

**IN THE DISTRICT COURT OF NEW ZEALAND
MANUKAU REGISTRY**

CIV: **2012-092-1969**
UNDER: **the Defamation Act 1992**

BETWEEN **MATTHEW JOHN BLOMFIELD** of 7 Rame Road,
Greenhithe, Auckland, Unemployed.
Plaintiff

A N D **CAMERON JOHN SLATER** of 278 Bucklands Beach Road,
Bucklands Beach, Auckland, Blogger.
Defendant

STATEMENT OF CLAIM

7 October 2012

Mathew Blomfield

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The Plaintiff states:

Parties and Background

1. The plaintiff is an unemployed businessman residing in Auckland.
2. That the defendant is the author and owner/administrator of the website Whale Oil www.whaleoil.co.nz. The Whale Oil website has circa 317,073 visitors per month and is currently the highest-ranking blog site in New Zealand by both page views and visitors.
3. That, by his own admission, the defendant has in his possession a portable hard drive (hard drive) containing 28Gb of emails, a database of electronic files, multiple electronic copies of financial database systems and a four-draw filing cabinet of physical files (filing cabinet), all of which relate to the affairs of the plaintiff over an eleven year period between 2000 and 2010.
4. That the external hard drive and filing cabinet are the physical property of the plaintiff and were taken from the plaintiff unlawfully in 2010. The hard drive and filing cabinet contain a large number of copyrighted, privileged and confidential items belonging to the plaintiff, his clients and his family.

CAUSE OF ACTION AGAINST THE DEFENDANT – DEFAMATION

5. The cause of action against the defendant is that on the 3rd of May 2012 the defendant wrote and published a story on the website www.whaleoil.co.nz entitled ‘Who really ripped off KidsCan?’ A copy of the story is annexed as **Schedule 1**. It remains available to anyone with internet access.
 - a) **Statement 1:** *‘Who really ripped off KidsCan – The real story of Matt Blomfield’s rip off of Kidscan and how he blamed Warren Powell.’*

Defamatory Meaning:

- I. That KidsCan was the victim of a ‘rip off’ wholly engineered by the plaintiff.

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- II. The plaintiff is a thief who stole from or otherwise misappropriated monies intended for a children's charity.
- III. Matthew Blomfield deliberately and dishonestly orchestrated a series of events in order to steal \$10,000 pledged to KidsCan and shift the blame unfairly on to an innocent third party, Hell Pizza director, Mr Warren Powell.
- IV. The plaintiff is dishonest and manipulative.

b) **Statement 2 :** *"What I am about to reveal is the real story behind the scam at KidsCan and the involvement of Matt Blomfield in collusion with Stu "McMillions" McMullin to throw another director under the bus for the whole sorry issue."*

Defamatory Meaning:

- I. KidsCan was the victim of a 'scam' and that the accepted 'story' was a cover story designed to shift blame on to an innocent third party.
- II. The plaintiff was involved in a pre-meditated and deliberate plan to defraud a children's charity.
- III. The plaintiff was engaged in an active conspiracy with one director of Hell Pizza to have a fellow director blamed for a 'scam' engineered by themselves.
- IV. The plaintiff is manipulative and dishonest.

c) **Statement 3 :** *"Strangely Jan Clark has now increased the amount of the donation to \$10,000, when as you have seen from the emails above the amount suggested was \$5000.."*

Defamatory Meaning:

- I. The plaintiff caused a third party to fraudulently change the amount pledged to the charity from \$5,000 to \$10,000.
- II. The plaintiff was involved in a conspiracy.
- III. The plaintiff is a thief.

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- d) **Statement 4 :** “*Matt Blomfield then emails Jan, in reply and mocks her for suggesting that she had talked to Stu McMullin when in fact it was him..”*

Defamatory Meaning:

- I. The plaintiff mocked the organiser of a children’s charity.
- II. The plaintiff at some time held himself out to be Stu McMullin (a Hell Pizza director)
- III. The plaintiff is unprofessional and dishonest.

