

SUPREME COURT OF QUEENSLAND

REGISTRY: BRISBANE
NUMBER: BS1089/09

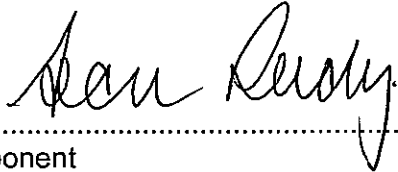
Plaintiff: **ANDREW KEITH DETTMER**

AND

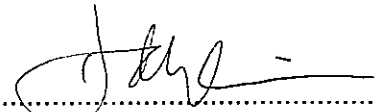
Defendant: **ANDREW PALLANT**

EXHIBIT

Exhibit "SR59" to the affidavit of **LEONARD SEAN REIDY** sworn 19 February 2009



.....
Deponent



.....
Solicitor / Justice of the Peace /
Commissioner for Declarations

CERTIFICATE OF EXHIBIT
Form 47 Rule 435
Filed on behalf of the Plaintiff

S:\lawdocs\20090064\122967.doc

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SUPREME COURT OF QUEENSLAND

REGISTRY: BRISBANE
NUMBER: SB

Plaintiff: **ANDREW KEITH DETTMER**

AND

Defendant **ANDREW PALLANT**

**INTERROGATORIES DELIVERED FOR THE EXAMINATION
OF THE DEFENDANT**

In these interrogatories:

- **“category”** in relation to a sender or user means unregistered, registered user, registered member, moderator or administrator.
- **“details of the plan”** means details of the plan which the website or its owner has with the organisation that provides hosting services for the website including the name of the person or organisation that purchased the plan, the date the plan was purchased, the amount of network bandwidth that the website is entitled to use per month, the amount of disk storage that the website is entitled to consume with its application, the applications that the website is entitled to make use of and the cost of the plan.
- **“doglist section”** means the section of the website which was accessed through a link to “Doglist” on the homepage and which contains a reverse numerical listing of entries made by users.
- **“Facebook chatroom discussion”** refers to the Facebook chatroom discussion posted in the Forum section of the website purporting to be between persons described as Dr K and Dr X described at Item 4 in Schedule A.
- **“forum section”** means the section of the website which is accessed through the link **“Forum”** on the home page of the website.
- **“Identifying details”** means a person's or organisation's:

- (a) name;
- (b) email address;
- (c) IP address;
- (d) URL;
- (e) telephone number;
- (f) ISP;
- (g) facsimile number;
- (h) residential address;
- (i) business address; or
- (j) online forum contact details.

- **"IP address"** means Internet Protocol address.
- **"ISP"** means an internet service provider.
- **"on line forum"** means Facebook and MySpace.
- **"Postings"** means the postings in Schedule A to these interrogatories.
- **"Schedule A"** means the list of postings which is contained in Schedule A to these Interrogatories.
- **"Telephone number"** includes a mobile telephone number.
- **"Undisclosed Author"** means:
 - (a) the person or persons who sent to the website the postings at Items 1, 2, 3, 5, 6, 7, 8 and 9 in Schedule A;

- (b) the person referred to as "Admin" in the postings;
 - (c) the person or persons who supplied the Facebook chatroom discussion material in the posting at Item 4 of Schedule A;
 - (d) the person or persons described as "Dr K" and "Dr X" who are the parties to the Facebook chatroom discussion at Item 4 of Schedule A;
 - (e) the unidentified person described as an AMWU delegate in "Post 1037" described in Item 6 of Schedule A;
 - (f) the person or persons who supplied the content of "Post 1037" at Item 6 of Schedule A.
- **"User"** refers to a person who has used the website to post any material.
 - **"Webalizer Statistics"** means information concerning the long term website usage statistics for the website whether referred to as "website usage statistics", "webalizer statistics" or "webalizer charts" being statistics which record the number of times the postings in Schedule A were viewed or which contain identifying details of viewers or the dates and times of each view.
 - **"Website"** means whozadog.com.
 - **"Whozadog.com"** means the website the URL for which is <http://www.whozadog.com>.
 - **"Written form"** includes any electronic form such as email, text message, SMS or online forum posting.
1. What is your residential address?
 2. In respect of the postings at Items 1, 2, 3, 5, 6, 7, 8 and 9 in Schedule A, in each case:
 - (a) What are the identifying details of the person who sent the posting to the website ("**the sender**")

- (b) What is the username of the sender?
 - (c) What is the password of the sender?
 - (d) What is the category of the sender?
 - (e) What did the sender record in the information provided to the website in respect of "Sex"?
- 3 In respect of the Facebook chatroom discussion referred to at Item 4 of the postings listed in Schedule A:
- (a) How did you obtain the Facebook chatroom discussion?
 - (b) From whom did you obtain the Facebook chatroom discussion set out in Item 4?
 - (c) What are the other identifying details of the person or persons referred to in interrogatory 3(b) (the "sender")?
 - (d) What is the username of the sender?
 - (e) What is the password of the sender?
 - (f) What is the category of the sender?
 - (g) What did the sender record in the information provided to the website in respect of "Sex"?
- 4 In respect of Item 4 of the postings listed in Schedule A:
- (a) What is the name of Dr X?
 - (b) What are the other identifying details of Dr X?
 - (c) What is the username of Dr X?

