

NOTICE OF FILING

Details of Filing

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Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
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File Number:	NSD902/2026
File Title:	TAYLOR ROY AUERBACH v NATIONWIDE NEWS PTY LIMITED ACN 008 438 828 & ORS
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA

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.

Statement of claim

No. of 2026

Federal Court of Australia

District Registry: New South Wales

Division: General

Taylor Roy Auerbach

Applicant

Nationwide News Pty Limited (ACN 008 438 828) & Ors

Respondents

Parties

1. The Plaintiff is an Australian citizen of Jewish ethnic origin and a former television producer employed by the Seven Network.
2. The First Defendant (**News**) is and was at all material times the publisher of The Australian newspaper and the website www.theaustralian.com.au.
3. The Second, Third and Fourth Defendants were at all material times journalists employed by the First Defendant and responsible for the publications of the matters complained of.
4. The Fifth, Sixth and Seventh Defendants are and were at all material times journalists and authors of the matters complained of.
5. The Eighth Defendant is and was at all material times a journalist and co-publisher of the matters complained of.

Jurisdiction

5. This Court has jurisdiction to hear and determine the whole of the proceeding because:
- (a) the matters complained of were published in all states and territories of the Commonwealth of Australia, including the Australian Capital Territory and the Northern Territory.
 - (b) the Plaintiff brings a claim under the *Racial Discrimination Act 1975* (Cth) (RDA) (see sections 18C and 18D below); and
 - (c) the defamation claims arise out of the same substratum of facts and are associated with the federal claim.

Filed on behalf of (name & role of party) Taylor Roy Auerbach, Applicant

Prepared by (name of person/lawyer) Taylor Roy Auerbach, Litigant-in-person

Law firm (if applicable)

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Address for service
(include state and postcode)

Publications

6. On or about 12 August 2024, the Defendants published an article on the First Defendant's website titled "Ex-Seven producer slams ABC, rejects bullying and anti-Semitism claims" and alternatively "Mark Llewellyn fires back at ABC Four Corners over 'anti-Semite' claims" (the Online Article). The Online Article remains accessible at: <https://www.theaustralian.com.au/business/media/mark-llewellyn-fires-back-at-abc-four-corners-over-antisemite-claims/news-story/69b12c42ced0acad514472b862e526a7> (or any archived or redirected version).
7. On or about 13 August 2024, the Defendants published in the print edition of The Australian an article titled "Former Seven producer slams ABC" (the Print Article).
8. The Online Article and the Print Article are collectively referred to as the Publications. Copies of the Publications (or the relevant extracts) are annexed and marked A and B respectively.

Defamatory Imputations (Defamation Claim)

9. The Publications, in their natural and ordinary meaning and/or by innuendo, carry the following defamatory imputations (or imputations not differing in substance) of and concerning the Plaintiff:
 - (a) the Plaintiff dishonestly made false claims of bullying and antisemitism about Mark Llewellyn to the ABC;
 - (b) the Plaintiff gave an out-of-context selection of messages to the ABC to dishonestly create a false narrative about Mark Llewellyn;
 - (c) the Plaintiff falsely claimed to the ABC that he had been subjected to antisemitism and bullied by Mark Llewellyn;
 - (d) the Plaintiff purchased cocaine for himself using the Seven Network's credit card;
 - (e) the Plaintiff concocted false allegations of bullying and antisemitism about Mr Llewellyn in response to being told by Mr Llewellyn that his contract was not being renewed;

(f) the Plaintiff betrayed his friendship with Mark Llewellyn by making false claims of antisemitism and bullying against Mr Llewellyn to the ABC.

