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IN THE HIGH COURT OF JUSTICE**KATE BECKINSALE****Claimant****- and -****EXPRESS NEWSPAPERS LIMITED****Defendant**

STATEMENT IN OPEN COURT

Solicitor for the Claimant

1. In this libel action I appear for the Claimant. My learned friend, Ian Helme, appears for the Defendant.
2. The Claimant is an internationally recognised and respected actress who was born and educated in London before going to Oxford University. She has been an actress since 1991 and now lives in Los Angeles. The Claimant has appeared in a number of well-known Hollywood feature films, including *Much Ado about Nothing*, *Pearl Harbor*, *Underworld*, *Van Helsing* and *The Aviator*. Her latest film, *"Everybody's Fine"* is released in November this year. The Defendant is the publisher of, amongst other titles, the *Daily Express* newspaper.
3. This action concerns an article published in the *Daily Express* on 5 June 2009 entitled *"Blow as Kate loses Barbarella Role."* The article alleged that the Claimant was *"facing heartbreak after it emerged she is set to miss out on her dream role as sexy heroine Barbarella"*. It went on to say that she was to miss out to a *"rival Hollywood actress Rose McGowan"*. The article continued, stating that *"... the word is she's going to lose out to Rose. The film is expected to be a big commercial hit so it will be a real blow to Kate."* The article was also published on the Defendant's website and was re-published worldwide.
4. As the Defendant now accepts, the allegations are entirely false. The Claimant was never in discussions about this film role and there was never a possibility she would be part of this project. It therefore follows that she has not been passed over in favour of another actress.
5. The publication of this wholly false article has caused considerable embarrassment and harm to the Claimant. The film industry, particularly at the highest level in Hollywood, values actresses on the basis of them being

02078369400

successful and in-demand – one may say, being "*hot property*". This article wrongly gave the impression that the Claimant's career is in decline which would undoubtedly have a knock-on effect on those who would be casting film roles, as well as the industry as a whole.

6. The Defendant, in addition to joining in this Statement and apologising sincerely to the Claimant for the damage to her reputation caused by the article, has agreed to pay the Claimant a substantial sum in damages as well as her legal costs. The Defendant has also agreed to give an undertaking not to repeat any of the statements complained of and to publish an Apology in the Daily Express, and online.
7. In those circumstances, and in light of this vindication, the Claimant has agreed not to pursue her legal action against the Defendant.

Solicitor for the Defendant

8. My Lord, on behalf of the Defendant I confirm everything my Friend, Mr Atkins, has said.
9. The Defendant offers its sincere Apology to the Claimant for the damage and the embarrassment caused by the article. The Defendant acknowledges that the false allegations should never have been published. It is happy to pay damages and legal fees, as well as undertaking never to repeat the allegations. It hopes that by making this Statement and apologising in the Daily Express and online, the record will have been set straight and the Claimant's reputation restored.

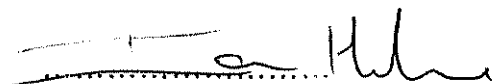
Solicitor for the Claimant

10. In the circumstances, my Lord, it only remains for me to ask that the record be withdrawn.



GRAHAM ATKINS

Partner
Atkins Thomson
Solicitors for the Claimant



IAN HELME

Counsel for the Defendant

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IN THE HIGH COURT OF JUSTICE

BETWEEN:

KATE BECKINSALE

Claimant

- and -

EXPRESS NEWSPAPERS LIMITED

Defendant

STATEMENT IN OPEN COURT

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