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Our ref.: 22004329

6 May 2022

By email: mikeh@commonlaw.earth

Dear Mr Holt

Australian Electoral Commission

1. We act for the Australian Electoral Commission (**AEC**).
2. We refer to the Facebook post authored by Common Law Australia titled "Common Law Australia" located at the URL <https://www.facebook.com/106665401699866/posts/175248768174862/> (**Facebook Page**) and the web page "Are you ready to Serve" located at URL <https://commonlaw.earth/are-you-ready-to-serve/> (the **Ready to Serve Page**).
3. We further refer to the web page "Queensland Federal Court AEC Filing" located at the URL <https://commonlaw.earth/queensland-federal-court-aec-filing/> (the **Filing Page**).

Facebook Page and Ready to Serve Page

4. The Common Law Facebook group page located at URL <https://www.facebook.com/commonlawaustralia> publishes a link to the Filing Page. The Facebook post containing the link evidences that you are responsible for the contents of the Filing Page, including the indictment lodged by you. We note that the contact details section of the indictment includes the email address mikeh@commonlaw.earth.
5. We are proceeding on the basis that you are responsible for maintaining the Facebook Page and the Ready to Serve Page. If you are not responsible for these Pages, please tell us who is.
6. It is a criminal offence under s 150.1 of the *Criminal Code Act 1995* (Cth) (the **Code**) to engage in conduct that results in, or is reasonably capable of resulting in, a representation that you are, or are acting on behalf of or with the authority of, a Commonwealth body, when you are not.
7. Both the Facebook Page and the Ready to Serve Page make representations that a person is able to be appointed as a Commonwealth official and that such an appointment is made with the authority of, or on behalf of, the Commonwealth of Australia.
8. The publication of either the Facebook Page and the Ready to Serve Page may constitute a criminal offence.

9. You should immediately remove from the internet and cease publishing both the Facebook Page and the Ready to Serve Page, and confirm to us that you have done so.
10. **If you do not take these steps and notify us that you have done so by 12:00PM tomorrow, 7 May 2022, the AEC may commence urgent court proceedings seeking an injunction under s 150.5 of the *Criminal Code Act 1995* (Cth) and a costs order against you without further notice.**

Filing Page

11. The Filing Page represents that you have filed proceedings in the Federal Court of Australia (the Court) against the AEC. We note that you have posted a picture taken from the Court's website demonstrating that the proceeding has been lodged for filing. There is a material difference between a proceeding having been lodged for filing and the proceeding having been filed, and a representation to the contrary is misleading.
12. We are instructed to act for the AEC in any proceeding that has been accepted by the Court for filing. If you are in a position to effect service of a proceeding that has been filed, please provide it to us by return email. If the proceeding you have lodged for filing has not yet been accepted by the Court, you should immediately cease publishing the Filing Page. Again, the AEC may bring Court proceedings without further notice to you if you are not in a position to serve on us a filed proceeding and you do not stop publishing the Filing Page.
13. We recommend that you seek independent legal advice.

Yours sincerely



Matthew Blunn

National Leader, AGS Dispute Resolution

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