

NOTICE OF FILING

Details of Filing

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File Title: BRUCE LEHRMANN v NETWORK TEN PTY LIMITED ACN 052 515 250
& ANOR
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

Affidavit

No. NSD. 103/2023

Federal Court of Australia
District Registry: New South Wales
Division: General

Bruce Lehrmann

Applicant

Network Ten Pty Limited (ACN 052 515 250) and Anor
Respondents

Affidavit of: **David John McDonald**

Address: [REDACTED]

Occupation: Investor

Date: 27 July 2023

I David John McDonald, Investor, of [REDACTED] make oath/affirm and say as follows:

1. I am an investor in various activities, including gold mining, farming, shares and property.
2. I was formerly a farmer in Central Queensland for about 25 years up to 2002. In 2002, I sold my farm interests and moved to Toowoomba with my family where, together with a number of associates, we purchased and developed numerous childcare centres. We sold our interests in those centres in 2014, and since that time I have purchased a farming property, and engage in various investment activities.
3. I have been married for 32 years.
4. I have known Bruce Lehrmann since about 2008, at about which time he went to the same school as my children. Since that time, Bruce and the rest of his family (namely his mother, Lynden and sister, Bobbie) have become close friends with myself and my family. Over time, I have followed Bruce's career, and in some respects have become a mentor to him.

The Project



5. On the evening of 15 February 2021, together with my wife, I watched from our home by television broadcast The Project program, which contained an interview by Lisa Wilkinson of Brittany Higgins (**the Broadcast**). I am aware that Bruce has instituted these proceedings for defamation over the Broadcast.
6. I noted that in the Broadcast, Ms Higgins alleged that she had been sexually assaulted in Canberra by a former colleague. I took the reference in the Broadcast to the former colleague to be Bruce because:
- a. the Broadcast stated that the former colleague was a male advisor to Minister Reynolds, and I knew that Bruce used to work in Canberra as an advisor to Minister Reynolds;
 - b. the Broadcast stated that the former colleague had previously worked for Minister Reynolds in her prior Home Affairs portfolio, and I knew that Bruce had also worked for Minister Reynolds in her previous portfolio.
 - c. the Broadcast stated that the former colleague had left Minister Reynolds' employ in March 2019, and that he thereafter obtained a job in Sydney, and I knew that Bruce had stopped working in Parliament House in early 2019 and that he had moved to work and live in Sydney.
7. I recall that during the Broadcast I said to my wife words to the effect:

"That has to be about Bruce"

8. 

9. A day or two after the Broadcast, I recall that I spoke with a neighbour of mine, Peter Schriek, and I said to him words to the following effect:

"Did you see The Project show on TV, it looks like Bruce is in a bit of strife"

Reputation

10. Prior to the Broadcast of 15 February 2021, amongst the persons I mixed with, including business and property investors, self-employed persons, friends and others, Bruce had a reputation as being professional, hard-working and loyal. To my recollection, no one ever had a bad thing to say about him.



D.

Sworn by the deponent *AT RANQUEVILLE*
on 27 July 2023
Before me:

[Signature] *[Signature]*

Signed by deponent

[Signature]

.....
Signed by witness
Paul Svilans
Lawyer for the Applicant

This affidavit was signed in counterpart and witnessed over audio visual link in accordance with s14G of the Electronic Transactions Act 2000 (NSW)