- e) **Statement 5:** “*This is the set up. Remember from the email trail above that Warren Powell handed everything over to Matt Blomfield to organise and somehow under Matt’s watch the “maybe” donation of \$5000 was increased and confirmed as \$10000, plus all the product on top. Stu and Matt clearly know now that the bill has to be paid that “Otis” or Warren Powell is going to produce one of [his famous blunt emails](#) which they can then use to throw Warren under the bus and remove him from Hell.”*

Defamatory Meaning:

- I. The plaintiff deliberately and dishonestly altered the amount of the donation from \$5,000 to \$10,000 for his own benefit.
- II. The plaintiff engaged in actively plotting with one director of Hell against another.
- III. That all the events around KidsCan were engineered by the plaintiff as part of a conspiracy with the sole aim of forcing out a director.
- IV. That the plaintiff actively engaged in a plan to force the resignation of a Hell director.
- V. The plaintiff is dishonest, greedy and manipulative.

- f) **Statement 6:** “*This is interesting because in other emails ([sent from his email account](#)) Matt Blomfield tells people that he is the owner of Hell and sends an abusive email to a complainant...but where he pretends to be Warren Powell. We will discuss Matt’s delusions in a separate post.”*

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Defamatory Meaning:

- I. The plaintiff has held himself out to be Mr Powell, a director of Hell Pizza, and sent emails pretending to be Mr Powell.
- II. The plaintiff suffers from delusions.
- III. The plaintiff is dishonest and abusive.

g) **Statement 7:** "*Matt Blomfield packages up all of this and shops it to the media, some months later. Note, that in Bevan Hurley's story the first thing he mentions is the dorks email. In later posts I will outline how Matt Blomfield ghost wrote articles for a number of journalists including Bevan Hurley.*"

Defamatory Meaning:

- I. The plaintiff engaged in manipulative and dishonest conduct to have untrue stories published.
- II. The plaintiff was the true author of stories published by journalists under their own names.
- III. The plaintiff has conspired with independent journalists and caused them to publish stories based on untrue facts and statements to 'set up' a third party for his own benefit.

h) **Statement 8:** "*So who really ripped off KidsCan? From the email trail Warren Powell appears to have been made the fall boy, set up by Matt Blomfield and Stu McMullin to cover their own incompetence. In Stu McMullin's case there was a reason all together more sinister. Stu demands Warren falls on his sword.....*"

Defamatory Meaning:

- I. The plaintiff is incompetent.
- II. The plaintiff engaged in a deliberate conspiracy to defraud KidsCan.
- III. The plaintiff knowingly and actively plotted with other Hell Pizza directors to damage the reputation of Mr Powell and force his removal as a director.

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- i) **Statement 9:** "Basically though this whole episode was a convenient opportunity to leverage Warren Powell out of the Hell Revolution Limited, leaving the company in the control of Stu McMullin and Callum Davies."

Defamatory Meaning:

- I. The plaintiff was a pawn in a wider conspiracy, engineered by Hell Pizza directors, to remove Warren Powell from Hell Pizza.
- II. The plaintiff was a willing participant in a plan to force the removal of Warren Powell as a director.

- j) **Statement 10:** "In further posts I will expose his other dealings where he tucks charities."

Defamatory Meaning:

- I. The plaintiff has stolen from other charities.
- II. The plaintiff is a thief.

7. That on the 3rd of May 2012 the defendant wrote and published a story on the website www.whaleoil.co.nz entitled "Knowing me, Knowing You – Matt Blomfield" A copy of the story is annexed as **Schedule 2** and is available to anyone with internet access.

- a) **Statement 1:** "*Matt is a Psychopath*"

Defamatory Meaning:

- I. The plaintiff is violent and predictable.
- II. The plaintiff has no regard for the safety or welfare of anyone but himself.
- III. The plaintiff is dangerous.

- b) **Statement 3:** "*He loves extortion*"

Defamatory Meaning:

- I. The plaintiff has threatened people with violence or injury in order to obtain a financial advantage to himself.

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- II. The plaintiff condones illegal and threatening behaviour in order to gain benefits.
- III. The plaintiff is engaged in criminal activities.

c) **Statement 3:** "*He is a pathological liar He lives out his lies. Daily. And enjoys it.*"

Defamatory Meaning:

- I. The plaintiff never tells the truth.
- II. The plaintiff gets personal satisfaction out of lying and misleading.
- III. The plaintiff is delusional and is unable to separate fact from fiction.