10. Each of the imputations is defamatory of the Plaintiff.

11. By reason of the matters in paragraphs 9–10, the Publications are defamatory of the Plaintiff.

Serious Harm

12. The Publications have caused, or are likely to cause, serious harm to the Plaintiff's reputation within the meaning of s 10A of the Defamation Act 2005 (NSW) (and its uniform counterparts) having regard to:

- the wide circulation of *The Australian* (both print and digital);
- the sensational nature of the allegations;
- the direct attack on the Plaintiff's honesty and professional integrity;
- the Plaintiff's prominent photograph in the Online Article;
- the ongoing online availability of the Online Article (including its prominence in Google searches of the Plaintiff's name);
- the ongoing proceedings *Taylor Auerbach v Seven Network (Operations) Ltd*;
- the quality and prominence of the readership of *The Australian*, including Federal Court judges;
- republication and discussion on social media with negative commentary;
- breakdowns in relationships with friends and other individuals who read the defendants' imputations;
- the widespread mockery of the Plaintiff online and in person and repetition of the defamatory imputations to, including, prospective employers and educators;
- direct approaches to the Plaintiff by third parties referencing the allegations.

Defamation – No Defence & Aggravated Damages

13. The Publications are indefensible. The imputations are false. The Plaintiff did not supply any information, documents or comments to the ABC's Four Corners program or to Louise Milligan. The ABC expressly stated this fact. The Defendants published without any proper enquiry, without contacting the Plaintiff for comment, and without verifying

the self-serving claims of Mark Llewellyn (a personal friend of the Second Defendant, a fact not disclosed).

14. The Defendants' conduct was high-handed, reckless and/or malicious, including:

- knowingly or recklessly publishing false imputations;
- the Applicant was recently an employee of the Respondent;
- failing to contact the Plaintiff despite the serious nature of the allegations;
- quoting from a document provided to *The Australian* by the mutual lawyer and friend of Mr Llewellyn and (at least) Mr Rice;
- reproducing Mr Llewellyn's statement wholesale as if it were verified fact;
- misrepresenting the Plaintiff's evidence in the *Lehrmann v Network Ten* proceedings;
- deliberately omitting exculpatory and/or beneficial statements made about the Plaintiff by Lee J;
- failing to correct earlier misreporting despite prior notice;
- the ongoing refusal to remove the Publications and an intensifying campaign of harassment against the Plaintiff.

15. The Plaintiff claims aggravated damages by reason of the above matters and reserves his rights to provide further particulars of aggravation with leave of the court, including publications and conduct prior to and since the matters complained of in the knowledge of the parties.

Extension of Time – Defamation Claim

16. The Publications were first published in August 2024. The one-year limitation period under s 14B of the Limitation Act 1969 (NSW) expired in August 2025.

17. The Plaintiff applies pursuant to s 56A of the Limitation Act 1969 (NSW) for an extension of time up to three years from the date of first publication on the ground that it was not reasonable in all the circumstances for the Plaintiff to have commenced proceedings within one year. The reasons include, but are not limited to:

- (a) the Plaintiff was, during the limitation period, actively engaged in separate but related Federal Court proceedings against the Seven Network arising out of the same underlying workplace issues (bullying, antisemitism, contract non-renewal and related misconduct);

- (b) the defamatory imputations have continued to be published and disseminated online, causing ongoing and accumulating harm;
- (c) the Plaintiff was reasonably awaiting the outcome of attempts to resolve the matter non-litigiously (including the Concerns Notice dated 14 August 2024 issued by his solicitors) and was tied up in the related Federal Court litigation;
- (d) the publishers colluded with the Seven Network in respect of the matters complained of and related matters to both prejudice his hearing and to undermine his rights to suit against News;
- (e) the Seven Network amended its defence and cross-claim in November 2025 including by making admissions which tend to prove the Plaintiff's position in respect of this Statement of Claim;
- (e) between 15 December 2025 and March 2026 the Plaintiff wholly was (if not all but) devoted to, and severely affected by, his response to an antisemitic terrorist attack in Bondi, New South Wales – including by comforting and conversing with the victims' families;
- (f) the Plaintiff is self-represented and has wasted zero days in commencing these proceedings and/or attempting to resolve the issues with the publishers and their legal representatives; and
- (g) in all the circumstances, it was not reasonable for the Plaintiff to divert resources and attention to fresh proceedings while the related Seven Network matter remained on foot.

