

TAO JIANG LAWYERS

15 March 2011

Our ref: R.Cripps032011

Your ref:

Mr. D Vakras

[REDACTED]

[REDACTED] VIC 3031

By email: vakras@jinet.net.au

Original by Express Post Platinum

Dear Mr. Vakras,

RE: ROBERT CRIPPS & REGLEG-V-YOURSELF: Publication of Articles on the website

We act for Robert Cripps and his company Redleg Museum Services Pty Ltd.

We are instructed that, on or about June 2009, you and or your agents, published on your Website articles entitled "exhibition in 2009, HUMANIST TRANSHUMANIST: the fiasco of Guildford Lane Gallery of Melbourne [**the articles**]".

The first article is found at http://www.vakras.com/exhibitions.html#exhibition_in_2009, identifying and making direct and indirect remarks about our clients.

The comments and statements made by you in relation to our clients in **the first article**, such as, but not limited to:

1. Guildford Lane Gallery is run by the toxic Robert Cripps. AVOID THIS GALLERY ASSIDUOUSLY! ;
2. This has turned out to be a waste of money. The owner, Robert Cripps, had, at the time of, still not paid us for work that sold during the show [payment was eventually

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made over 6 weeks later - after we sought legal advice].....;

3. During the course of the exhibition he, by his actions, circumvented our capacity to promote our work. His idea of a contract, we were to soon discover, is that he believes he can unilaterally insert conditions subsequent to any original agreement. The result of his actions was the sabotage of the exhibition. Cripps turned the exhibition into an expensive debacle for us, but he made a profit on it.....;
4. He is a manifestation of the new-left who have adopted the sentiments Hitler expressed in his Mein Kampf, but who believe that, though theirs and Hitler's sentiments are the same, their racism is a 'justifiable' one.....;
5. Cripps took exception to my explanatory essays.....;
6. The quotes from the Koran though are NOT an opinion.. What quoting from the Koran achieved was the exposure of Cripps for what he is: a racist.....;
7. Unfortunately, some of the photographs are not in focus (limited depth of field). When Lee-Anne and I visited to photograph our exhibition, he followed us, harried us, ranting, ordering us out of our exhibition, even though we had a legal right to be there, and he had no legal means of executing his demand. He is a bellicose bully limited in erudition and of limited intellect.....;

Are clearly designed to adversely affect and damage our clients' reputation and good standing, and to their reputation in their business.

On our instructions, this publication (**the first article**) is **defamatory**, in that:

1. The article, when read by an ordinary reasonable member of the community, conveys to them certain imputations or messages about our client and his character, whether through the use of specific words and or innuendos;
2. Satisfies one of the three branches of the common law test, in that the imputation carries a defamatory meaning;
3. The article is referable to our client, the clearest example being that the

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material identifies our client by name;

4. The article was published (in a public forum) and accessible to the public at large; and
5. The article was defamatory of our client in his professional capacity.

On our instructions, this publication (**the first article**) also gives rise to a separate cause of action in **Injurious Falsehood** against you, in that

1. The statements are false;
2. and the words are maliciously published, they are calculated in the ordinary course of things to produce, and they do produce actual damage to our clients.

The second article is found at http://www.vakras.com/guildford_lane_gallery.html identifying and making direct and indirect remarks about our clients.

The additional comments and statements made by you in relation to our clients in **the second article**, such as, but not limited to:

1. There are several words with which I can describe Cripps: polsonos, vile, repellent, malignant, racist, liar, bellicose, bully, stupid. Chripps also runs Redleg a transporter of art, can you trust Cripps' Redleg?.....;
2. Payment of money owed was only secured when we were forced into 'agreeing' to terms which were never in the original contracturalai agreemnet with Cripps, but which he demanded we agree to. He gained 'agreement' by placing us under financial duress That he procured 'agreement' by duress renders this agreement' legally voidable.....;
3. His intimidatory behaviour included him walking to within a few inches of me to tell me that i threaten him, and thrusting his finger to within an inch of me to tell me he was rightened of me, and to tell me that I breeched our contractual agreement because he claimed that my art was racist (A gallery visitor who was present witnessed these bizarre antics) Rebuttals by Lee-Anne to Cripbsr bizarre rants were met with the retort you are a sarcastic woman' With regard to the above

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Cripps email, no discussion about the themes of my art occurred with anyone from the gallery other than with Cripps himself, for anyone other than Cripps to feel 'uncomfortable' Cripps' conduct throughout was thoroughly disgraceful.....;

4. Since the staff and volunteers at Cripps' Guildford Lane Gallery acquiesce to, and agree with, his hatred of Jews and are in disagreement with rule, then it would be a disservice to them if they were to remain unacknowledged and anonymous.....;
5. A number of the above mentioned "volunteers" have commenced an email campaign to have their names removed from this page using the threat of legal action. Cripps made numerous misrepresentations of my character, including the charge of racism. He claimed that his actions were undertaken on behalf of his volunteers....The Artabase site hosts Cripps "volunteer program". These listings are misleading! Do not be misled.

Are clearly designed to adversely affect and damage our clients' reputation and good standing, and to their reputation in their business.

On our instructions, this publication (**the second article**) is defamatory, in that:

6. The article, when read by an ordinary reasonable member of the community, conveys to them certain imputations or messages about our client and his character, whether through the use of specific words and or innuendos.
7. Satisfies one of the three branches of the common law test, in that the imputation carries a defamatory meaning;
8. The article is referable to our client, the clearest example being that the material identifies our client by name;
9. The article was published (in a public forum) and accessible to the public at large; and
10. The article was defamatory of our client in his professional capacity.

On our instructions, this publication (**the second article**) also gives rise to a separate cause of

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action in **Injurious Falsehood** against you, in that

1. The statements are false;
2. and the words are maliciously published, they are calculated in the ordinary course of things to produce, and they do produce actual damage to our clients.

Consequently, our clients require:

1. That the defamatory and false articles (**the first article and the second article**) be removed by you and or your agent **within 1 day** from the date of this letter;
2. That the defamatory and false articles not be published again;
3. That a written (public) apology and/or correction be published on your website within **3 days** from the date of this letter; and that
4. You henceforth cease to engage in any further defamation and false publication in relation to our clients.

Please be advised that our clients reserves all of their rights to commence legal proceedings against you in relation to your conduct and to seek damages for the publications, seeks damages for general business losses, and further seek that you pay the legal costs of any such legal proceedings.

If legal proceedings are necessary, then our clients will produce a copy of this letter to the Court on the question of costs and as evidence generally.

We put you on notice that we have firm instructions from our clients that if the defamatory and false articles are not removed by you and or your agent **within 1 day** from the date of this letter; and if that a written (public) apology and/or correction is not published on your website within **3 days** from the date of this letter; we will commence legal proceedings against you on behalf of our clients without further notice.

We will vigorously seeking damages, including exemplary and aggravated damages, various orders and a declaration, and interest, including compound interest, for defamation and injurious falsehood.

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Should you have any queries please contact Ms Tao Jiang of our office on 1300 565 388.

Yours faithfully,
TAO JIANG LAWYERS

A handwritten signature in black ink, appearing to read 'T. J.', is positioned above the printed name.

TAO JIANG