it entails towards the people than because of the rights it gives to the press. Freedom of the press carries with it an equivalent responsibility to the public. Liberty does not mean licence. Thus, in dealing with complaints, the Council will give first and dominant consideration to what it perceives to be in the public interest.

The Council does not lay down rules by which publications should govern themselves. However, in considering complaints, the Council will have regard for these general principles.

General Principle 1: Accurate, fair and balanced reporting

Publications should take reasonable steps to ensure reports are accurate, fair and balanced. They should not deliberately mislead or misinform readers either by omission or commission.

General Principle 2: Correction of inaccuracy

Where it is established that a serious inaccuracy has been published, a publication should promptly correct the error, giving the correction due prominence.

General Principle 3: Publishing responses

Where individuals or groups are a major focus of news reports or commentary, the publication should ensure fairness and balance in the original article. Failing that, it should provide a reasonable and swift opportunity for a balancing response in an appropriate section of the publication.

General Principle 4: Respect for privacy and sensibilities

News and comment should be presented honestly and fairly, and with respect for the privacy and sensibilities of individuals. However, the right to privacy is not to be interpreted as preventing publication of matters of public record or obvious or significant public interest. Rumour and unconfirmed reports should be identified as such.

General Principle 5: Honest and fair investigation; preservation of confidences

Information obtained by dishonest or unfair means, or the publication of which would involve a breach of confidence, should not be published unless there is an over-riding public interest.

General Principle 6: Transparent and fair presentation

Publications are free to advocate their own views and publish the bylined opinions of others, as long as readers can recognise what is fact and what is opinion. Relevant facts should not be misrepresented or suppressed, headlines and captions should fairly reflect the tenor of an article and readers should be advised of any manipulation of images and potential conflicts of interest.

General Principle 7: Discretion and causing offence

Publications have a wide discretion in publishing material, but they should balance the public interest with the sensibilities of their readers, particularly when the material, such as photographs, could reasonably be expected to cause offence.

General Principle 8: Gratuitous emphasis on characteristics

Publications should not place any gratuitous emphasis on the race, religion, nationality, colour, country of origin, gender, sexual orientation, marital status, disability, illness, or age of an individual or group. Where it is relevant and in the public interest, publications may report and express opinions in these areas.

General Principle 9: Publication of Council adjudications

Where the Council issues an adjudication, the publication concerned should publish the adjudication, promptly and with due prominence.

Note 1 "Public interest"

For the purposes of these principles, "public interest" is defined as involving a matter capable of affecting the people at large so they might be legitimately interested in, or concerned about, what is going on, or what may happen to them or to others.

Note 2 "Due prominence"

The Council interprets "due prominence" as requiring the publication to ensure the retraction, clarification, correction, explanation or apology has the effect, as far as possible, of neutralising any damage arising from the original publication, and that any published adjudication is likely to be seen by those who saw the material on which the complaint was based.

31. Laura Parker correspondent for the Herald dated 2016 [A159-A160]

Stories for Sydney Morning Herald by Laura Parker : Contently

C

LAURA PARKER

New York, NY · t.co · lauraparker.contently.com



Freelance Writer

Freelance writer. Arts, culture, travel and technology. The New Yorker, New York Times, GOOD Magazine, TIME & others.

42 stories

7.5K shares

44K words

4.6K followers

6.9K likes

Laura Parker's stories for Sydney Morning Herald

[SHOW ALL](#)


Actors take gameplay to a new level

Actors take gameplay to a new level



How Jennifer Lawrence conquered the world

She snorts when she laughs, swears like a sailor and takes selfies on the

Stories for Sydney Morning Herald by Laura Parker : Contently

The Sydney Morning Herald

9
Shares

11
Likes



Enough stalling on games classification

The debate over Australia's lack of an adult classification for video games rages on. Despite an overwhelmingly positive response to...

The Sydney Morning Herald

0
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0
Likes

red carpet. The Hunger Games: Catching...

The Sydney Morning Herald

58
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131
Likes

Andrew Purcell

PRINT AND RADIO JOURNALISM

ANDREW PURCELL

I am a British freelance journalist based in New York. My principal clients are the [Age](#) and [the Sydney Morning Herald](#) (Australia), the [Sunday Herald](#) (Scotland), the [Guardian](#) (UK) and [BBC World Service](#) radio. For a complete list of contents, click [here](#). Twitter: @andrewpurcellny

LATEST POST



Hillary feels the Bern

In this time of insurgent candidates, in which Donald Trump dominates the Republican field and Jeremy Corbyn is the leader of the Labour party, Bernie Sanders may be about to spring the greatest shock of all.

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FEATURED POSTS



Mick Rock: from “receiver” to Transformer.

“There are pictures of David that I would never publish,” Rock says. “I got him in his knickers, just camping around. At the time he didn’t even think about it, because there was nowhere to publish them.”



Marina Abramovic is past present

Her days of stripping bare and cutting herself are over. Soon, if she has her way, she won’t be at the gallery at all. “You remove this, you remove that, and now I am removing myself.”



Black lives matter? Not in Baltimore.

Some think the riots damaged the community. Others call it an uprising. “There’s power in non-violent protest,” said Shorty, “but you need to show that you’re capable of violence as well.”



“Where is Amarildo?” Policing the police in Rio.

