



Sales Promotion Specialists

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PRESS STATEMENT ISSUED ON 25/6/98 (by John Donovan)

A recent headline in Loyalty magazine said: "Shell Smart copyright battle gets nastier". In view of recent sinister developments, their headline has turned out to be a major understatement.

On 18th May a journalist called "Mr Hoots" travelled to Bury St Edmunds from Paris and spent several hours interviewing me and one of the key witnesses in the SMART action against Shell. He subsequently traced and interviewed another witness. He also spoke to our solicitor. In all four instances, he claimed to represent "The European". We have now established that this was a deception. Lawyers acting for The European are trying to trace Mr Hoots, apparently without success.

On 21st May, a gentleman called Mr Phillips visited our business centre offices posing as a consultant seeking office accommodation for a client. He asked so many questions about Don Marketing that he aroused the suspicions of a receptionist that he was connected in some way with the Shell litigation.

I subsequently received an anonymous telephone call. It soon became apparent that the caller had an intimate knowledge of the "Don Marketing Saga" and of a particular matter of a highly confidential nature, known only to a small number of people. During the conversation, **serious threats were made against my family and myself. Implied threats were also made against crucial witnesses.** The caller said that Shell's solicitors, DJ Freeman, had instructed an investigative resource. He also mentioned that Shell was about to go on the offensive.

The following day, I learnt that Shell had indeed issued a High Court Summons for an application in respect of my libel action, which I understand will be considered by a Judge next week. Shell's submission includes an application for the libel case to be struck out.

I brought these events to the attention of Shell Directors, including Mr Mark Moody-Stuart, the Chairman of Shell Transport & Trading Co Plc. I mentioned that I had arranged to give a Statement to the Police. I subsequently received a response from DJ Freeman. They denied that they or their client has any connection with Mr Hoots or the anonymous caller. Because they remained silent about "Mr Phillips", we took certain actions that put Shell into a corner. It was only then that DJ Freeman admitted that Mr Phillips was in fact acting on their instructions, exactly in line with what I had been told by the caller. We have pointed out to Shell that the withholding of admittance in their initial letter amounted to a deception. Furthermore, contrary to the pledge in the initial letter to "cooperate fully" in any Police investigation, they had withheld evidence that potentially related to a criminal offence. We subsequently asked Shell whether the name given by the investigator during his clandestine mission was his true name. We also asked if the investigators had engaged in any surveillance activity or tapped our telephone lines. Shell has ignored these questions. You must draw your own conclusions.

In view of the gravity of these developments and bearing in mind the pattern of oppressive and unscrupulous conduct by our opponent over the last five years, we will shortly be distributing dossiers about the "Don Marketing Saga" to every Member of Parliament. The unprincipled way in which Shell has dealt with these matters makes an absolute mockery of the ethical trading image projected by Shell's Statement of General Business Principles.

I attach a copy of an A4 size Legal Notice being published in the July issue of Forecourt Trader.