8. That on the 4th of May 2012 the defendant wrote and published a story on the website www.whaleoil.co.nz entitled "Operation Kite" A copy of the story is annexed **Schedule 3** and is available to anyone with internet access.

a) **Statement 1:** "*To summarise, Matt Blomfield in tandem with advice from his faithful lawyers, and a number of emails to Waitakere City Council conspired to steal a cheque from a PO Box, using some private investigators..*"

Defamatory Meaning:

- I. The plaintiff engaged in a conspiracy with private investigators to steal someone else's property.
- II. The plaintiff used the services of dishonest lawyers and attempted to mislead the Waitakere City Council in order to steal a cheque that did not belong to him.
- III. The plaintiff is a thief.

b) **Statement 2:** "*Matt, on the advice of his lawyer then tried to launder the money but was caught by a vigilant bank..*"

Defamatory Meaning:

- I. The plaintiff was engaged in a criminal conspiracy to legitimise monies obtained dishonestly.

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- II. The plaintiff is a person who engages in criminal activity.
 - III. Without the vigilance of a bank, the plaintiff would have succeeded in appropriating illicit funds for his own benefit.
 - IV. The plaintiff is a thief.
9. That on the 8th of May 2012 the defendant wrote and published a story on the website www.whaleoil.co.nz entitled Ghostwriting for Repeaters 101. A copy of the story is annexed **Schedule 4** and is available to anyone with internet access.
- a) **Statement 1:** "*Ghostwriting for Repeaters 101*" "*So.....there are heaps of bad news stories about Hell Pizza, and about how Warren Powell is this mad, evil, narcissistic demagogue controlling and manipulating everyone....it makes for good copy and that is exactly what Matt Blomfield did...copy, loads of internal emails to tame and lazy journalists...like Maria Slade at the Herald on Sunday.*"

Defamatory Meaning:

- I. The plaintiff has been personally responsible for all the 'bad news' stories written about Hell Pizza and Warren Powell.
- II. The plaintiff actually wrote stories and articles that were published by the media.
- III. The plaintiff has engaged in a conspiracy with journalists to publish negative stories.

- b) **Statement 2:** "*What is galling about this is that the information that Matt Blomfield sent Maria Slade was confidential court documents including the summary of defence. Maria Slade had a scoop, nicely packaged and fed to her by a Hell insider so that the story could be painted about a dysfunctional company..*"

Defamatory Meaning:

- I. The plaintiff acted on his own and with malice in sending confidential court documents to a journalist in order to procure a story.
- II. Hell Pizza directors were unaware of the plaintiff's activities.

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- III. The plaintiff plotted with journalists to portray Hell Pizza in a light that he knew was false and malicious and did not paint a true picture of the company.

10. That on the 14th of May 2012 the defendant wrote and published a story on the website www.whaleoil.co.nz entitled "Blomfield Files: Free to a Good Home" A copy of the story is annexed **Schedule 5** and is available to anyone with internet access.

- a) **Statement 1:** "*Andrew Krukziener, Bruce Sheppard, Matt Blomfield, Mike Alexander, Bruce Johnson, Garry Whimp, Trevor Perry, Yuta Iguchi, Tania Iguchi/McRae, Rebecca Anderson/Blatchford/Blomfield, Roger Bowden, Stuart Gloyn, Paul "Weeman" Hinton, Glen Collins, Stu McMullin, Callum Davies, plus a famous All Black...are just some of the names of those who have aided and abetted Matt Blomfield's trail of destruction through business circles nationally..."*

Defamatory Meaning:

- I. All the names listed have helped the plaintiff to work in an illegal, commercially destructive manner.
- II. The plaintiff was engaged in criminal activity that was facilitated by a number of people who knew that illegality was occurring.
- III. The plaintiff is dishonourable.