“Pacification is a mask that hides what is happening in Rio. The city is selling itself as a safe place, for the World Cup and for the Olympics, but in the favela, we know how it really is.”



“The most guilty person in the history of Montgomery County”

A few days after the execution date was confirmed, I received a message: Swearingen wanted me to watch him die.



Herbie rides again

Hancock is a musical pioneer of rare courage but to many jazz fans he will always be a sideman in Miles Davis’s second great quintet. He knows it, too. He quotes his mentor six times in an hour.

33. "Fairfax Subscribers Get Access To New York Times In New Partnership,"
B&T Magazine, November 24, 2014 [A163]

Fairfax Subscribers Get Access To New York Times In New Partnership

POSTED 24 NOVEMBER, 2014, *by* B&T MAGAZINE

Fairfax Media and The New York Times have formed a collaboration which will see current subscribers of The Sydney Morning Herald and The Age offered six months of free, unlimited access to The New York Times website and some smartphone apps.

The offer supports Fairfax Media's strategy to reward its loyal subscribers – both print and digital – with access to a different perspective on world events from **The New York Times'** journalists and columnists.

As part of their paid subscription, current subscribers will have access to award-winning journalism and multimedia content from **The New York Times** for six months, which has an annual value of \$US195.

This collaboration brings together two of the world's most trusted and independent news brands. It also allows **The New York Times** to increase the reach and recognition of its global news coverage among Fairfax Media's premium audience.

Fairfax Media's Australian publishing media director of consumer marketing, Vicki Aristidopoulos said: "Our focus is on providing loyal customers with rewards linked to accessing the best in quality content, features and experiences. This collaboration, with an esteemed publication like **The New York Times**, perfectly illustrates the type of exclusive rewards on offer. You will see more and more of this in the year ahead."

Stephen Dunbar-Johnson, president of international for **The New York Times** said: "**The New York Times** is dedicated to producing the world's finest journalism and we are keen to extend our reach to new global audiences. We are delighted that Fairfax Media is providing its existing subscribers with a generous sampling of the unlimited access that our digital subscribers rely on every day."

34. PressReaders' partnerships with Fairfax and News Corp NYC for its Australian newspapers dated August 19, 2014 [A164-A165]

The Newspaper Works partners with PressReader for app

The Newspaper Works / 19 August, 2014

1

The Newspaper Works will launch an app for iOS and Android devices this week, as part of a partnership with global digital distribution and publishing company PressReader.

PressReader, a major sponsor of this year's Future Forum industry conference, will host the app, which has been built to publish digital editions for mobile and tablet of print publications *The Bulletin*, *The Works* and special industry magazines like the *Infographic Annual*.

CEO of The Newspaper Works, Mark Hollands, said that "publishing and communication is at the heartbeat of this organisation."

"We are delighted to work with PressReader to offer our content in apps on both the iOS and Android platforms."

PressReader has developed major partnerships in Australia and New Zealand with newspaper and magazine publishers like Fairfax Media, News Corp, APN, Nextmedia and McPherson Media Group. In addition to its publisher partnerships, PressReader has also struck deals with local libraries, hotels, government agencies, city councils and device manufacturers (OEMs), as well as transportation companies like Virgin Australia – allowing customers or employees to access PressReader published content via a Wi-Fi connection.

Executive vice-president for PressReader, Nikolay Malyarov, who is in Sydney for the Future Forum, said the company's distribution network gave publishers the ability to target audiences that are not necessarily tied to individual titles, but accessed content through search.

"We're able to reach audiences that are incredibly difficult to reach as a single publisher – audiences when they're at hotels, libraries or on cruise ships," Mr Malyarov said.

"We allow publishers to use our technology and adapt it to their market, then retain their revenue to re-invest in the production of quality editorial content."

The Newspaper Works app will be launched this week and can be found by typing 'The Newspaper Works' into the iTunes Store, Google Play store or Windows Store from Friday. Thedesktop site linked to the app is currently live and features an archive of The Newspaper Works' publications from the past year. Readers can also subscribe to The Newspaper Works' PressReader site or app to have publications auto-sent when they are published.

Internationally, PressReader distributes content for more than 4000 publishing partners from over 100 countries.

For more news from The Newspaper Works, [click here](#).



READ (<http://www.pressreader.com/>) SOLUTIONS ([solutions.html](#))

BUSINESSES ([businesses.html](#)) PUBLISHERS ([publishers.html](#))

PARTNERS ([partners.html](#)) CAREERS ([pr_careers.html](#))

Welcome to PressReader

Company Overview.

Founded in 1999, [PressReader \(http://www.PressReader.com/\)](http://www.PressReader.com/) is the global leader in multi-channel, cross-platform content distribution and monetization, and the chosen partner of more than 3,500 publishers from 100 countries.

PressReader provides consumers and businesses access to thousands of local, national and international full-content newspapers and magazines online, in print, and on tablets, smartphones and eReaders running iOS, Android, Android for Amazon, Windows 8 and Blackberry 10 operating systems.

It offers the world's most engaging reading experience to millions of readers in 60 languages and can be found in leading libraries, hotels, airlines, corporate and government buildings, cruise lines, airport lounges, schools and restaurants around the globe.

