

**From:** Shane Dowling [mailto:shanedowling@hotmail.com]  
**Sent:** Saturday, 17 September 2016 12:47 AM  
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**Cc:** justine.munsie@addisonslawyers.com.au; 'Richard Keegan' <richard.keegan@addisonslawyers.com.au>; alexander.latu@addisonslawyers.com.au; 'Martin O'Connor' <Martin.OConnor@addisonslawyers.com.au>; 'Sandy Dawson' <sandy.dawson@banco.net.au>; b.mckee@capilano.com.au  
**Subject:** Criminal conduct by Capilano Honey CEO/ Managing Director Dr Ben McKee

Dear Mr Trevor Morgan (Chairman) and Ms Annette Zbasnik (Company Secretary)

I am writing to both of you in regards to the criminal conduct of Capilano Honey CEO/ Managing Director Dr Ben McKee. I am a journalist and will be publishing an article on my website in the next 24 hours and I have some questions.

1. Capilano Honey and Ben McKee are currently suing whistleblower Simon Mulvany for defamation in the NSW Supreme Court which was instituted in February 2016 and at this point has not progressed past the directions hearing stage. On the Capilano Honey Facebook page Ben McKee tells a lot of lies and states that:

#### [Capilano Honey](#) UPDATE 29/7

To all our loyal followers:

For those who may be concerned by the recent accusations directed at Capilano Honey by [#SaveTheBeesAustralia](#), this post is to provide an update on the legal action we first discussed on June 3 and to provide detail on why it has since escalated.

Before doing so, I wanted to take this opportunity thank you for your ongoing support. We were encouraged by the overwhelmingly positive feedback we received last time I discussed this issue and as such, I felt it only fair to keep you all informed.

Let me stress that legal action was the absolute last resort in this scenario and one Capilano never wished to pursue. However, we have progressed legal action because Mr Mulvany of [#SaveTheBeesAustralia](#) has continued to target our organisation as part of a smear campaign with information that has been proven by a court of law to be completely unfounded and defamatory. Despite this, he continues to breach these court orders by sharing misinformation on his social platforms.

Let me be clear – we are not bullying Mr Mulvany as he suggests. We are simply asking him to stop spreading significant mistruths; accusations which have been proven by a court of law to have no substance. If there was any truth to his assertions, we would not have been successful in seeking an injunction.

As stated previously, we fully welcome all customer feedback and healthy industry debate on topics such as bee welfare. However this discussion needs to be balanced and grounded in facts and science. As a fifth generation beekeeper myself with a PhD in Bee Science, I can assure you I would not lead a company that did not have bee welfare at the heart of its operations.

We welcome any direct queries on this matter.

Regards,  
Ben McKee  
Managing Director at Capilano Honey

2. Ben McKee says in the above Facebook post: “smear campaign with information that has been proven by a court of law to be completely unfounded and defamatory” and “accusations which have been proven by a court of law to have no substance”. Can you please advise which judge in which court made this finding and when? And can I have a copy of the judgement? If this is untrue can you please advise when will you be sacking Ben McKee for telling such a blatant lie to the 49,663 followers on the Capilano Facebook page?
3. In a radio interview Ben McKee did with Tom Elliot on 3AW Radio in Melbourne on Friday the 29th of July Mr McKee was asked about which other Capilano brands were selling imported honey Mr McKee only mentioned Allowrie and Smiths but deliberately did not mention the other brands. Why is that?
4. In an interview with the Chinese website China Daily Ben McKee says *““ Though Capilano brand has used blended honey in the past, it was never sold to China, probably in the Middle East,”*. Why does Ben McKee say *“probably in the Middle East”*. Mr McKee has been with the company for over 12 years so why doesn't he know? Was some of that blended honey sold in Australia?
5. Mr McKee also says in the China Daily article *“since last month all Capilano brands were no longer dependent on imported honey as the shortage had been addressed with Australian beekeepers stepping up their game and producing enough for domestic and overseas markets”* But this is contradicted by the sales director Peter McDonald who said in the same article *“the company's secondary brand Allowrie is mixed with honey imported from China, Mexico and Argentina but the product is only sold within Australian shores”*. So based on what Mr McDonald says the importation and blending of honey continues and has not stopped as Ben McKee said. Why is Ben McKee lying?
6. Can you explain why Capilano are using the exact same lawyers that Channel Seven and Kerry Stokes use? It is obvious that the legal proceedings against Simon Mulvany are being driven by Kerry Stokes. Is this correct? Are the other shareholders aware that Kerry Stokes is in effect controlling Capilano with his 18% shareholding?

