



Exxon accuses Forrest-linked charity of helping his interests

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Byline: Tom Rabe

Body

ExxonMobil, one of the world's largest oil companies, has accused a charity linked to billionaire businessman Andrew Forrest of orchestrating a campaign to damage the commercial interests of his rivals.

The New York-listed energy giant is not suing Dr Forrest directly, but accusing several environmental groups, including Australia's Intergenerational Environment Justice Fund, of conspiring with officials in the California Justice Department to harm the company's prospects.

In filings with a federal court in Texas, Exxon says the IEJF is really a subsidiary of Minderoo, a charitable organisation set up by Dr Forrest. Minderoo has campaigned for action to prevent climate change and for a levy on using fossil fuels to make plastic.

Exxon's lawsuit accuses Dr Forrest's charities of working to turn "the wheels of American justice to **Fortescue's** self-interested purposes".

The Forrest family has a major stake in ASX-listed **Fortescue**, the West Australian iron ore mining group, which has been attempting to expand into clean energy. Although the company has pushed back plans for the large-scale manufacture of green hydrogen, it has other projects around the world that it hopes will reduce the demand for fossil fuels. Green hydrogen is widely seen as a potential competitor to oil and gas.

"**Fortescue** appears to have adopted a novel strategy for competing against American oil and gas producers like ExxonMobil," the court filings read.

"It is also a case about the corrupting influence of foreign money in the American legal system and about the sordid for-profit incentives and outright greed that tries to hide behind so-called public impact litigation."

Exxon claims the IEJF, along with the Sierra Club, San Francisco Baykeeper, Heal the Bay and the Surfrider Foundation, have worked together and also with Californian authorities to bring lawsuits against the company. California's attorney-general, Rob Bonta, accused Exxon of a "campaign of deception" by suggesting single-use plastics made from fossil fuels could be reused through "advanced recycling" when they could not.

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The lawsuit is an escalation in a long-running stoush between Dr Forrest - who founded **Fortescue** and now has a fortune of \$16.76 billion, according to the Financial Review Rich List - and the oil and gas industry.

In late 2023, Dr Forrest told a Perth radio station that Meg O'Neill, the chief executive of the largest ASX-listed oil and gas company, Woodside Energy, had been "hard-edge trained by the biggest liar we've ever seen around climate change over the last 40 years, and that's ExxonMobil". "She's been parachuted in here, bringing in all ExxonMobil's ways," he said, adding that she was "peddling poison all the time".

In response, Woodside accused Dr Forrest of "personal vitriol" and "using violent imagery", describing it as a "terrible example for public debate".

Yesterday, Dr Forrest said the lawsuit against the environmental organisations was "right out of the oil and gas industry playbook".

Fortescue and Minderoo have denied that they own or operate the IEJF, and they are not named as defendants in the matter.

"I am personally delighted Exxon has walked themselves into the court and opened themselves up to cross-examination," Dr Forrest said in a statement. "The fossil fuel industry is getting increasingly desperate at maintaining its toxic grip on society. My conflict is that I am dedicated to steering the world away from a future reliant on fossil fuels."

A **Fortescue** spokesman said the company rejected assertions that it had orchestrated litigation against Exxon for its advantage. "**Fortescue** remains fully committed to green hydrogen and the establishment of a global green hydrogen industry, and rejects any claims to the contrary," he said.

A spokesperson for the California Justice Department said: "This is another attempt from ExxonMobil to deflect attention from its own unlawful deception. The attorney-general is proud to advance his lawsuit against ExxonMobil."

ExxonMobil claims Dr Forrest visited the company's Texas offices in 2019 as he toured the world promoting the idea of a levy on new plastic, which he wanted to put in place to make recycled plastic more attractive. "During that visit, representatives of ExxonMobil explained that, while perhaps well intended, a voluntary agreement among industry competitors to inflate the price of their goods would be a clear violation of US antitrust law," the company said in its filings with the Texas court.

It also alleges that Minderoo has repeatedly made "several false and deceptive statements" about Exxon's plastics and recycling processes. It alleges, without providing evidence, that Minderoo founded IEJF in 2022.

"The majority of the wealth used by Minderoo comes directly from its holdings in **Fortescue**," the filings read. "The IEJF and Minderoo share executives with **Fortescue**. All of which leads to the conclusion that the IEJF's interests are directly tied to those of **Fortescue**."

Accounts for the 12 months to June 30 show the charity received \$600,000 in donations, up from \$250,000 one year earlier.

Minderoo said it had been "incorrectly referred to in the complaint as owning and controlling" the IEJF.

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