As a fully-customizable digital publishing platform, PressReader helps publishers of all sizes and media types expand their platform support, grow global circulation and revenues, and increase brand awareness and exposure of their publications in new international markets.

PressReader by the Numbers:

- Over 30 million users worldwide
- Over 2,000 local, regional and international newspapers and magazines
- Over 3,500 publishers
- Services available in over 100 countries
- Publications from over 100 countries
- Titles in 60 languages
- More than 400 agents worldwide
- PressReader is in more than 15,000 organizations, institutions and businesses such as libraries, hotels, airport lounges and corporate offices around the world

About Us.

PressReader is the world's
leading newspaper and

magazine distribution platform.
It is the only platform to provide
them in print, online and on
mobile devices. It is the only
platform to provide them in
print, online and on mobile
devices.

Contact Us Here.

200 – 13111 Vanier Place,
Richmond, BC, V6V 2J1

Canada

[mailto:info@pressreader.com](#)

Resources.

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Stay-up-to-date with company
and industry news

35. Digital First Media's partnership with News Corp Australia dated January 27, 2014, News Corp Australia is the sole owner of Advertiser [A166-A167]

Digital First Media Announces AdTaxi Partnership with News Corp Australia | Digital Fi... Page 1 of 3

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Digital First Media's more than 800 multi-platform products reach 64 million Americans each month across 14 states.

Press Releases

Digital First Media Announces AdTaxi Partnership with News Corp Australia

Monday, January 27, 2014

New York, NY (January 27, 2014) – [Digital First Media](#) today announced an exclusive [AdTaxi Alliance Network](#) partnership with [News Corp Australia](#).

The partnership includes the launch of [news Xtend](#) by News Corp Australia, a digital-marketing extension package for small to medium sized businesses in Australia.

"We are pleased to have News Corp Australia as a partner and to introduce AdTaxi's full-service suite of digital marketing products to the Australian market," said John Paton, Chief Executive Officer of Digital First Media. "News Corp Australia has a powerful network of newspaper brands which have deep relationships with readers and advertisers. This partnership provides solutions that allow News Corp Australia to strengthen the relationships it has with local advertisers looking at expanding brand campaigns online."

With the launch of [news Xtend](#), News Corp Australia will be offering easy-to-buy packages that include digital display advertising across its network of websites, along with a full complement of digital marketing solutions including social media, email, search engine optimization and search engine marketing.

"The launch of [news Xtend](#) with Digital First Media means we can now provide tailored digital marketing solutions for our valued and valuable network of advertisers," said Alisa Bowen, News Corp Australia's Group Director – Digital Product and Development. "We are simplifying the process for small to medium businesses and offering access to a greater number of audiences across platforms. Our team of digital sales specialists will ensure, through this partnership, local advertisers receive the best and most creative multi-channel package possible for their brand."

News Corp Australia joins the AdTaxi Alliance Network that includes partners in [Canada](#), [Ireland](#), [Israel](#) and the [United States](#).

About Digital First Media

Digital First Media, headquartered in New York City, reaches more than 67 million Americans each month through more than 800 multi-platform products across 18 states.

For more information contact:

Jonathan Cooper
Vice President Media Relations & Employee Communications
Digital First Media
jcooper@digitalfirstmedia.com
(215) 867-2022

Press Releases

Digital First Media to Explore Strategic Alternatives

Friday, September 12, 2014

Digital First Media Announces Chief Financial Officer Barbara Bennett Leaving the Company; Michael Koren Appointed CFO

Wednesday, July 23, 2014

Digital First Media Announces the Appointment Of Steven B. Rossi As President

Tuesday, July 8, 2014

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36. Fairfax's joint venture with the New York company News Alert [A168-A169]

Fairfax Media Limited

Hoover's Company Profiles:

Fairfax Media Limited

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[Home Library Business & Finance Hoover's Profiles](#)

(Australian:FXJ)

Type: Public

On the web: <http://www.fxj.com.au>

Employees: 7,043

Employee growth: (16.3%)

Contact Information

Fairfax Media Limited

Level 5, Darling Island Rd.

Pymont, New South Wales 2009, Australia

Tel. +61-2-9282-2833

Fax +61-2-9282-1633

If it's news in Australia, it's fair to say that Fairfax is on top of it.

Fairfax Media is a leading newspaper and magazine publisher in

Australia and New Zealand, with some 430 titles. Its flagship publications include Melbourne's The Age, The

Sydney Morning Herald, and the Sunday News of New Zealand. It also serves the financial news sector with The

Australian Financial Review, and it operates a portfolio of regional and community papers. In addition to its

traditional publishing operations, Fairfax Media operates a number of websites in conjunction with its papers, and it

owns about 15 radio stations.

Key numbers for fiscal year ending June, 2013:

Sales: \$1,836.2M

One year growth: (21.8%)

Net income: (\$15.0)M

Officers:

Chairman: Roger C. Corbett

Chief Executive Officer, Managing Director: Greg Hywood

Chief Financial Officer: David Housego

Competitors:

[APN News](#)

[PBL Media](#)

[21st Century Fox](#)

Gale Directory of Company Histories:

Fairfax Media Ltd.

