



21 February 2011

The Companies Officer
ASX Limited
2 The Esplanade
Perth WA 6000

Dear Sir

Fortescue to Appeal Federal Court Decision

Fortescue Metals Group ("ASX:FMG" "Fortescue") and Fortescue Chief Executive Officer Mr Andrew Forrest have announced they intend to seek leave to appeal to the High Court of Australia against the decision by the Full Bench of the Federal Court to uphold an appeal by the Australian Securities and Investments Commission (ASIC) regarding civil penalty proceedings brought by ASIC against Fortescue and Mr Forrest.

Yours sincerely
Fortescue Metals Group Ltd

Mark Thomas
Company Secretary

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