

**IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
MEDIA AND COMMUNICATIONS LIST**

**Claim No: QB-2022-000921**

**BEFORE THE HONOURABLE MR JUSTICE MURRAY**

**ON: 4 MAY 2022**

**B E T W E E N :**

- (1) LCG**
- (2) ALC**
- (3) LEI**

**Claimants**

**-and-**

- 1) OVD**
- (2) BJZ**
- (3) BCN**
- (4) RGS**
- (5) ODB**
- (6) CDT**
- (7) HSK**

**(8) PERSONS UNKNOWN**

(responsible for engaging in acts amounting to harassment of the Second Claimant or his family and/or being in possession or control of the items of private information detailed herein)

**Defendants**

**PENAL NOTICE**

**IF YOU THE DEFENDANT DISOBEY PARAGRAPHS 7(a), 9, 12, 13 (IF APPLICABLE), OR 29 OF THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED OR HAVE YOUR ASSETS SEIZED.**

**ANY PERSON WHO KNOWS OF THIS ORDER AND DISOBEYS THIS ORDER OR DOES ANYTHING WHICH HELPS OR PERMITS ANY PERSON TO WHOM THIS ORDER APPLIES TO BREACH THE TERMS OF THIS ORDER MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.**

**NOTICE TO ANYONE WHO KNOWS OF THIS ORDER**

**You should read the terms of the Order and the Practice Guidance on Interim Non-Disclosure Orders very carefully. You are advised to consult a solicitor as soon as possible. This Order prohibits you from doing the acts set out in Paragraphs 7(a), 9, 12, 13 (for the First, Second, Sixth and Seventh Defendants) and 29 of this Order. You have the right to ask the Court to vary or discharge the Order. If you disobey this Order, you may be found guilty of contempt of court and you may be sent to prison or fined or your assets may be seized.**

**IT IS ORDERED AND DIRECTED AS FOLLOWS:**

1. This Order is:
  - (a) an order for anonymity, reporting restrictions orders and restrictions upon the court file, applying to the world at large;
  - (b) an injunction order against all Defendants;
  - (c) a further order against the First, Second, Sixth and Seventh Defendants for (i) an injunction (in addition to that above) and (ii) to produce affidavit evidence;
  - (d) an order for the transfer of the Withdrawn Claim (as set out below) to the Queen's Bench Division, Media and Communications List;
  - (e) an order for an expedited trial, with case management directions as set out below;

together with additional orders against all Defendants as set out below.
2. This Order was made on 4 May 2022 by the Judge identified above (the **Judge**) on the application (the **Application**) of the Claimants. This was the return date of the Application, which was heard on 11 April 2022 without notice to the Defendants. The Judge:
  - (a) read the witness statements referred to in Schedule A at the end of this Order;
  - (b) heard submissions from counsel for the Claimants, Ms Beth Grossman;
  - (c) read the letters sent by solicitors acting for all named Defendants (except for the Sixth Defendant) (the **Grouped Defendants**) on 29 April 2022 and on 3 May 2022 (confirming agreement of those Defendants to the orders sought);
  - (d) read the certificates of service and signatures obtained on special delivery in relation to the Sixth Defendant, and was satisfied that, although the Sixth Defendant was not present or represented and had not made any representations, he had been served with a copy of the Order made on 11 April 2022, together with the other documents in respect of that hearing, the Claim Form, Amended Particulars of Claim and response pack; and
  - (e) considered the provisions of the Human Rights Act 1998 (**HRA**), section 12.
3. Service of the Claim Form together with the Particulars of Claim and documents in relation to this hearing were served on each of the Defendants as follows:
  - (a) First Defendant, on 13 April 2022 by special postal delivery and also on 20 April 2022 by process server;

