PJ O'Brien & Associates
185 Corlette Street
The Junction
NSW 2291

6 July 2023

The Registrar
Federal Court

By e-lodgment

Dear Registrar

Dr Fidge v Pfizer Australia and Moderna

We act for Dr Julian Fidge, applicant.

This letter accompanies the following documents, filed on 6 July 2023 in the Federal Court of Australia:

1. Originating Application;
2. Interlocutory Application;
3. Applicant's Genuine Steps statement;
4. Affidavit of Dr Julian Fidge, with annexures, signed 6 July 2023;
5. Affidavit of Catherine Ashby-Koppens, with annexures, signed 6 July 2023;
6. Affidavit of Dr Angela Jeanes, with annexures, signed 6 July 2023; and
7. Affidavit of Kevin McKernan, with annexures, signed 6 July 2023.

I have marked the matter as **urgent** and request a First Case Management Hearing to occur as quickly as possible, where we will also seek an urgent hearing date.

I intend to have the Respondents served by no later than 7 July 2023.

The matter concerns an application for an injunction pursuant to section 147 of the *Gene Technology Act 2000* (**the Act**) seeking that the First and Second Respondents immediately cease dealing with their respective Monovalent and Bivalent Covid-19 products (**Products**), on the grounds that they are or contain genetically modified organisms (**GMOs**) as defined by the Act, and neither Respondent has applied for, nor received, the appropriate GMO licences from the Gene Technology Regulator to deal with genetically modified organisms within Australia for these Products (et al).

The failures by the Respondents to obtain several GMO licences constitutes serious criminal offences under the Act.

Urgency is required because when administered:

1. The Products transfer genetically modified material in the form of nucleoside-modified messenger RNA (**modRNA**) encapsulated in Lipid Nanoparticles (**LNPs**), which together form LNP-modRNA complexes, which are GMOs.

2. The Products also transfer genetically modified material in the form of nucleoside-modified DNA (**modDNA**) encapsulated in Lipid Nanoparticles (**LNPs**), which together form LNP-modDNA complexes, which are GMOs.

3. The LNP-modDNA complexes within the Products are biodistributed throughout the human body, delivering the modDNA inside cells throughout the human body including the cells of the brain, heart, liver, kidneys, ovaries, testes; once inside human cells the modDNA has the capacity to:

    a. enter the cell nucleus; and
    b. upon entry into the cell nucleus become replication competent, meaning it self-replicates independently of any chromosomal replication; and
    c. all subsequent copies of that modDNA (replications) are able to transcribe further modRNA for the translation of further quantities of synthetic Spike protein; and
    d. able to integrate into chromosomal (natural) DNA, where: further transcription of modRNA for further synthetic Spike protein can occur; integration near oncogenes and other genes can occur (eg tumour suppressor gene P53, threatens to stimulate cancerous tumour growth); with significant probability of being inherited by offspring.

4. The LNP-modRNA complexes within the Products are biodistributed throughout the human body, delivering the modRNA inside cells throughout the human body including the cells of the brain, heart, liver, kidneys, ovaries, testes; once inside human cells the modRNA has the capacity to:

    a. enter the cell nucleus; and
    b. reverse transcribe and integrate into chromosomal (natural) DNA, where: further transcription of modRNA for further synthetic Spike protein can occur; integration near oncogenes and other genes can occur (eg tumour suppressor gene P53, threatens to stimulate cancerous tumour growth); with significant probability of being inherited by offspring.

5. The Products contain cell-substrate modDNA contamination (the same modDNA in 2 and 3 above), where the cell-substrate modDNA contamination grossly exceeds per dose limits published by the Therapeutic Goods Administration by orders of magnitude; the modDNA contamination is encapsulated in Lipid Nanoparticles (**LNPs**) and is biodistributed throughout the human body, delivering the modDNA contamination inside cells throughout the human body including the cells of the brain, heart, liver, kidneys, ovaries, testes; once inside human cells the modDNA contamination has:

    a. the capacity to enter the cell nucleus; and
    b. upon entry into the cell nucleus become replication competent, meaning it self-replicates independently of any chromosomal replication; and

c. all subsequent copies of that modDNA (replications) are able to transcribe further modRNA for the translation of further quantities of synthetic Spike protein; and
d. integrate into chromosomal (natural) DNA, where: further transcription of modRNA for further synthetic Spike protein can occur; integration near oncogenes and other genes can occur (eg tumour suppressor gene P53, threatens to stimulate cancerous tumour growth); with significant probability of being inherited by offspring; and

e. transfect into oocytes and sperm-producing cells leading to:
    i. altered transgenic offspring;
    ii. interference with early intrauterine development;
    iii. induction of miscarriages and malformations.

The Applicant does not propose to seek interim injunction orders, as we seek the substantive action for a permanent injunction be heard under urgency.

We wish to bring this proceeding immediately to avoid any further harm.

We thank you for your assistance.

Kind regards

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