

# PANNONE

**URGENT  
PRIVATE & CONFIDENTIAL  
FOR THE IMMEDIATE ATTENTION OF**

Mr Barry Wade  
3 The Padgets,  
Rochford Avenue  
Waltham Abbey  
Essex  
NE9 1SD

**Date:** 12<sup>th</sup> June 2013  
**Our Ref:** MRB/SNR/996619/4  
**Direct Fax:** 0161 909 4583

**BY POST, SPECIAL DELIVERY AND E-MAIL  
E-MAIL: [barry@lowcostwebdesigns.co.uk](mailto:barry@lowcostwebdesigns.co.uk)**

Dear Sir

**Our clients: Store Media plc (1) and Matthew Longworth (2)**

We act on behalf of Store Media plc, formerly known as WRT Group plc and Matthew Longworth, a director of Store Media plc.

1. We write on our clients' instructions to report defamatory material posted by a "Guests" on a discussion board under the heading "*Have been conned- Windsor Associates/ WRT Group plc*" at the following URL (the **Discussion Board**):

<http://www.haveyoubeenconned.com/threads.php?id=24>

We understand that you own and manage the website at the domain name [www.haveyoubeenconned.com](http://www.haveyoubeenconned.com) (the **Website**).

## **Notification of defamatory material being published**

2. The Discussion Board contains a number of allegations which are untrue and which seriously defame our clients.
3. Such comments posted on the Discussion Board include:  
  
*"Guest on June 10th 2013 •  
Thieves and con merchants, they are in serious financial trouble, don't complain to them you will be ignored go directly to the store where you are advertising.  
They won't be trading in a couple of months.  
Morris McCarthy is one of the con merchants along with  
Matt Longworth, Ray Ingleby and Ian Rose."*
4. The Discussion Board contains allegations that:
  - (a) our clients are dishonest;
  - (b) our clients are fraudulent;

- (c) our clients deceive and ignore customers;
  - (d) our clients engage in unscrupulous business practices and are untrustworthy; and
  - (e) our clients are in serious financial difficulties and will not be trading in a couple of months.
5. These allegations constitute a serious actionable libel of our clients' reputation.
  6. It is manifestly clear that the publication of the above allegations will cause (and has caused) our clients) serious harm, which harm is likely to be irreparable.
  7. For the avoidance of any doubt, the allegations set out above are wholly untrue and are incapable of justification. The contentions published at the Discussion Board are inaccurate, misleading and distorted.
  8. It is materially clear that the host of a Discussion Board can be regarded as the publisher of defamatory material posted on a Discussion Board which it controls.
  9. This letter accordingly constitutes notice of the defamatory material on the Discussion Board. As such, should you fail to take action to take down the Discussion Board there is a serious risk you will be regarded as a publisher of its contents and will be held liable for the defamatory material complained of as a publisher.

**What we require from you**

10. Should you fail to remove and disable the Discussion Board immediately our clients will have no alternative but to take legal action including any appropriate injunctive proceedings.
11. Our clients trust, however, that this will not be necessary and that this matter can be resolved in a reasonable manner and without recourse to the court. This letter is not therefore intended at this stage to comprise a formal notification of our client's claim pursuant to the Pre-Action Protocol for Defamation. We are not instructed at this stage to seek detailed undertakings from you nor are we instructed to seek any payment by way of compensation and/or costs.
12. However, our clients do require you to confirm to us in writing by **4pm on 12<sup>th</sup> June 2013 (today)** that you have removed the Discussion Board and will not publish any untrue defamatory allegations about our clients as from the date of receipt of this letter.
13. In the absence of this undertaking from you by the above deadline, our clients' rights as set out above are reserved in full.
14. We draw your attention to the Practice Direction relating to Pre-Action Conduct, which governs pre-action correspondence, and enclose a copy of the same for your information.
15. We reserve the right to bring this letter to the attention of the court. Any response to this letter should be in writing. We strongly suggest that this letter is referred by you to your solicitors.

Yours faithfully

*Pannone LLP*

**Pannone LLP**