



## *Andrew Forrest fires back at ExxonMobil's claims of 'smear campaigns and lawfare'*

The Guardian (London)

January 9, 2025 Thursday 3:29 AM GMT

Copyright 2025 The Guardian, a division of Transcontinental Media Group Inc. All Rights Reserved

**theguardian**

**Section:** AUSTRALIA NEWS; Version:1

**Length:** 982 words

**Byline:** Ben Doherty

**Highlight:** Iron ore billionaire says he is 'personally delighted' at lawsuit as fossil fuel giant has 'opened themselves up to cross-examination' in a US court Follow our Australia news live blog for latest updates Get our breaking news email, free app or daily news podcast

### **Body**

---

Australian mining magnate Andrew Forrest is among a group accused of orchestrating "smear campaigns and lawfare" against the global oil and gas sector "for politics, publicity, and private gain" in a dramatic defamation claim launched in US courts by fossil fuel company ExxonMobil.

But the iron ore billionaire, who is not himself a defendant in the case, said he is "personally delighted" at the court action and that "Exxon has walked themselves into the court and opened themselves up to cross-examination".

ExxonMobil's suit accuses the California attorney general, Rob Bonta, and several environmental groups of conspiring to defame it by making statements criticising its plastics recycling technology.

Bonta sued ExxonMobil last year, saying the company had engaged in decades-long deception about the limitations of its plastics recycling regime.

A Forrest-linked charity, the Intergenerational Environment Justice Fund (IEJF), is a named defendant in the suit, alongside US environmental groups the Sierra Club, San Francisco Baykeeper, Heal the Bay, and the Surfrider Foundation. The California-based groups have [filed a countersuit](#) against ExxonMobil.

The lawsuit, filed in Texas, claims that IEJF retained US lawyers Cotchett to engage in "political activities", including filing a lawsuit against ExxonMobil. It seeks damages and retractions of "defamatory statements" from Bonta and the groups.

## Andrew Forrest fires back at ExxonMobil's claims of 'smear campaigns and lawfare'

"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.

Forrest is not a defendant in the case, but is mentioned by name more than 20 times in the claim filed before the court, including allegations he harboured a "dream of upending the American oil-and-gas industry".

Forrest issued a statement saying he welcomed the lawsuit, which he described as "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," Forrest said. He said the fossil industry was living on "borrowed time".

"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."

ExxonMobil claims its case has been brought in response to "the corrupting influence of foreign money in the American legal system and ... the sordid for-profit incentives and outright greed that tries to hide behind so-called public impact litigation".

The suit alleges the Forrest-linked charity IEFJ has directed thousands of dollars to US law firm Cotchett, Pitre & McCarthy to fund "smear campaigns" run by Bonta and US environmental groups condemning Exxon and ridiculing its plastics recycling program as a "myth" and a "sham".

"Why would Mr Bonta or -anyone who claims to be serious about cleaning up the environment and helping solve the plastic-waste issue take such extreme measures to shut down the emerging and developing advanced recycling industry?" the ExxonMobil complaint asks.

"The answer is foreign influence, personal ambition, and a murky source of financing rife with conflicting business interests."

ExxonMobil alleges a chain of conspiracy against it.

Its claim, filed in Texas's eastern district, states that Forrest's **Fortescue** competes directly with ExxonMobil in the low-carbon-energy sectors.

"Having failed to successfully compete against ExxonMobil in the marketplace, **Fortescue** has, on information and belief, orchestrated a campaign to compete by turning the wheels of American justice to the company's self-interested purposes," the Exxon complaint said.

"More specifically, **Fortescue** funds Minderoo, which owns and controls the IEJF, which hired an American law firm to bring claims against ExxonMobil on behalf of the US Proxies.

"The majority of the wealth used by Minderoo comes directly from its holdings in **Fortescue**. 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**."

Minderoo, in a statement, rejected Exxon's characterisation of its relationship with IEFJ: "Minderoo is a philanthropy which is independent of the Intergenerational Environment Justice Fund."

A spokesperson for Minderoo said it was committed to reducing the production of plastics which have a devastating impact on human health.

Andrew Forrest fires back at ExxonMobil's claims of 'smear campaigns and lawfare'

"In 2021, Minderoo published the [Plastic Waste Makers index](#) , which revealed the largest contributors to the global plastics crisis, finding that just 20 companies ... were responsible for producing more than 50% of single use plastic worldwide. ExxonMobil topped the list of polymer producers," the spokesperson said.

**Fortescue** said in a statement while it was not a named defendant in the proceedings, it is mentioned repeatedly in the claim.

"**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."

Responding on behalf of Bonta, a spokesperson for the California Department of Justice said the Texas lawsuit was "another attempt from ExxonMobil to deflect attention from its own unlawful deception".

"The attorney general is proud to advance his lawsuit against ExxonMobil and looks forward to vigorously litigating this case in court."

In a statement, the IEFJ said it was a non-profit "registered with and regulated by the Australian Charities and Not-For-Profits Commission".

"Intergenerational Environment Justice Fund is not a subsidiary of, owned, or controlled by Minderoo Foundation or **Fortescue** Metals Group."

**Load-Date:** January 9, 2025