- b) **Statement 2:** "*Drugs, fraud, extortion, bullying, corruption, collusion, compromises, perjury, deception, hydraulic-ing..it's all there".*

Defamatory Meaning:

- I. The plaintiff is involved in drugs.
- II. The plaintiff has committed fraud.
- III. The plaintiff has a history of bullying.
- IV. The plaintiff is corrupt.
- V. The plaintiff has committed perjury.

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- VI. The plaintiff has engaged in the criminal act of hydraulic-ing (where a buyer immediately on-sells a property to a third-party at a greatly and artificially inflated price).
- VII. The plaintiff is dishonourable, dishonest, deceitful and manipulative and regularly engages in criminal behaviour.

c) **Statement 3:** "*I have taken the liberty of excluding the large amount of illegal movies and home made porn that he had collected. (yuk)*".

Defamatory Meaning:

- I. The plaintiff had illegal – pirated or counterfeit – movies on his hard drive.
- II. There was pornography on his hard drive that had been made by the plaintiff.
- III. That the plaintiff was an active collector of illegal movies and 'home-made porn' and that it formed a large part of the contents of the drive.
- IV. That the plaintiff is a deviant.

11. That on the 15th of May 2012 the defendant wrote two stories and published them on the website www.whaleoil.co.nz entitled "The Blomfield Files: The Compromise". A copy of the story is annexed **Schedule 6** and is available to anyone with internet access.

a) **Statement 1:** "*Wilkie as friends like Matt Blomfield like to call him ... Bear in mind that this is Mike Alexander who represents Matt Blomfield, essentially cooking up a trustee supposedly to act on behalf of the creditors...surely this is a conflict of interest...to not propose but facilitate the engagement of the creditor trustee..*"

Defamatory Meaning:

- I. The plaintiff manipulated a third party into appointing an associated party sympathetic to his interests as a creditor trustee.
- II. That the plaintiff was dishonest.

b) **Statement 2:** "*Note the words "scheme" and "The Deal". These will be outlined in a later post.*"

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Defamatory Meaning:

- I. That the creditor compromise proposed by the plaintiff was a dishonest scheme.
 - II. That the defendant was engaged in some sort of illegal activity of which the defendant had specific knowledge.
- c) **Statement 3:** *"Now all of that becomes very interesting with this email from Matt Blomfield...where he pays Time Capital \$10,000 that same day they are appointed as the creditors trustee...What could possibly warrant that payment? Is it just coincidental that prior to this being paid Tom Wilson didn't want to do this deal. Mike Alexander was copied on the email involving the payment. Note Matt Blomfield says he will send more...how much and when?"*

Defamatory Meaning:

- I. That the \$10,000 payment is a bribe or inducement of some sort.
 - II. That the plaintiff has engaged in illegal activity.
 - III. The plaintiff has funds for further bribes and will pay more.
 - IV. That the plaintiff is dishonest.
- d) **Statement 3:** *"a network of crooks fascinating how they have all got away with it for so long?"*

Defamatory Meaning:

- I. The plaintiff and his professional advisors and associates are criminals.
- II. That the plaintiff and his advisors form an organised network that is engaged in systematic wrongdoing or illegal acts for the benefit of themselves.
- III. The plaintiff is dishonest and rapacious.

12. That on the 15th of May 2012 the defendant wrote two stories and published them on the website www.whaleoil.co.nz entitled "The Blomfield Files: The Compromise Ctd". A copy of the story is annexed at **Schedule 7** and is available to anyone with internet access.

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- a) **Statement 1:** "This morning I blogged about [Matt Blomfield's dodgy arrangements](#) in organising his creditors compromise"

Defamatory Meaning:

- I. That the creditor compromise was not legal.
- II. That the plaintiff is dishonest.

- b) **Statement 2:** "Time Capital then set about consulting extensively with both Mike Alexander and Matt Blomfield about the Creditors Compromise and finally a document is issued that states that Time Capital were independently appointed despite the fact that Matt Blomfield paid them \$10,000 and was introduced to them by Mike Alexander, who is looking more compromised day by day. Remember Matt Blomfield also says he will pay more."