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[Home Library Business & Finance Company Histories](#)

Tourang succeeded in taking over all the assets of Tryart, including John Fairfax Pty. Ltd. On January 7, 1992, Tourang changed its name to John Fairfax Holdings Limited and gained a listing on the Australian Stock Exchange.

The ill-fated attempt to save Fairfax Group Pty. Ltd. from nonfamily interests only accelerated the family's loss of its patriarch's company. However, it may have happened soon enough to save Fairfax from several years of poor performance under what many considered to be inept "newspaper man" management. Black restored financial strength to the Fairfax organization and ensured that, if nothing else, at least the company did not fall into the hands of Rupert Murdoch.

Diversifying for Financial Stability

In Black's first year as nominal head of the resuscitated Fairfax group, the company's publications garnered numerous awards and marked respectable financial performances, in spite of the depressed Australian economy. Renamed John Fairfax Media Holdings Limited, under Black's leadership the company also began to diversify its interests.

In 1995 the company purchased interests in Australian Geographic Pty, a company that operated a popular magazine and a chain of retail stores selling books and outdoor exploration equipment. Although the company later sold *Australian Geographic* (in 1998), the purchase was one of several efforts in the 1990s to diversify the company's interests.

In 1998 Fairfax hired Fred Hilmer, former professor of business at the University of New South Wales, as the company's CEO. Hilmer inherited the business at a time when the laws surrounding Australian media ownership were in a state of flux and he attempted to streamline the company by selling several less profitable subsidiaries and funneling funds into the company's core assets. After a year with Hilmer at the helm, Fairfax was beginning to show signs of increased profitability. Advertising revenues increased by over 30 percent during 1998, and by early 1999 the company controlled 15 percent of the Australian advertising market.

Hilmer's various projects included increasing the company's focus on digital media and communication. In 1999, Fairfax launched a new web site, www.sold.com.au, to complement the company's growing digital media division. In 2000, Fairfax entered into a joint venture with the New York company News Alert LLC to create News Alert Asia-Pacific, a subsidiary company that would create a number of web sites aimed at providing financial and business information for the Asia-Pacific region and for investors and business people in the United States interested in researching opportunities in the Pacific.

Rebounding from Hard Times

Like many Australian companies, Fairfax suffered reduced revenues during the economic slump that followed the 2000 Olympic Games. Despite falling advertising revenues, which constituted over 80 percent of the company's revenue base, many of Fairfax's subsidiaries showed an increase in consumers. Hilmer's response was to look into selective expansion procedures and acquisitions while investing capital to reinvigorate the company's most profitable properties.

Fairfax continued to suffer from a poor advertising market in 2002 year with a 28 percent reduction in profit from the previous year. In 2003 the company strengthened its position with strategic acquisitions. In March the company gained 10 percent interest in Text Media Group Limited, which gave the company a strong presence in the online real estate advertising market. The company acquired the remaining interest in Text Media in February 2004.

The most significant development of 2003 was the completion of a major acquisition, in May, of New Zealand-based Independent News Media, which became known as Fairfax New Zealand. In addition to gaining control of two metropolitan newspapers, two Sunday papers and 53 community publications, the purchase also gave Fairfax ownership of 66 percent of Sky TV New Zealand. "The acquisition of these prime publishing assets will contribute strongly to our future growth," Hilmer said in the company's official press statements. Fairfax reportedly paid over NZD 6.6 billion for ownership of the New Zealand media outlets.

By 2004, Fairfax's financial returns were growing rapidly and profits had risen by over 60 percent from the previous year. Hilmer announced in 2004 that he would be stepping down the following year to pursue other opportunities, perhaps returning to academia for the final chapter in his professional life. While the board of directors conducted

37. Fairfax's "representative" in New York City is World Media, Inc. dated March 2014 [A170-A171]

The Sun-Herald

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metropolitan zone
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www.fox.com.au

Contacts

www.adcentre.com.au

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Level 3, 1 Darling Island Road
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Fax: (02) 9282 1748

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Fax: (03) 9601 2929

QUEENSLAND

Fairfax Media Publications Pty Limited
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Fax: (07) 3835 7529
Email: thehub@fairfaxmedia.com.au

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Fax: (08) 8212 1210

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Fairfax Media Publications Pty Limited
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International Media Representation
Response Department
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Fax: 0015 91 22 22731 145
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Phone: +27 11 803 8211
Fax: +27 86 503 3237
Email: mike@worldmediaonline.co.za

Visit us at www.adcentre.com.au

38. Brain Sallis, Chairman of Advertiser, business address is 1211 Avenue of the Americas, New York, NY, dated 2014 [A172-A173]

[secure.opinionlab.com/ccc01/comment_card.asp?](http://secure.opinionlab.com/ccc01/comment_card.asp?comment=18&parent=http%3A%2F%2Fwww.bloombergonline.com%2Finvite3.bloombergonline.com%2F&height=640&width=580&r=4859)

[http://www.bloombergonline.com/invite3.bloombergonline.com%2F&height=640&width=580&r=4859\)](http://www.bloombergonline.com/invite3.bloombergonline.com%2F&height=640&width=580&r=4859)

Chairman, [Advertiser Newspapers Pty Ltd \(/Profiles/Companies/FOXA:US\)](#)

