



Our Reference
ONE845:69799

20 September 2005

PRIVATE & CONFIDENTIAL

Mr Mark Parnell
Environmental Defenders' Office
1st Floor
408 King William Street
ADELAIDE SA 5000

BY COURIER

Dear Mr Parnell

"Stateline" Broadcast Friday 16 September 2005 (the "Broadcast")

As you know, we act for OneSteel Manufacturing Pty Ltd in connection with various Environment, Resources & Development Court proceedings.

During the Broadcast, you were interviewed as the SA Greens Candidate and said referring to iron ore dust in Whyalla: *"It's related to all sorts of respiratory illnesses, and cardiac conditions. There is a wealth of literature from around the world on the impact of particulates – that's the technical term, dust – on human health"*.

Our client takes strong objection to your statement.

As you know from your role as the solicitor on record for the Whyalla Red Dust Action Group Inc, who is or has been party to various of the ERD Court proceedings currently pending, your and your client's claims are unproven, have not been adjudicated upon and are strongly disputed by our client. Most fundamentally, there is no evidence of any adverse health impact from red dust in Whyalla. And as you well know, this issue has been the subject of long-standing dispute between the parties.

As a solicitor and officer of the Court, we are instructed to remind you that you have a duty not to misconstrue or misrepresent matters pending before the Court, particularly if you are doing this for your own personal political advantage.

Our client considers your conduct in this matter very serious and has instructed us to write to you to put you on notice that if you continue to make misleading and unfounded statements about matters the subject of the ERD Court proceedings, it will raise this matter with the ERD Court or the Professional Conduct Board as it is best advised without further notice to you.

Yours faithfully

FISHER JEFFRIES

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