Defamatory Meaning:

- I. The plaintiff paid a \$10,000 bribe to Time Capital.
- II. The plaintiff has entered into a conspiracy with Mike Alexander to subvert the Creditor Compromise for his own advantage.
- III. The plaintiff is willing to pay further bribes.
- IV. That the trustees of the compromise were not independently appointed.
- V. That the plaintiff is dishonest.

- c) **Statement 3:** "The glowing reference email just shows what a lieing [sic] bunch of thieves they all are - how the fuck can a lawyer give a reference to someone about a guy like Matt Blomfield when he knows full well bankruptcy is just around the corner!!!! FFS!!!!!!
And to top it off he was bankrupted for 5 years - not 3. And it's bloody obvious now why that happened. This guy should never be allowed out of bankruptcy"

Defamatory Meaning:

- I. The plaintiff and all his professional advisors and associates are thieves and liars.

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- II. The plaintiff has never done a good thing in his life and is undeserving of any reference
- III. The plaintiff has been bankrupted for a longer term than usual because of something he has done.
- IV. The plaintiff has committed such terrible acts that he should remain in bankruptcy forever.
- V. The plaintiff is dishonourable.

13. That on the 16th of May 2012 the defendant wrote two stories and published them on the website www.whaleoil.co.nz entitled "Blomfield Files: The Perfect Storm". A copy of the story is annexed **Schedule 8** and is available to anyone with internet access.

- a) **Statement 1:** "*This is the start of a series of posts about the Storm Group and Matt Blomfield, Dan Blomfield and their theft of assets.*"

Defamatory Meaning:

- I. The plaintiff and his brother have stolen assets.
- II. The plaintiff is involved in criminal activity with his brother.
- III. The plaintiff is a thief.

- b) **Statement 2:** "*The emails below are just a taste and will lead into several more posts including the recovery of assets from information provided to the liquidator by me*".

Defamatory Meaning:

- I. The plaintiff's email's revealed he was hiding assets from the liquidator.
- II. The defendant played a key role in assisting the liquidator to recover assets stolen by the plaintiff.
- III. The plaintiff is dishonest.

14. That on the 17th of May 2012 the defendant wrote two stories and published them on the website www.whaleoil.co.nz entitled "Blomfield Files: The Perfect Storm Ctd". A copy of the story is annexed at **Schedule 9** and is available to anyone with internet access.

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- a) **Statement 1:** “Late yesterday I received a communication from the liquidator that informed me that based on the information that I had provided him from the files I have that a digger and truck had been recovered..”

Defamatory Meaning:

- I. The plaintiff was actively engaged in a scheme to hide or convert assets from the liquidator.
- II. That the plaintiff acted illegally.
- III. That emails or files in the possession of the defendant showed a conspiracy by the plaintiff to hide or convert assets.
- IV. That the defendant played a key role in uncovering or discovering assets that were subsequently recovered by the liquidator.
- V. The plaintiff is a thief and acted dishonourably.

- b) **Statement 2:** “As you now know they have been recovered and contrary to the evidence I supplied yesterday they were not stolen by unknown parties they were in fact converted by people who were known associates and trusted confidantes of Matt Blomfield for a boat which is currently in the possession of a relative of Matt Blomfield.”

Defamatory Meaning:

- I. The plaintiff and his associates are involved in the deliberate and systematic conversion of stolen assets.
- II. The plaintiff is engaged in fraudulent and illegal activity.
- III. The plaintiff exchanged stolen goods for a boat.
- IV. The plaintiff has converted a boat and has arranged for a relative to hold it on his behalf and to the detriment of creditors.
- V. The plaintiff is a liar and a thief.

15. That on the 18th of May 2012 the defendant wrote two stories and published them on the website www.whaleoil.co.nz entitled “A Conversation with the Police”. A copy of the story is annexed at **Schedule 10** and is available to anyone with internet access.

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- a) **Statement 1:** "Once again Matt Blomfield has lied. Once again he has been found out"

Defamatory Meaning:

- I. The plaintiff is a liar.
- II. The plaintiff has lied to Police on more than one occasion and subsequently his deceit has been uncovered.

- b) **Statement 2:** "No doubt the 142 emails that Matt Blomfield has previously sent to and mention North Shore Police that I discussed with Constable Guest may have given them an indication that Matt Blomfield has form when it comes to laying vexatious complaints with authorities."