- (b) Second Defendant, on 13 April 2022 by special postal delivery and on 20 April 2022 in person by process server;
  - (c) Third Defendant, on 13 April 2022 by special postal delivery and on 20 April 2022 in person by process server;
  - (d) Fourth Defendant, on 13 April 2022 in person and also on 14 April 2022 by special postal delivery;
  - (e) Fifth Defendant, on 13 April 2022 in person and also on 14 April 2022 by special postal delivery;
  - (f) Sixth Defendant, on 16 April 2022 by special postal delivery and on 20 April 2022 in person by process server;
  - (g) Seventh Defendant, on 13 April 2022 by special postal delivery and on 14 April 2022 in person.
4. The Judge, having read the witness statement of Victoria Smithyman, solicitor for the Claimants, varied the date of service (directed at the hearing on 11 April 2022 to be 4:00pm on 14 April 2022) in accordance with the dates of delivery set out above (where different).
5. The Judge declared this matter suitable for an expedited trial in the Media and Communications List, and made the case management orders and directions in respect of that trial as set out at Part 5 below.
6. It is ordered that the Claim in the High Court, Business and Property Division, with the claim number provided in Confidential Schedule E (the **Withdrawn Claim**) be transferred to the Queen's Bench Division, Media and Communications List, in order that the matter of set-aside of the Consent Order in that claim, and/or permission to bring a new claim arising from those facts, may be tried with the other claims in this matter.

#### **PART 1: ANONYMITY**

7. Upon the Judge considering section 12 of the Human Rights Act 1998 and being satisfied that non-disclosure of the identity of the Claimants was strictly necessary to secure the proper administration of justice and/or to protect the interests of the First and Second Claimants, and pursuant to section 6 of the Human Rights Act 1998 and to Rule 39.2(4) of the Civil Procedure Rules and Section II of the Contempt of Court Act 1981 and Rules 5.4C and 5.4D of the Civil Procedure Rules, until further Order:
- (a) the identities of the parties shall be not disclosed, except:
    - (i) by the parties to their legal representatives;
    - (ii) by the parties to any independent computer expert appointed for the purposes of forensic examination of any device, any medical expert giving evidence or an opinion in association with these

proceedings (subject to that person having been provided with a copy of this sealed Order);

- (iii) any other expert for the purpose of giving evidence in these proceedings, subject to the other parties having been notified of the same no less than seven days in advance of the proposed instruction and having an opportunity to object to the same, and further subject to that person having been provided with a copy of this sealed Order;
  - (iv) by the parties to any proposed litigation funder or insurer (subject to that body or person having been provided with a copy of this sealed Order);
  - (v) as follows:
    - (A) by ALC to his wife, children or his brother;
    - (B) by LCG to her parents or siblings;
  - (vi) if and to the extent that any party reasonably considers that a further individual or individuals requires knowledge of their identities, the party seeking disclosure is to write to all the parties, informing them of the proposal and giving them no less than 5 working days to object or consent; any application for variation by consent may be made in writing and determined without a hearing; any opposed application must be supported by evidence and will be determined at a hearing;
- (b) the Claimants shall be permitted to issue the proceedings naming the First Claimant “LCG”, the Second Claimant “ALC” and the Third Claimant “LEI” and giving an address as that of the Claimants’ solicitors;
  - (c) the Claimants shall be permitted to issue proceedings naming the First to Seventh Defendants (1) “OVD” (2) “BJZ” (3) “BCN” (4) “RGS” (5) “ODB” (6) “CDT” and (7) “HSK”, respectively;
  - (d)
    - (i) the Claimants shall be described in all statements of case and other documents to be filed or served in the proceedings and in any judgment or order in the proceedings and in any report of the proceedings by the press or otherwise as pursuant to the above ciphers; and
    - (ii) any other details liable to lead to the identification of the Claimants shall be redacted before publication;
  - (e) the address of the Claimants shall be stated in all statements of case and other documents to be filed or served in the proceedings as the address of their solicitors;

