



Internet Agency "Elena's Models" Is Suing 60 Minutes, Channel Nine, Australia, for Using its Website in the Broadcast About Scams

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ROBINA TOWN CENTRE, Queensland Australia/EWORLDWIRE/July 2, 2003 --- Small Internet agency "Elena's Models" www.elenasmodels.com is suing top rating TV program "60 minutes" (Channel Nine, Australia) for using its web site as illustration in the program about immigration scams.

Elena Petrova, Elena's Models:

"60 minutes, Channel Nine, Australia, used the pages of Elena's Models website and photos of the members of Elena's Models in their program "Russian Roulette" about immigration scams, broadcast 11 May 2003. The persons interviewed in the story had nothing to do with Elena's Models, and none of them used services of Elena's Models, or were members of Elena's Models.

"60 minutes Australia admitted in a phone conversation that none of the persons interviewed in the story was connected to Elena's Models.

Nevertheless, the name of the agency Elena's Models was recognizably displayed in the very beginning of the TV program "Russian Roulette", and the snapshot of the website displaying the name "Elena's Models" on the website of 60 minutes as illustration to the transcript of the story. The picture on the left hand side is a copy of the snapshot that 60 minutes used on their website.

The picture in the transcript of the story was later replaced on the website of 60 minutes with the photo of one of the persons depicted in the story, but the original picture with the words "Elena's Models" was still on the server of 60 minutes as today 3 July 2003, and you can see it there if click on this link. (They just forgot to remove it, but probably by the time you are reading those words they will already remove it.)

As today 3 July 2003, 5 A.M. Australian Eastern Time [GMT+10] at the moment of the publication of this article, the transcript of the story "Russian Roulette" can still be found on the website of 60 minutes. If you cannot find the transcript of the story at the link above, it means 60 minutes decided to remove the page.

"60 minutes also displayed personal pages of 4 female members of Elena's Models in the story. The pages included close shot, recognizable photos, and each of the photos was bearing the visible copyright mark of Elena's Models.

All of this led millions of viewers to believe that Elena's Models was involved in immigration scams.

Despite the numerous complaints of Elena's Models to the program 60 Minutes, Channel Nine, Australia, and after 6 weeks of negotiations (the first complaint was sent to 60 Minutes the next day after the program broadcast), 60 Minutes Australia insisted they did nothing wrong and refused to offer any form of acceptable public apology to the agency Elena's Models.

As the result of the story "Russian Roulette", the reputation of the agency Elena's Models was badly hurt. Sales from Australia dropped nearly 60% immediately following the broadcast of the program "Russian Roulette" on 60 Minutes. For a small Internet agency like ours it is a great loss.

5 weeks after the TV broadcast of the story "Russian Roulette" Elena's Models were still receiving phone calls with the questions why the website of Elena's Models was used in the story. This is where we realized how great was the damage to the reputation of Elena's Models done by 60 minutes broadcast and their failure to clear up the matters in regard to using the website of Elena's Models in their program about immigration scams.

Elena's Models has never been involved in any scam operation, and we feel very strongly about scams of any type. No one from the program 60 Minutes ever contacted us prior to the broadcast. No one from 60 Minutes

ever contacted us after the broadcast to apologize for what they did to Elena™s Models, neither by phone, nor in writing.

“The only mail that we received from 60 Minutes was a letter from the executive producer of 60 Minutes, Australia, John Westacott, which said that they did not use our web pages in their story “Russian Roulette” (Quote: “You are incorrect in asserting that the web pages we used in our story “Russian Roulette” were yours.” This is, saying politely, untrue. They did use multiple pages of Elena™s Models in their program.

“It is disturbing that a program with multimillion audience such as 60 minutes would use pages of a legitimate website and photos of innocent people and basically link them to the immigration scams portrayed in the story, and still insist that they did nothing wrong.

“The refusal of the program 60 Minutes, Australia, to offer any form of acceptable public apology to the agency Elena™s Models is unbelievable.

“This way, any website and any person is at risk.

Can a TV program take a photo of any person and broadcast it to million viewers in a program about scams? Can a TV program take a decent website and use it in a program about illegal activities? For example, use pages of a decent property website and show them in a program about property scams? Or take pages of a website selling pets food and show them in a program about food poisoning? What about YOUR own photo in a program about AIDS? “I think no one will think twice what to answer to those questions. The answer is obvious.

“I call all people of good will to voice their concern about the practices of 60 minutes, Channel Nine, Australia.

“We must protect our rights. We must act now. Otherwise, tomorrow you may see your own photo in a TV program about AIDS.”