Career History

Chairman

Advertiser Newspapers Ltd, 1990-PRESENT

Chairman

Adelaide Bank Ltd, 3/1999-2/2001

Chairman

Royal Adelaide Hospital, 1991-1996

[Show More](#)

Website:

www.21cf.com (<http://www.21cf.com>)

Corporate Information

Address:

1211 Avenue of Americas

8th Floor

New York, NY 10036

United States

Phone: [1-212-852-7000](tel:1-212-852-7000) (tel:[1-212-852-7000](tel:1-212-852-7000))

Fax: [1-212-852-7145](tel:1-212-852-7145) (tel:[1-212-852-7145](tel:1-212-852-7145))

Web url: www.21cf.com (<http://www.21cf.com>)

Personal Information

Education

Univ of Adelaide

Memberships

Board Memberships

[Envic Holdings 2 Ltd \(/profiles/companies/ENC:AU\)](#)

Board Member, PRESENT

Advertiser Newspapers Ltd (/profiles/companies/FOXA:US)
Chairman, 1990-PRESENT

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Other Memberships

Media Council of Australia
Chairman

Advertising Industries Council
Chairman

f t in g+

MORE CONTENT

(http://www.bloomberg.com/profile/companies/FOXA:US/101169269861152216375/101169269861152216375/posts)
trk=tod- Trademarks (http://www.bloomberg.com/trademarks) Terms of Service
src- (http://www.bloomberg.com/tos) Privacy Policy (http://www.bloomberg.com/privacy)
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0) (http://www.bloomberg.com/privacy#advertisements)

39. Shepherd's email discussions with New York Professor Miles Groth from
January 9, 2014 to March 4, 2014 [A174-A181]

9/2/2014

Gmail - Fwd: Male studies course



Fwd: Male studies course

Miles Groth <mgroth@wagner.edu>

Mon, Sep 1, 2014 at 12:45 PM

To: Roy Den Hollander <roy17den@gmail.com>

----- Forwarded message -----

From: **Shepherd, Tory** <tory.shepherd@news.com.au>

Date: Thu, Jan 9, 2014 at 7:18 PM

Subject: Male studies course

To: "mgroth@wagner.edu" <mgroth@wagner.edu>

Hi there – I need to speak to you about a story I'm writing on the Male Studies course- could you please get in touch? My number here is 0011 8 8206 2270

Thank you!

Tory

Tory Shepherd
Political Editor

D: +61 8 8206 2270 **E:** tory.shepherd@news.com.au

Twitter: @ToryShepherd

adelaidenow.com.au

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--
Miles Groth, PhD, Professor
Department of Psychology
Wagner College
Staten Island, NY 10301



Fwd: Male studies course

Miles Groth <mgroth@wagner.edu>
To: Roy Den Hollander <roy17den@gmail.com>

Mon, Sep 1, 2014 at 12:46 PM

----- Forwarded message -----

From: **Shepherd, Tory** <tory.shepherd@news.com.au>
Date: Thu, Jan 9, 2014 at 7:51 PM
Subject: RE: Male studies course
To: Miles Groth <mgroth@wagner.edu>

This one!

http://www.bswhn.org.au/attachments/article/900/malestudies_eoi.pdf

From: Miles Groth [mailto:mgroth@wagner.edu]
Sent: Friday, 10 January 2014 11:15 AM

To: Shepherd, Tory
Subject: Re: Male studies course

Hello!

You speak of "the Male Studies course." Which are you referring to? I will be happy to respond to you.

M Groth, PhD

[Quoted text hidden]

[Quoted text hidden]



To: Roy Den Hollander <roy17den@gmail.com>

To: Miles Groth <mgroth@wagner.edu>

I have been interested in the forming of male studies as a scholarly discipline and I am familiar with UniSA's

9/2/2014

Gmail - Fwd: Male studies course

plans to offer the first certificate and the other three proposed certificates, which will be the first graduate certificates in male studies anywhere in the world, to be followed in due course by a master's degree and a doctorate in the field. It is a much needed area of study given the importance of emergent health and well-being issues affecting men worldwide, as well as trends in education of boys and young males at the primary (elementary school) level and university level.

Boys are now well behind girls in primary school achievement; the suicide rate for teenage males is four times that of females at the same age in the States, Canada and other great democracies such as Australia; attendance at university is under 40%, an all-time low in the States. Research on male health (prostate cancer, for example) lags behind that of all health research (hypertension, diabetes) and research on female-specific ailments (breast and uterine cancer) in funding, which is a concern for our large democracies which need healthy men and women, fathers and mothers. The suicide rate for early middle-age men (30s and 40s) has increased dramatically in the last two decades, reflecting a decrease in health and well-being of men, in part due to economic trends in the States. My understanding is the economy is stronger in Australia, which means that the reasons for this tragedy are psychological. None of is good for women and female partners of men, children, and the parents of men in their prime years.

I am certainly encouraged to see UniSA in collaboration with the Australian Institute of Men's Health and Studies (AIMHS) (see the announcement you forwarded to me) taking the initiative in addressing these issues by offering instruction and professional certification for individuals (male and female) who wish to work with men and boys in healthcare, education and policy-creation. There is a great deal of informing to do about issues that have remained in the shadows for a very long time, and individuals with such certificates will be in a position to do this as counselors, nurses, teachers and others are much needed.

