

BETWEEN:

**(1) RICHARD JOHN MEECHAN**  
**(2) JAMIE MARTIN MACSWEEN**

**Claimants**

and

**(1) GEOFF REYNER**  
**(2) RUSSELL FOWLER**  
**(3) FUELDEFEND GLOBAL LTD**

**Defendants**

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**STATEMENT IN OPEN COURT**

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Claimants' Solicitor – Jeremy Clarke-Williams, Penningtons Manches

1. My Lord/Lady, in this libel action I appear for Richard Meechan and Jamie MacSween who were formerly employed as Directors by FuelDefend Global Ltd, a company specialising in the design and development of fuel theft devices and other safety products for commercial vehicles and machinery. They left the company in January 2015 and chose to pursue other business opportunities in the same market place. Russell Fowler and FuelDefend Global Ltd, the 2<sup>nd</sup> and 3<sup>rd</sup> Defendants in these proceedings, are also legally represented today.
2. Their libel claims arise from allegations contained in an email which was sent on 21 May 2015. This email was sent by a then employee of FuelDefend Global to 96 of FuelDefend Global's customers, suppliers and contacts. Mr Meechan and Mr MacSween were well known to some of those recipients, and in respect of those recipients their reputations were particularly important. Although Mr Meechan and Mr MacSween were not named in the email, they were identifiable as the targets of the accusations.
3. The email alleged that the Defendants had uncovered a serious theft and fraud concerning Mr Meechan and Mr MacSween and that there was an ongoing police investigation from which actions would arise in due course.
4. Mr Meechan and Mr MacSween brought a libel claim in respect of the extremely serious and defamatory allegations that they had committed a serious theft and

fraud against their employer. Those allegations were untrue. Mr Meechan and Mr MacSween had not committed any criminal offences of theft and fraud.

5. The grapevine effect means that the allegations in the email will inevitably have been forwarded or communicated by the recipients to other people who knew Mr Meechan and Mr MacSween, so extending the injury to their personal and business reputations.
6. The allegations have caused serious harm to the reputations of Mr Meechan and Mr MacSween as well as resulting in significant distress and embarrassment for them.
7. Following the service of these proceedings on them, Russell Fowler and FuelDefend Global Ltd made an offer of amends in respect of the allegations which has been accepted. They are represented in Court today to retract publicly the false allegations which they published about Mr Meechan and Mr MacSween and to apologise unreservedly for the damage caused to them by the email. In view of the willingness of Mr Fowler and FuelDefend Global to make an unqualified and public apology, and the fact that Mr Fowler and FuelDefend Global have agreed to pay each of them compensation and their legal costs, Mr Meechan and Mr MacSween are now prepared to let the matter rest.

2<sup>nd</sup> and 3<sup>rd</sup> Defendants' Legal Representative

8. I agree with everything my friend has said. Russell Fowler and FuelDefend Global Ltd offer their sincere and unqualified apologies to both Mr Meechan and Mr MacSween for the embarrassment and distress which the false allegations in the email caused to them, and for the serious harm to their business and personal reputations. A copy of this statement will also be sent to each recipient of the email complained of.

Claimants' Solicitor – Jeremy Clarke-Williams, Penningtons Manches

9. With that, Mr Meechan and Mr MacSween are content. It only remains for me to seek permission to withdraw the record as against the 2<sup>nd</sup> and 3<sup>rd</sup> Defendants.

Signed: Penningtons Manches

Penningtons Manches – Claimants' solicitors

Signed: Blake Morgan LLP

2<sup>nd</sup> and 3<sup>rd</sup> Defendants' Legal Representative

Dated: 18<sup>th</sup> May 2017