7. Are you aware that your legal team are running a scam to get judicial favours? The documents that I have seen show Addison's partner Martin O'Conner (who does not specialise in defamation law) as the instructing solicitor but it is really Justine Munsie (who does specialise in defamation law and Kerry Stokes and Channel Seven are her client). The reason for concealing the fact that Justine Munsie is the instructing solicitor is because she is good friends with the defamation list judge Lucy McCallum and gets favours from her. Are you aware of this?
8. Can you please advise who is paying Ben McKee's legal fees for the frivolous and vexatious proceedings against Simon Mulvany?
9. Can you please advise why Capilano Honey and Ben McKee have breached Court Orders issued on the 22nd of July 2016 to file and serve their statement of claim by the 12 August 2016? Are Capilano Honey and Ben McKee planning to discontinue the frivolous and vexatious defamation proceedings?
10. Are you aware that Capilano's barrister Sandy Dawson claims to specialise in defamation law but that he is so incompetent that he cannot even protect his own reputation let alone his clients? Google his name and it won't be hard to find one of the articles where I have written about his criminal conduct.
11. Can you please advise which Capilano Honeys are blended with which imported honeys and which countries are they sold?
12. Are you aware of your Director's Duties? Do you and the other Capilano Honey Directors have professional indemnity insurance and is it current?

It is your lawyers that should have advised you to never institute the frivolous and vexatious defamation proceedings but they were only thinking about how much money they will make billing and overcharging Capilano. Kerry Stokes only owns 18% of Capilano so why is he controlling the company and running it into the ground?

Please respond to the above questions by 5pm Saturday so I can publish.

Regards

Shane Dowling  
[Kangaroo Court of Australia](#)  
Ph 0411 238 704

**From:** Shane Dowling [<mailto:shanedowling@hotmail.com>]  
**Sent:** Friday, 16 September 2016 10:04 PM  
**To:** 'Sandy Dawson' <[sandy.dawson@banco.net.au](mailto:sandy.dawson@banco.net.au)>; [b.mckee@capilano.com.au](mailto:b.mckee@capilano.com.au); [tpmorg@bigpond.net.au](mailto:tpmorg@bigpond.net.au); [honey@capilano.com.au](mailto:honey@capilano.com.au); [a.zbasnik@capilano.com.au](mailto:a.zbasnik@capilano.com.au); [kstokes@seven.com.au](mailto:kstokes@seven.com.au); [rstokes@seven.com.au](mailto:rstokes@seven.com.au); [tony.parker@acequity.com.au](mailto:tony.parker@acequity.com.au)  
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**Subject:** RE: Capilano Honey

Mr Dawson

Your sister Katrina Dawson would be rolling in her grave if she knew the corruption you were involved in playing with people lives like that nutter Man Haron Monis. But then again, maybe Katrina was just as corrupt as you. Does your client know you carry on in such an unprofessional manner as per your below email?

We'll see how smart you and your clients are when you read my questions.

Regards

Shane Dowling  
[Kangaroo Court of Australia](#)  
Ph 0411 238 704

**From:** Sandy Dawson [<mailto:sandy.dawson@banco.net.au>]

**Sent:** Friday, 16 September 2016 9:32 PM

**To:** SHANE DOWLING <[shanedowling@outlook.com.au](mailto:shanedowling@outlook.com.au)>

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**Subject:** Re: Capilano Honey

Oh oh.

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On 16 Sep 2016, at 9:07 PM, SHANE DOWLING <[shanedowling@outlook.com.au](mailto:shanedowling@outlook.com.au)> wrote:

Dear Ms Munsie

I will be emailing you some questions later regarding Capilano Honey. Can you make sure you respond no later than 5pm Saturday so I can publish. Or would you prefer I contact Kerry and Ryan directly?

Regards

Shane Dowling  
[Kangaroo Court of Australia](#)  
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