18. It is just and reasonable to grant the extension.

Discrimination / Antisemitism Claim (Racial Discrimination Act)

19. The Plaintiff is a member of the Jewish community and a person of Jewish ethnic origin.

20. The Plaintiff's paternal grandfather arrived in Sydney in 1938 as a stateless refugee, having fled Vienna with his immediate family following the annexation of Austria by Adolf Hitler and the National Socialist German Workers Party (**Nazi Party**).

21. The Publications were acts done otherwise than in private.

22. The Publications were reasonably likely, in all the circumstances, to offend, insult, humiliate or intimidate the Plaintiff (and Jewish people more broadly) because:

- they falsely and publicly branded the Plaintiff a liar for raising genuine claims of antisemitism and bullying;

- they minimised and ridiculed the Plaintiff's experience of antisemitism;
- they were calculated to portray the Plaintiff's complaints of antisemitism as dishonest fabrications motivated by self-interest.

23. The acts were done because of the Plaintiff's race, colour or national or ethnic origin (Jewish).

24. In the premises, the Defendants (by the Publications) contravened s 18C of the Racial Discrimination Act 1975 (Cth).

25. The Plaintiff claims relief under ss 18C, 25 and 46PO of the Australian Human Rights Commission Act 1986 (Cth) (including declarations, injunctions, damages and apologies).

Damage

25. By reason of the Publications and the contraventions, the Plaintiff has suffered and continues to suffer:

- serious harm to reputation;
- substantial hurt, distress, embarrassment and humiliation;
- loss of professional opportunities and damage to career;
- shunning by friends and relatives;
- special damages (particulars to be provided prior to trial if required).

26. The Plaintiff claims aggravated damages and, to the extent available, any other compensatory damages.

Relief Claimed

The Plaintiff claims against the Defendants (jointly and severally):

- (a) damages for defamation (including aggravated damages);
- (b) damages and other relief for breach of s 18C of the RDA;
- (c) an injunction requiring immediate and permanent removal of the Publications (and any republications) from all websites, social media and databases under the Defendants' control;
- (d) an injunction requiring the immediate and permanent cessation of publication of all materials reasonably likely to affect his rights as a citizen of Australia able to sue;
- (e) an order that the Defendants publish a prominent corrective apology in the form set out in the Concerns Notice dated 14 August 2024 (or such other form as the Court

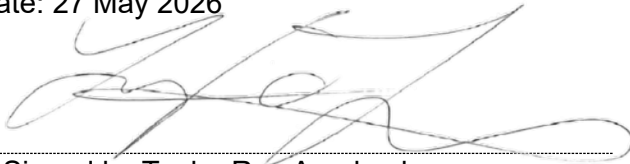
deems appropriate) on the homepage of www.theaustralian.com.au for 72 hours and on page 1 or 3 of the print edition of The Australian;

(f) interest pursuant to statute;

(g) costs; and

(h) such further or other relief as the Court thinks fit.

Date: 27 May 2026

A handwritten signature in black ink, appearing to read 'Taylor Roy Auerbach', written over a horizontal dotted line.

Signed by Taylor Roy Auerbach
Applicant

This pleading was prepared by Taylor Auerbach, Applicant-in-person

Schedule of Parties

TAYLOR ROY AUERBACH
Plaintiff

NATIONWIDE NEWS PTY LIMITED (ACN 008 438 828)
First Defendant

MICHAEL MILLER
Second Defendant

MICHELLE GUNN
Third Defendant

KELVIN HEALEY
Fourth Defendant

CLAIRE HARVEY
Fifth Defendant

STEPHEN RICE
Sixth Defendant

JAMES MADDEN
Seventh Defendant

STEVE JACKSON
Eighth Defendant