I think everyone will be supportive of your bringing this male-positive, proactive work to the readership of the *Advertiser*! As for hate, I see none of it in any of this. To the contrary, this is inspired by interest in supporting men and boys, which is good for women as well as the men served.

I am happy to talk with you more about this if you have additional questions.

[Quoted text hidden]

[Quoted text hidden]

9/2/2014

Gmail - Fwd: Male studies course



Fwd: Male studies course

Miles Groth <mgroth@wagner.edu>

Mon, Sep 1, 2014 at 12:46 PM

To: Roy Den Hollander <roy17den@gmail.com>

----- Forwarded message -----

From: **Shepherd, Tory** <tory.shepherd@news.com.au>

Date: Fri, Jan 10, 2014 at 12:46 AM

Subject: RE: Male studies course

To: Miles Groth <mgroth@wagner.edu>

The story I'm writing is about links between some of the lecturers in the new course and the fringe elements of the men's rights movements, so I'm trying to find out more on what people are passionate about...

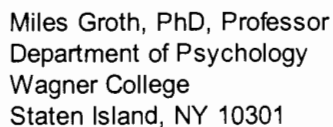
From: Miles Groth [mailto:mgroth@wagner.edu]**Sent:** Friday, 10 January 2014 12:44 PM**To:** Shepherd, Tory**Subject:** Re: Male studies course

I'm not certain what your second question has to do with the certificate course at UniSA.

[Quoted text hidden]

[Quoted text hidden]





**40. Appellant's proposed statement in lieu of transcript concerning two hearings
before two different Justices of the New York County Supreme Court dated
February 2, 2016 [A182-A185]**

**SUPREME COURT OF THE STATE OF
NEW YORK COUNTY OF NEW YORK**

-----X

Roy Den Hollander,

Index No. 152656/2014

Plaintiff-Appellant

-against-

Tory Shepherd, Political Editor of The Advertiser-
Sunday Mail Messenger;
Advertiser Newspapers Pty Ltd., d/b/a The Advertiser-
Sunday Mail Messenger;
Amy McNeillage, Education Reporter for The Sydney
Morning Herald; and
Fairfax Media Publications Pty Ltd., d/b/a The Sydney
Morning Herald;

Defendants-Respondents.

-----X

**Statement in lieu of stenographic transcript before Justice Tingling, CPLR
5525(d)**

1. On November 14, 2014, oral argument occurred before Justice Tingling on
motion 002, defendants- respondents' motion to dismiss.

2. Defendants-respondents' counsel, Katherine M. Bolger, argued that
defendants-respondents did not have sufficient contacts with New York State for
the Court to have personal jurisdiction over them.

3. Justice Tingling responded that is a "fact question."

4. Plaintiff-appellant, Roy Den Hollander, requested that he be permitted to
make a standing motion for a trial on personal jurisdiction to determine the facts

because, as he said, the usual discovery procedures would not prevent defendants-respondents from continuing to perjure themselves on the facts concerning personal jurisdiction with the suborning assistance of their attorney, Bolger. A trial was needed in which the Justice could observe the demeanor of the defendants in the witness box rather than having their attorney manipulate their responses in affidavits or at a deposition so as to avoid the truth.

5. Justice Tingling granted Den Hollander's request to make the motion and scheduled the submission of papers on whether a trial on the issue of personal jurisdiction should be held. Both sides submitted papers.

Statement in lieu of stenographic transcript before Justice Schechter, CPLR 5525(d)

1. The case was subsequently transferred to Justice Moulton and then again to Justice Schechter.

2. On May 27, 2015, oral argument was held on defendants-respondents' motion to dismiss and plaintiff-appellant's standing motion for trial on the issue of personal jurisdiction and plaintiff-appellant's motion to strike from the record an attorney work product document stolen from plaintiff-appellant's iCloud by attorney Bolger's Rupert Murdoch client, Advertiser Newspapers Pty Ltd., or by attorney Bolger herself, or by a third party hired by them who hacked into plaintiff-appellant's protected iCloud.

3. Attorney Bolger, relying on the hacked attorney work product, essentially argued that because plaintiff-appellant was not an anointed PC-Feminist, the Court should rule that it did not have personal jurisdiction over defendants-respondents.

4. Plaintiff-appellant replied that whether he was PC-Feminist depended on how the term was defined, and that he defined it the same way Women Against Feminism did.

5. Plaintiff-appellant also argued that defendants-respondents had numerous contacts with New York State, that defendants-respondents lied about their contacts as suborned by attorney Bolger, and plaintiff-appellant referred the court to his papers, an affidavit with over 20 exhibits, supporting his standing motion for a trial on personal jurisdiction and showing that the defendants-respondents repeatedly lied about their contacts with New York.

6. Justice Schechter replied that she had no such papers before her and proceeded to try to pressure plaintiff-appellant into withdrawing his standing motion for a trial on personal jurisdiction. Those papers fully presented plaintiff-appellant's facts and arguments showing that defendants-respondents had clearly and repeatedly committed perjury, suborned by Bolger, on the issue of personal jurisdiction, and that the reality of their contacts gave the Court personal jurisdiction over them, or, at least, raised substantial questions as to the extent of their contacts with New York.

7. Plaintiff-appellant refused to withdraw his standing motion arguing that Justice Tingling had given him permission to make the motion, so it was going to stay in the record.