Defamatory Meaning:

- I. The plaintiff has sent the Police 142 emails.
- II. The plaintiff has a history of laying false complaints with the Police.
- III. The plaintiff is a liar.

- c) **Statement 3:** "Matt Blomfield however should not expect that to be the end of his dealings with the Police, as there is a small matter of conversion of a digger, truck & boat (still at large).."

Defamatory Meaning:

- I. The plaintiff has committed an illegal criminal act of conversion.
- II. The plaintiff has knowledge of a boat that has not been found.
- III. The plaintiff is a liar and a thief.

16. That on the 31st of May 2012 the defendant wrote a story and published it on the website www.whaleoil.co.nz entitled "Blomfield Files: Where is the Vengeance Money". A copy of the story is annexed **Schedule 11** and is available to anyone with internet access.

- a) **Statement 1:** "It didn't go to Shane McKillen from VNC Cocktails/XXX Motorsport." "It didn't go to Trinity Media Group" "And it didn't go to Kirk at Valiant."

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Defamatory Meaning:

- I. That there are a number of creditors or businesses that were allegedly owed money and were not paid by Vengeance Ltd.

- b) **Statement 2:** "*If Garry Cecil Whimp was doing his job properly instead of making excuses for Matthew John Blomfield then I am fairly certain that a few of these people would be facing some time in the pokie.*".

Defamatory Meaning:

- I. The plaintiff and his associates have committed serious illegal acts that carry a term of imprisonment.
- II. That Garry Cecil Whimp was in effect working for the plaintiff.
- III. That the plaintiff has engaged in deliberate actions to conceal criminal activity.
- IV. The plaintiff and his associates have committed criminal offences.
- V. The plaintiff is a criminal.

17. That on the 6th of June 2012 the defendant wrote a stories and published it on the website www.whaleoil.co.nz entitled "It's a Kind of Mattjik". A copy of the story is annexed at **Schedule 12** and is available to anyone with internet access.

- a) **Statement 1:** "*I will tell the story about how Matthew John Blomfield rorted \$172,914.23 out of Cinderella via factoring company Scottish Pacific, also how Matt went on to make Joe Mansell the fall-boy for his fraudulent practises [sic] by way of making a fabricated fraud complaint that resulted in Joe Mansell being declared bankrupt.*".

Defamatory Meaning:

- I. The plaintiff unlawfully took \$172,914.23.
- II. The plaintiff engaged in a deliberate conspiracy to harm a third party by implicating that party in his own alleged fraudulent practices.

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- III. The plaintiff deliberately fabricated a fraud complaint that resulted in the bankruptcy of a third party – his partner in the business.
- IV. The plaintiff is a thief.

17. That on the 6th of June 2012 the defendant wrote a story and published it on the website www.whaleoil.co.nz entitled “Blomfield Files: Ctd”. A copy of the story is annexed at **Schedule 13** and is available to anyone with internet access.

- a) **Statement 1:** *“Operation Kite – Matt Blomfield and Mike Alexander are involved in stealing a cheque and laundering it. Matt Blomfield was pursued by a major bank and lost the case. Private investigators were used to uplift the cheque.”.*

Defamatory Meaning:

- I. The plaintiff and his lawyer stole a cheque
- II. The plaintiff is engaged in money laundering – a practice whereby illicit funds are ‘cleaned’.
- III. The plaintiff is a thief.

- b) **Statement 2:** *“A conversation with the Police - The Police decide that Matt Blomfield is a liar, and that I don't have any stolen property.”.*

Defamatory Meaning:

- I. The Police stated to the defendant that they have found the plaintiff to be a liar.
- II. The plaintiff has lied to Police.

- c) **Statement 3:** *“Blomfield Files: Where is the Vengeance money? - Yuta Iguchi and Matt Blomfield use money from Vengeance to pay a debt from Cinderella.”.*

Defamatory Meaning:

- I. The plaintiff, in concert with a friend, used money from Vengeance Limited to pay historical debts of Cinderella NZ Limited a company in Liquidation.
- II. The plaintiff has engaged in unlawful business practices.

