

IN THE HIGH COURT OF JUSTICE

Claim No. QB-2019-000558

QUEENS BENCH DIVISION

Before: Rowena Collins-Rice (sitting as a Deputy Judge of the High Court)

Date: 25th February 2020

BETWEEN:

CHELSEA FOOTBALL CLUB LIMITED

Claimant

-and-

(1) GARY NICHOLS

(2) ADRIAN PRICE

Defendants



ORDER

UPON THE APPLICATION by the Claimant made by Application Notice dated 20 December 2019 (the "**Committal Application**") for the committal of the First Defendant to prison for disobeying the order of Mr. Justice Dove dated 19 February 2019 as amended by the order of Mrs. Justice Cutts dated 26 February 2019 and as amended by the order of Master McCloud dated 2 May 2019 (the "**Order**")

AND UPON THE HEARING of the Committal Application before Margaret Obi (sitting as a Deputy Judge of the High Court) on 14 January 2020

AND UPON THE ORDER of Margaret Obi (sitting as a Deputy Judge of the High Court) dated 14 January 2020, stating "*AND UPON THE COURT BEING SATISFIED that the First Defendant is guilty of contempt of court for his admitted breach of paragraph 1(a) of the Order: specifically, the First Defendant's*

breach of the Order is as follows. On 4 December 2019, in breach of paragraph 1(a) of the Order, he sold a Chelsea Ticket (as defined in the Order)'

AND UPON A HEARING ordered by Margaret Obi (sitting as a Deputy Judge of the High Court) for the Court to determine the sentencing of the First Defendant for his contempt of court, heard before Rowena Collins-Rice (sitting as a Deputy Judge of the High Court) on 25 February 2020

AND UPON HEARING Mr. Charles Raffin, Counsel for the Claimants and Mr. Adam Tear, Solicitor Advocate for the First Defendant

AND UPON READING the documents set out in Schedule 1 to this order

IT IS ORDERED that:

1. For his contempt the First Defendant stand committed to HM Prison Pentonville for a period of 21 weeks from the date of his apprehension or until lawfully discharged.
2. The execution of the committal order and warrant for committal be suspended for the period of 72 hours, namely until 1600 on Friday 28 February 2020.
3. A transcript of the Judgment of the court of 25 February 2020 be generated at public expense on an expedited basis. The said Judgment is to be made available to the Parties and provided for publication on the British and Irish Legal Information Institute (BAILII).
4. The First Defendant pay the Claimant's costs of and occasioned by the Committal Application summarily assessed in the sum of £13,883.25. This order for costs is not to be enforced without the permission of the Court.

Service of this Order

The Court has provided a sealed copy of this order to the serving party, namely the Claimant, to be served by the Claimants' solicitors on the First Defendant as soon as possible.

SCHEDULE 1

- (1) The Order of Margaret Obi (sitting as a Deputy Judge of the High Court) dated 14 January 2020
- (2) The Transcript of the Hearing before Margaret Obi on 14 January 2020
- (3) The Judgment of Margaret Obi of 14 January 2020
- (4) The Transcript of a hearing in Case No. HQ11X02372 before Mr Justice Lane held on 7 September 2018
- (5) The Judgment of Mr Justice Lane in Case No. HQ11X02372 of 7 September 2020
- (6) The First Affidavit of Emma Elizabeth Shaw and Exhibit dated 20 December 2019
- (7) Claim Form and Particulars of Claim in this action
- (8) Order of Mr. Justice Dove dated 19 February 2019
- (9) Order of Mrs. Justice Cutts dated 26 February 2019
- (10) Order of Master McCloud dated 2 May 2019
- (11) The Skeleton Argument on behalf of the Claimant dated 10 January 2020
- (12) The Skeleton Argument on behalf of the Claimant dated 24 February 2020
- (13) The Skeleton Argument on behalf of the First Defendant dated 21 February 2020
- (14) The witness statement of Jack Nichols dated 21 January 2020
- (15) The witness statement of Gary Nichols dated 24 February 2020 and the attachments thereto