

SCHEDULE 2

Statement on the settlement of defamation proceedings

*In 2017 and 2018 Vincent Zhen and Flow Chemical Pty Ltd (**Flow Chemical**) worked together with Mr Joshua Moon to obtain some IP Blocks from APNIC.*

Some of the statements made to APNIC by Mr Moon may have misled APNIC.

*Thereafter, the IP Blocks were used by Mr Moon to publish (amongst other things), the Kiwi Farms website, including defamatory comments concerning Liz Fong-Jones (**the Defamatory Thread**).*

In April 2023, Ms Fong-Jones alleged that Mr Zhen and Flow Chemical were publishers of the Defamatory Thread under Australian defamation law and obtained a freezing order from the Supreme Court of Victoria over Flow Chemical's assets, including the IP Blocks.

Shortly afterwards, she commenced defamation proceedings in the Supreme Court of Victoria against Mr Zhen and Flow Chemical for defamation, alleging that they were publishers of the Defamatory Thread.

In October 2023, after Mr Zhen and Flow Chemical failed to engage in the Court processes, the Court awarded Ms Fong-Jones \$445,000 in damages.

In late 2024, that judgment was set aside on the basis that Mr Zhen and Flow Chemical wished to raise legal defences to the claim (which did not include any defence alleging the defamatory meanings were true), on the condition they pay into Court the sum of \$128,000 for Ms Fong-Jones' wasted costs. The parties' legal positions were set out in submissions and other documents filed with the Court.

In early 2025, Ms Fong-Jones, Mr Zhen and Flow Chemical participated in a judicial mediation. At that mediation, they agreed to settle Ms Fong-Jones' defamation claims.

The terms of the settlement are confidential, save that the parties acknowledge that the settlement involved the payment of a sum of money from the defendants to Ms Fong-Jones, as well as the provision of some documents relating to the issues in the proceeding, and undertakings.

Mr Zhen regrets having assisted Mr Moon, in ways which enabled the broader publication of the Defamatory Thread. He does not support the publication of the Defamatory Thread or any related attacks on Ms Fong-Jones and regrets the harm that these publications have caused her.



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Vincent Zhen