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III. The plaintiff is dishonest.

- d) **Statement 4:** "*i think you will find what has happened based on stories posted here is that Matthew Blomfield and his team of merry men - Mike Alexander, Yuta Iguchi, Bruce Johnson are right up there alongside finance companies in terms of fraud, theft, deception - i would go as far in some cases as saying these people are far worse and as they have deliberately set out to rape and pillage businesses and systematically fuck peoples lives along the way. Jail is where they all belong, and banned from being company Directors for ever, and being banned from their professions. Cam i hope your posts make their way to the appropriate authorities."*

Defamatory Meaning:

- I. The plaintiff and his professional advisors and associates are involved in fraud, theft and deception on a scale equal to that of finance companies that lost hundreds of millions of dollars.
- II. The plaintiff and his professional advisors and associates are criminals who have actively engaged in destroying people's lives.
- III. The plaintiff is a liar and a thief.

- e) **Statement 5:** "*Blomfield exhibits classic Ponzi behavior. His conning of Tindall Foundation staff to obtain email lists and then sending emails to those people intimating that his mate Steve Tindall gave their details out....building trust...."*

Defamatory Meaning:

- I. The plaintiff is involved in fraudulent activity designed to enrich himself at the expense of investors.
- II. The plaintiff's business failures were all part of a scheme intentionally devised by the plaintiff to make money for himself at their cost.
- III. The plaintiff acted in a deceptive manner with regards to the Tindall Foundation.
- IV. The plaintiff deliberately used the name of Stephen Tindall to build trust and deceive others.

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V. The plaintiff was falsely representing to others that Stephen Tindall was more than a business acquaintance and was, in fact, a friend.

f) **Statement 7:** *"You don't have to be silent to be a psychopath"*

Defamatory Meaning:

- I. The plaintiff is dangerous.
- II. The plaintiff has no regard or empathy for others.

g) **Statement 8:** *"Glad to know you think that serial psychopaths like Matt Blomfield should be given a free reign [sic] to predate on small business..."*

Defamatory Meaning:

- III. The plaintiff is a fraudster who preys on small businesses.
- IV. The plaintiff's activities are all designed to cause damage and loss to others.

18. The statements outlined above and which were contained in the various blog posts are defamatory of the plaintiff.
19. On 15 August 2012 and again on 7 October 2012 the plaintiff sought, inter alia, to have the untrue and defamatory statements in the various blog posts removed or corrected.
20. In a phone call on or about 3rd May 2012 the plaintiff again sought to have the defendant retract the incorrect statements.
21. To date, and despite repeated demands, the defamatory statements continue to be published by the defendant.
22. The statements contained in the various blog posts have caused, and continue to cause, extreme damage to the plaintiff's reputation. Indeed, such is the damage caused by the defendant there is serious doubt that the plaintiff will ever be able to work again.

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WHEREFORE THE PLAINTIFF CLAIMS AGAINST THE DEFENDANT

23. Costs
24. That the defendant remove from the Whale Oil website, and any other website controlled and/or posted to by the defendant, including any comments relating thereto, all documentation and content of any kind referring to the plaintiff that has been obtained from the information referred to in paragraph 3 (namely the hard drive and filing cabinet) of this Statement of Claim.
25. The ongoing, malicious nature of the statements made by the defendant is such that an award of punitive damages is appropriate.

Particulars of relevant facts/circumstances

- a) The defendant cannot have had a serious belief in the truth of what was claimed. He was merely repeating an interpretation of events supplied by Mr Warren Powell and his associates; and/or
- b) The defendant was reckless as to whether the allegations contained in the statements he was making were truthful; and/or
- c) The defendant made no effort to verify or check that the allegations being made were accurate; and/or
- d) The defendant fully intended to damage the reputation of the plaintiff to the utmost of his ability; and/or
- e) Despite repeated requests to amend or remove defamatory statements the defendant has refused to do so; and/or

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- f) The defendant has continued to publish defamatory statements throughout these proceedings.

This statement of claim is filed by MATTHEW JOHN BLOMFIELD, whose address for service is 7 Rame Road, Greenhithe, AUCKLAND, Mobile: 021 362 462

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