

Fasken Martineau DuMoulin LLP \*  
Barristers and Solicitors  
Patent and Trade-mark Agents

www.fasken.com

2900 - 550 Burrard Street  
Vancouver, British Columbia, Canada V6C 0A3

604 631 3131 Telephone  
604 631 3232 Facsimile

**FASKEN  
MARTINEAU** 

**David Wotherspoon**  
Direct +1 604 631 3179  
Facsimile +1 604 632 3179  
dwotherspoon@fasken.com

August 10, 2015  
File No.: 253729.14288/14288

**By Email - editor@offshorealert.com**

KYC News, Inc., d.b.a. OffshoreAlert  
123 S.E. 1st Avenue, #173  
Miami, FL 33131 U.S.A.

**Attention: David Marchant**

Dear Mr. Marchant:

**Re: Defamation Re: Duane McGaw**

We are legal counsel for Duane McGaw. We write regarding false and defamatory statements published by you on your website OffshoreAlert.com.

The article at issue is titled "Argentum Fraudster Duane McGaw Resurfaces As Vancouver Restaurant Owner" and is publically viewable at the following webpage <http://www.offshorealert.com/BlogPost.aspx?id=52707> (the "Article"). The Article is dated July 14, 2015 and you are identified as the author.

The defamatory statements contained in the Article are false and were posted maliciously. With respect to malice, we note that the majority of the articles posted on your website appear to be accessible only on a pay per view or subscription basis. The Article, on the other hand, is publically accessible free of charge. The defamatory statements contained in the Article include:

*[Mr. McGaw is] one of the principal perpetrators of an investment fraud totaling £98 million.*

*[Mr. McGaw is a] litigation funding fraudster.*

*I've already tipped them off about McGaw's shiny new toy which, hopefully, will be seized and sold, with the proceeds used for the benefit of his many victims.*

294907.00001/90425086.1

\* Fasken Martineau DuMoulin LLP is a member firm of the law firm Fasken Martineau LLP, a Canadian limited liability partnership.

Vancouver

Calgary

Toronto

Ottawa

Montréal

Québec City

London

Paris

Johannesburg

*It's a common misconception that fraudsters are bright. In my experience, they're dumber than a box of rocks, hence having to rely on simple dishonesty to make a living. Canadian conman McGaw is Exhibit A.*

*McGaw's public re-emergence is all the more baffling given his decision to flee the scene of the crime...*

*Is [Mr. McGaw] dopey enough to think that asset recovery specialists have given up looking for his assets after such a relatively short time? Apparently so.*

We have reviewed the “About OffshoreAlert” page of your website, noting particularly the paragraph in which you appear to boast that “you have been sued for libel multiple times... and have never lost, published a correction, issued an apology or paid one cent in legal fees, costs or damages to the plaintiffs”. You should be aware that the law in Canada is clear: your conduct amounts to defamation. The statements referred to above entitle Mr. McGaw to sue you and your company for damages. Because you have sought to damage our client’s reputation in Canada, and to cause damage to its business interests here in British Columbia, our courts will take jurisdiction.

On behalf of our client we demand that you immediately remove the Article from your website and agree to provide a written apology that is acceptable to our client.

Please be aware that a lack of co-operation on your part could result in legal proceedings against you in the British Columbia Supreme Court without further notice.

Yours truly,

**FASKEN MARTINEAU DuMOULIN LLP**



David Wotherspoon  
Personal Law Corporation

DKW/BJC