Facts only:

11 May 2003 “ The snapshot of the website with the words “Elena™s Models” and photos of the female member Elena™s Models was published on the website of 60 minutes, Channel Nine, Australia, with the announcement of the future program “Russian Roulette”, promising investigation on “heartless immigration scams”.

11 May 2003 “ 60 minutes broadcast the story “Russian Roulette” about immigration scams, to the multimillion audience. In the beginning of the story the viewers could see on their screens the words “Elena™s Models” and then photos of the female members of Elena™s Models, while the presenter Liz Hayes was saying, “Those were the invitations that these men couldn’t refuse.”

12 May 2003 “ 60 minutes adds the transcript of the story “Russian Roulette” to the website, which also displays the same snapshot of the website with the words “Elena™s Models” and photos of the female members of Elena™s Models.

12 May 2003 “ Elena Petrova of Elena™s Models contacts 60 minutes via email, complaining about the use of her web pages in the program “Russian Roulette” about immigration scams. Elena™s Models request clarification of the matter and apology, and removal of the offensive picture from the website of 60 minutes.

13 May 2003 “ Another copy of the letter from 12 May 2003 sent to the email address of 60 minutes.

14 May 2003 “ Another copy of the letter from 12 May 2003 is faxed to 60 minutes.

16 May 2003 “ A response is received from the executive producer of 60 Minutes, Channel Nine, Australia, John Westacott, in which he insists that 60 minutes did not use the pages of Elena™s Models.

16 May 2003 “ A response sent to the letter of the executive producer of 60 Minutes John Westacott, which points out that 60 minutes indeed used the pages of Elena™s Models. Again, apologies and removal of the offensive picture from the website were requested.

18 May 2003 “ No apologies have been offered to the agency Elena™s Models in Sunday broadcast of the program 60 Minutes; even though a few letters related to the previous week story “Russian Roulette” were

included in the mail segment of the program 60 minutes. The letter of Elena Petrova from Elena™s Models was not included or even mentioned.

19 May 2003 - Elena™s Models handled the matter to its lawyers, having instructed them to obtain a public apology from 60 Minutes, either in the form of a written document or in the TV broadcast. Numerous faxes have been sent to 60 minutes, on which no answers have been received. In regard to phone calls to 60 minutes the person in question would be usually unavailable, and would not return the calls.

27 May 2003 - 60 Minutes sent a fax to the lawyers of Elena™s Models, which denies any liability of 60 Minutes to Elena™s Models. (Quote: "There is no basis upon which your client could assert that she has been defamed by the broadcast of the program, "Russian Roulette", or any material appearing on the Internet.")

4 June 2003 - "Despite the refusal of 60 minutes to admit that the picture on their website was defaming to Elena™s Models, the snapshot of the website with the words "Elena™s Models" was removed from the illustration to the story "Russian Roulette", and replaced with the picture of one of the persons depicted in the story. The snapshot of the website with the words "Elena™s Models" was not removed from 60 minutes server, and stayed there at least until 3 July 2003 at the address:
http://sixtyminutes.ninensn.com.au/sixtyminutes/images/story_pics/2003_05_11/russian_115.jpg.

19 June 2003 - Elena™s Models through its lawyers informed 60 minutes that unless 60 Minutes are prepared to offer an acceptable form of public apology, Elena™s Models would have to proceed with the defamation case through the legal proceedings.

22 June 2003 - "In their Sunday broadcast 60 minutes offered extensive apology for the mistakes in their previous program " but NOT to Elena™s Models; the apologies for numerous mistakes in the story were offered to the Customs Service that was unfairly portrayed in 60 Minutes story "Stitched up" 15 June 2003. Transcript of the story "Stitched up" was withheld from 60 minutes website.

29 June 2003 - "No apologies were offered to Elena™s Models in Sunday broadcast of 60 minutes, again. After 7 weeks of negotiations with 60 minutes Elena™s Models decided to proceed with the defamation case through the legal proceedings.

01 July 2003 - "A complaint sent to the Australian Broadcasting Authority in regard to the story "Russian Roulette" of 60 minutes, Channel Nine, Australia as breaching the clauses 4.3.1 [unfair representation of viewpoints]; 4.3.5 [privacy], 4.3.7 [unfair identification persons or businesses], 4:3:10 [national or other discrimination], and 4:3:11 [failure to take the earliest opportunity to correct errors] of the CTVA Code.

How to contact Elena's Models:

Email: elena@elenamodels.com
(Use the subject line "60 minutes broadcast")

Phone: +61 (7) 5578 7977
(Monday-Friday; 9:00-16:00 Australian Eastern Time [GMT+10]; or 17:00-24:00 Central USA Time)

Postal:

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