



Andrew Forrest charity IEJF named in ExxonMobil defamation lawsuit

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Highlight: Andrew Forrest and his charity IEJF have been accused in a defamation lawsuit by Exxon Mobil Corp of "a campaign to compete by turning the wheels of American justice to the company's self-interested purposes".

Body

Andrew Forrest and his charity have been accused in a defamation lawsuit by Exxon Mobil Corp of "a campaign to compete by turning the wheels of American justice to the company's self-interested purposes".

ExxonMobil also accused California Attorney-General Rob Bonta and several environmental groups of conspiring to defame it by making statements about the efficacy of its plastics recycling technology.

Dr Forrest's Intergenerational Environment Justice Fund (IEJF) is named among the defendants, alongside the Sierra Club, San Francisco Baykeeper, Heal the Bay, and the Surfrider Foundation, in the lawsuit filed in California's Eastern District.

The lawsuit claimed IEJF retained US lawyers Cotchett to engage in "political activities", including filing a lawsuit against ExxonMobil.

"Together, Bonta and the US Proxies — the former for political gain and the latter pawns for the Foreign Interests — have engaged in a deliberate smear campaign against ExxonMobil, falsely claiming that ExxonMobil's effective and innovative advanced recycling technology is a 'false promise' and 'not based on truth,'" the company said in its lawsuit.

It seeks unspecified damages and retractions of "defamatory statements" from Mr Bonta and the groups.

Accusations against Forrest

ExxonMobil claims that IEJF is a subsidiary of Minderoo, a philanthropic organisation founded and chaired by Dr Forrest, the billionaire founder of **Fortescue**.

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It claims after Dr Forrest allegedly failed to garner interest in the US market for his "levy" on virgin plastics in 2019, he, **Fortescue**, and Minderoo became strident critics of the plastics industry in general, and ExxonMobil in particular.

In the first Plastic Waste Makers Index, published in 2021 by Minderoo, it alleged ExxonMobil is the largest producer of plastic polymers which are then turned into single-use plastics, the lawsuit says.

ExxonMobil denied this claim and said it does not make single-use plastics.

The lawsuit goes on to claim Minderoo made several false and deceptive statements concerning ExxonMobil, plastics waste, and advanced recycling in its reports.

"Why would a philanthropic organization conspire with the US Proxies to defame and interfere with ExxonMobil — attacking the same technologies (advanced recycling) that they themselves recognized were essential to solving the issue of plastic waste only five years earlier?" the lawsuit read.

A Minderoo spokesperson said Minderoo's reference in the complaint is incorrect in terms of its relationship with IEJF, and in connection with the publication of the Plastic Waste Makers Index and its ongoing advocacy.

"Minderoo stands by both Plastic Waste Makers Index reports which were prepared in conjunction with respected research and analysis partners, with the application of the research methodology independently reviewed," they said.

ExxonMobil further alleged in the suit, **Fortescue**, which Minderoo is a substantial shareholder in, hired an American law firm to bring claims against ExxonMobil on behalf of the US proxies; which later became funded by IEJF.

Fortescue competes with Exxon in low-carbon solutions and the energy transition sector, the lawsuit said.

The suit alleged IEJF paid Cotchett "hundreds of thousands of dollars in consideration for legal services provided in connection with the US Proxies' plastics lawsuit".

In a statement Dr Forrest said: "This lawsuit is no surprise and right out of the oil and gas industry playbook.

"I am personally delighted Exxon has walked themselves into the court and opened themselves up to cross-examination," he said.

"The fossil fuel industry is -getting increasingly desperate at maintaining its toxic grip on -society. Their only priority is to maximise their profits and -produce as much oil and gas as possible."

A Fortescue spokesperson made note it was not a named defendant but was mentioned several times in the lawsuit.

"Fortescue rejects the assertions that Exxon Mobil has made against Fortescue in the complaint, including the assertions that the Company has orchestrated litigation against Exxon to gain a competitive advantage," they said.

Bonta connection

ExxonMobil also claimed the law firm Cotchett and its members are directly tied to Mr Bonta, having donated tens of thousands of dollars to his political campaigns.

A spokesperson for the California Department of Justice called the lawsuit "another attempt from ExxonMobil to deflect attention from its own unlawful deception" and said Mr Bonta looks forward to "vigorously litigating" the case.

In its lawsuit filed in September, Mr Bonta's office said that less than 5 per cent of plastic is recycled into another plastic product in the US even though the items are labelled as "recyclable".

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As a result landfills and oceans are filled with plastic waste, creating a global pollution crisis, while consumers diligently place plastic water bottles and other containers into recycling bins, the lawsuit alleges.

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