8. Justice Schechter finally relented and ordered both sides to resubmit their papers on the standing motion for a trial on personal jurisdiction.

Dated: New York, N.Y.
February 2, 2016

/S/ Roy Den Hollander
Roy Den Hollander
Attorney-Plaintiff-Appellant
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(917) 687-0652
rdenhollander97@gsb.columbia.edu

To: Katherine M. Bolger
Levine Sullivan Koch & Schulz LLP
Attorney for Defendants-Respondents
321 West 44th Street, Suite 1000
New York, NY 10036
Tel: (212) 850-6100
Fax: (212) 850-6299
Email: kbolger@lskslaw.com

41. Respondents proposed statement in lieu of transcript and objections to such concerning two hearings before two different Justices of the New York County Supreme Court dated February 11, 2016 [A186-A191]

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

-----	x	
ROY DEN HOLLANDER,	:	
	:	Index No. 152656/2014
Plaintiff,	:	
-against-	:	
TORY SHEPHERD, ADVERTISER NEWSPAPERS	:	
PTY LTD., AMY McNEILAGE, FAIRFAX MEDIA	:	
PUBLICATIONS PTY LIMITED,	:	
Defendants.	:	
-----	x	

**OBJECTIONS TO PLAINTIFF’S STATEMENTS
IN LIEU OF STENOGRAPHIC TRANSCRIPT**

Defendants Tory Shepherd, Advertiser Newspapers Pty Ltd. (“Advertiser Newspapers” or “*The Advertiser*”), Amy McNeilage, and Fairfax Media Publications Pty Limited (“Fairfax Media” or “*The Herald*”), by and through their undersigned attorneys, submit these objections in response to Plaintiff Roy Den Hollander’s (“Plaintiff” or “Den Hollander”) Statements in Lieu of Stenographic Transcript pursuant to Rule 5525(d) of the New York Civil Practice Law and Rules (“CPLR”) (the “Statements”).

This Court should strike the Statements because they are not necessary to perfect the appeal and do not fairly and accurately memorialize the proceedings before the Court. In the alternative, this Court should sustain Defendants’ objections to the Statements.

BACKGROUND

This Court dismissed the underlying action on January 11, 2016, finding that Shepherd, *The Advertiser*, McNeilage, and *The Herald* were not subject to this Court’s jurisdiction under CPLR § 302(a)(1), and that “[i]n the end, there is no authority for subjecting defendants to

jurisdiction in New York based on articles published outside New York for a non-New York audience.” Doc. No. 119 (“Order”) at 9. Moreover, the Court rejected, as a matter of law, Plaintiff’s arguments that Defendants were subject to jurisdiction under CPLR 302(a)(2) or (3), which expressly exclude claims sounding in defamation. *Id.* at 9-10. In a separate order, the Court also denied Plaintiff’s motion to strike from the record a document Den Hollander alleged had been illegally obtained on the grounds that, “[t]here is no basis for granting the relief sought.” Doc. No. 120.

Subsequently, on January 12, Defendants filed notices of entry as to each of the Court’s orders. *See* Doc. Nos. 121 & 122. On February 2, Plaintiff then appealed this Court’s order dismissing his suit and denying further discovery. Doc. No. 126. Plaintiff then served Defendants’ counsel with Statements in Lieu of Stenographic Transcript pursuant to Rule 5525(d) of the CPLR. *See* Plaintiff’s Statement in Lieu of Stenographic Transcript (February 2, 2016) (“Statements”). Defendants now respectfully request that the Court strike Plaintiff’s Statements from the record or, alternatively, sustain their objections.

ARGUMENT

POINT I

THIS COURT SHOULD REJECT PLAINTIFF’S STATEMENTS

Because the Statements submitted by Plaintiff are not necessary and, at any rate, procedurally defective, they should be stricken. Appellants proposing statements in lieu of transcripts must “prepare and serve upon the respondent a statement of the proceedings from the best available sources, including his recollection, for use instead of a transcript.” CPLR Rule 5525(d). Thereafter, a respondent may object or propose amendments. *Id.* At that point, it is the duty of the “judge . . . before whom the proceedings were had” to settle the differences between

the statements. *Id.* Ultimately, “it is her recollection that must ultimately control.”

Brandenburg v. Brandenburg, 188 A.D.2d 368, 369 (1st Dep’t 1992).

Statements in lieu of transcripts serve a limited purpose. They are not necessary when an appeal concerns a question of law, CPLR, Rule 5525(b) (transcript may be omitted where plaintiff “relies only upon exceptions to rulings on questions of law”), and they are not necessary, even where issues of fact may have been addressed, if the papers submitted by the parties “provide a sufficient basis to review the court’s determination,” *Pers. Sys. Int’l, Inc. v. Clifford R. Gray, Inc.*, 146 A.D.2d 831, 832 (3d Dep’t 1989). Moreover, appellants cannot use such statements merely to supplement the record with argument “properly the subject of an appeal brief,” *Dyno v. Vill. of Johnson City*, 255 A.D.2d 737, 737 (3d Dep’t 1998), or with a “desultory” version of events, *Perez v. Value King Dep’t & Furniture Store*, 39 Misc. 3d 143(A), 2013 WL 2349333 (1st Dep’t May 16, 2013) (informal statements are “not the type of summary of the proceedings contemplated by CPLR 5525(d)”). Here, Plaintiff’s Statements are unnecessary and improper.