- (d) What is the password of Dr X?
 - (e) What category of user is Dr X?
 - (f) What did Dr X record in the information provided to the website in respect of "Sex"?
- 5 In respect of Item 4 of the postings listed in Schedule A:
- (a) What is the name of Dr K?
 - (b) What are the other identifying details of Dr K?
 - (c) What is the username of Dr K?
 - (d) What is the password of Dr K?
 - (e) What category of user is Dr K?
 - (f) What did Dr K record in the information provided to the website in respect of "Sex"?
- 6 In respect of the Facebook chatroom discussion referred to in Item 4 of the postings listed in Schedule A:
- (a) Did you alter, amend, delete or otherwise change any of the content of the Facebook chatroom discussion? If the answer is "yes", what was the words or other script you altered, amended, deleted or otherwise changed?
 - (b) What acts did you perform to place the Facebook chatroom discussion on the website?
- 7 In respect of the Facebook chatroom discussion:
- (a) In the second sentence under the heading "Dr K January 24 at 1:35am", what word or words were replaced by the notation "[#%?]"?

(b) Under the heading "Dr K January 24 at 8:32am", what words were replaced by the notation "[#%**?]"?

(c) Under the heading "Dr K January 26 at 9:04pm", what words were replaced by the notation "[*#*\$]"?

13. What are the identifying details for each ISP for the website for the period 29 December 2008 to the date of your answers?

14. What are the details of the plan under which the whozadog.com website has operated or operates with any ISP that has provided or provides the hosting services for the website?

15. Does the software used by the website provide the capability to produce webalizer statistics? If the answer is "yes", for each of the postings identified in the Schedule:

(a) what product or application (for example, software product or application) is used to produce the webalizer statistics?

(b) as at the date of your answers, how many times was each posting viewed?

(c) as at the date of your answers, on what dates was each posting viewed?

(d) as at the date of your answers, on each occasion, what is the name of the person who viewed the posting?

(e) for each person who viewed the posting, what are the other identifying details (apart from name) for that person?

SCHEDULE A

POSTINGS

1. The item numbered on the website as "886", in the "Doglist section", the content of which is set out in Exhibit SR2 to the affidavit of Leonard Sean Reidy sworn on 2 February 2009.
2. The item numbered on the website as "1141" (or, alternatively, "964"), in the Doglist section, the content of which is set out in Exhibit SR3 to the affidavit of Leonard Sean Reidy sworn 2 February 2009.
3. The item numbered on the website as "1193" (or, alternatively, "1014") in the Doglist section, the content of which is set out in Exhibit SR4 to the affidavit of Leonard Sean Reidy sworn 2 February 2009.
4. The item numbered on the website as "Post #10" in the Forum section of the website under the thread "LEGAL ACTION BY AMWU AND ALP QLD AGAINST WHOZADOG.COM", being the Facebook chatroom discussion, the content of which is set out at pages 185-187 (inclusive) of Exhibit SR21 to the affidavit of Leonard Sean Reidy sworn 2 February 2009 and which appears under the name "Admin".
5. The item numbered on the website as "Post #21" in the Doglist section, the content of which is set out at p.200-201 (inclusive) of Exhibit SR21 to the affidavit of Leonard Sean Reidy sworn 2 February 2009 and which appears under the name "Hitman".
6. The item numbered post #13 in the Forum section of the website under the thread "Supreme Court Injunction" dated 02-05-2009, 07:07pm under the name "ABC123".
7. The item numbered post #41 in the Forum section of the website under the thread "Supreme Court Injunction" dated 02-07-2009, 09:15am in the name of "ABC123".
8. The item numbered on the website "Post 1037" and also located under the "thread" titled "Legal Action by AMWU and ALP Qld Against WhozaDog.com" at "Post #60" 30 January 2009 (07:42am) under the name of "Hitman".

9. The item numbered as "Post #16" in the Forum Section of the website under the "thread" titled "Supreme Court Injunction" 5 February 2009 (07:38pm) under the name of ABC123".