First, the Statements are unnecessary because no issues of fact were resolved at either hearing. CPLR Rule 5525(b) (noting that transcript may be omitted where no issues of fact presented); *Pers. Sys. Int’l, Inc.*, 146 A.D.2d at 832 (requiring transcript or statement in lieu thereof only for hearings “at which issues of fact were addressed”). Plaintiff makes no contention to the contrary—nor can he. Indeed, he concedes that he was never allowed to introduce evidence at the hearings. *See, e.g.*, Statements at 2. Plaintiff simply misunderstands the purpose of CPLR Rule 5525. Moreover, Plaintiff’s Statements are also unnecessary because, as Plaintiff admits, his positions were fully developed in the affidavits and exhibits submitted to

this Court. *See* Statements at 3. *Pers. Sys. Int’l, Inc.*, 146 A.D.2d at 832. There is, therefore, no need for statements in lieu of transcripts.

Next, the Statements should be stricken as improper because they are clearly tainted by Plaintiff’s bias. Statements in lieu of transcripts are not to be used, as a matter of law, to merely repeat the arguments Plaintiff has made throughout this litigation. *Perez*, 2013 WL 2349333 (informal statements are “not the type of summary of the proceedings contemplated by CPLR 5525(d)”); *Dyno*, 255 A.D.2d at 737. In fact, the Statements are full of Plaintiff’s characteristic *ad hominem* attacks and false allegations. *See, e.g.*, Statements at 3 (falsely claiming that Defendants “lied about their contacts,” that Defendants argued he was not an “anointed PC-Feminist,” and that this Court “pressur[ed]” Plaintiff into withdrawing a motion). CPLR Rule 5525(d) does not give Plaintiff *carte blanche* to repeat arguments he has already made. The Statements are, therefore, improper.

For all these reasons, this Court should strike Plaintiff’s Statements from the record as a matter of law.

POINT II

EVEN IF PLAINTIFF’S STATEMENTS WERE PROPER,
DEFENDANTS NEVERTHELESS OBJECT

If the Court concludes the Statements are proper, Defendants object as set forth below:

Statement in lieu of stenographic transcript before Justice Tingling, CPLR 5525(d)

1. Defendants do not object.
2. Defendants object to Plaintiff’s characterization of their arguments. Defendants argued that jurisdiction was not proper under CPLR 302(a)(2) or (a)(3) because defamation is expressly excluded from those sections of the statute. Defendants further argued that there was

no jurisdiction under CPLR 302(a)(1) as Defendants did not transact business in the state relating to Plaintiff's cause of action.

3. Defendants object. Counsel does not recollect Justice Tingling making such a statement.

4. Defendants do not object to statement that Plaintiff requested to make a motion for an immediate trial on personal jurisdiction, but object to the remainder, including Plaintiff's unsupported assertions that Defendants perjured themselves or that counsel for Defendants suborned perjury.

5. Defendants do not object.

Statement in lieu of stenographic transcript before Justice Schecter, CPLR 5525(d)

1. Defendants do not object.

2. Defendants do not object to the existence of the hearing, but object to the remainder, including Plaintiff's characterization of the issues before the Court and Plaintiff's unsupported assertions that Defendants or any of their agents were involved with the alleged "theft" of Plaintiff's work product.

3. Defendants object to Plaintiff's characterization, which is false. Defendants' counsel presented arguments in accordance with the issues briefed in Defendants moving papers.

4. Defendants object. Counsel does not recollect Plaintiff making such a statement.

5. Defendants do not object to the assertion that Plaintiff presented argument opposing Defendants' motion, but do object to the remainder, including Plaintiff's characterization of that argument and further object to Plaintiff's unsupported assertions that Defendants lied or that Defendants' counsel suborned perjury.

6. Defendants object to Plaintiff's characterization of the Court's conduct, which is false. Defendants further object to Plaintiff's characterization of his papers, Plaintiff's unsupported assertions that Defendants lied or that Defendants' counsel suborned perjury, and Plaintiff's unsupported legal conclusion.

7. Based on Defendants' response in Paragraph 6, Defendants object.

8. Based on Defendants' response in Paragraphs 6 and 7, Defendants object.

CONCLUSION

For each of the foregoing, independent reasons, Defendants respectfully request that the Court strike Plaintiff's Statements in lieu of transcripts and/or sustain Defendants' objections thereto.

Respectfully submitted,

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42. Certification of Record on Appeal, CPLR 2105, dated March 7, 2016 [A192]

Certification of Record on Appeal to the Appellate Division First Department

I, Roy Den Hollander, the plaintiff-appellant and attorney in this action, certify, pursuant to CPLR § 2105, that the foregoing printed papers on appeal have been personally compared by me with the originals on file in the office of the Clerk of the County of New York and found to be true copies of those originals of the record on appeal, consisting of the notice of appeal, relevant portions of the pleadings and their relevant exhibits, and the reviewable orders in the case now on file in the office of the Clerk of the County of New York.

Dated: March 7, 2016
New York, N.Y.

/S/ Roy Den Hollander
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