- (f) the address of the parties shall be stated in all statements of case and other documents to be filed or served in the proceedings as the address of their respective solicitors;
- (g) in so far as necessary, any statement of case or other document disclosing the parties' addresses already filed in the proceedings shall be replaced by a document describing such name or address in anonymised form as above;
- (h) the original of any such document disclosing the name or address of the Claimants shall be placed on the Court file. The court file shall be clearly marked with the words "*an anonymity order was made in this case on 11 April 2022 and any application to inspect or obtain a copy document from this file must be dealt with in accordance with the terms of that order*";
- (i) a non-party may not inspect or obtain a copy of any document on or from the Court file (other than this order duly anonymised as directed) without the permission of a Master or District Judge. Any application for such permission must be made on notice to parties, and the Court will effect service. The file is to be retained by the Court and marked "Anonymised";
- (j) reporting restrictions apply as to the disclosing of any information that may lead to the subsequent identification of the Second and Third Claimants. The publication of the name and address of Second and Third Claimants or their immediate family is prohibited;
- (k) the above provisions of shall not apply:
  - (i) to communications between the Court Funds Office and the parties in relation to the payment of money into the Court Funds Office for the benefit of the anonymised party or the investment or treatment of payment out of such money;
  - (ii) to communications between the Court Funds Office and/or the parties and any financial institution concerned as to the receipt or investment of such money; or
  - (iii) to records kept by the Court Funds Office or the parties or any such financial institution in relation to such money;
- (l) a copy of this order shall be published on the Judicial Website of the High Court of Justice specifying that the First to Third Claimants and the First to Seventh Defendants shall be referred to pursuant to the above ciphers and excluding Confidential Schedules C – E.

## **PART 2: INJUNCTION ORDER**

8. **This Part of this Order applies to all Defendants.**
9. Until the conclusion of trial of this claim or further Order of the Court, the Defendants must not disclose or otherwise misuse the First and Second Claimants' private information (as identified below and further in Confidential Schedule D) as set out below or pursue, whether directly or by aiding, abetting, encouraging or procuring another, any course of conduct amounting to harassment of the Claimants (including but not limited to the below):
  - (a) obtaining copies of photographs of the First Claimant, or the Second Claimant's younger daughter (**the Photographs as identified in Confidential Schedule D**) or facilitating third parties obtaining the same;
  - (b) distributing the Photographs (or purporting to distribute the Photographs), to any person or by any means (except as expressly provided, to the Defendant's legal representatives for the purpose of this litigation or in order to bring into effect any court order). For the avoidance of doubt "distributing" shall include copying, printing, posting on the internet in any form and on any platform, or otherwise passing to or making available to any person;
  - (c) threatening to distribute the Photographs to dissuade, or to seek to dissuade the Claimants, or any other persons, from bringing or continuing litigation;
  - (d) threatening to distribute the Photographs to dissuade, or to seek to dissuade the Claimants, or any other persons, from undertaking any activity, or not undertaking any activity, whatsoever or howsoever;
  - (e) describing, or threatening to describe the contents of the Photographs to third parties, whether orally or in any written or permanent form (except as expressly provided for the purpose of compliance with paragraph 13 of this Order or to their legal representatives for the purpose of this litigation);
  - (f) giving information or threatening to give information to any member of the Second Claimant's family or to third parties, either orally, or in any written, pictorial or permanent form or otherwise howsoever which states, whether expressly, or by implication, the other matters set out in Confidential Schedule D at paragraph 2 (**the Further Private Information**), (except to their legal representatives for the purposes of this litigation or in order to bring into effect any court order). For the avoidance of doubt, this provision applies to information whether it is true (or believed or purported to be true) or false;
  - (g) Making silent telephone calls to the Second Claimant, or any member of his family, or employee of the Third Claimant, or instructing, encouraging or giving any other person the means to do the same;

- (h) Threatening the Second Claimant, or any member of his family, with violence (whether express or implied), whether in person, by telephone calls, text, WhatsApp messages, or otherwise howsoever;
- (i) Making any communication to any member of the Second Claimant's family whether in person, by telephone calls, text, WhatsApp messages, or otherwise howsoever, which has the purpose of causing psychological distress or interfering in the relationship between the Second Claimant and that family member by suggesting (whether expressly or by implication) immoral or shameful conduct by the Second Claimant or any family member;
- (j) Conveying information that any member of the Second Claimant's family is not, in fact, related by blood or kinship;
- (k) Making demands for money in connection with any of the information at (a)-(j) above.

### **PART 3**

10. **This Part of this Order applies to the First Defendant, Second Defendant, Sixth Defendant and Seventh Defendant.**

11. In this Part:

**“Electronic Storage Devices”** includes devices such as computers, tablets, PDAs, mobile telephones, physical file servers, backup media, and USB storage devices;

**“Online Account(s)”** includes email accounts, accounts on file servers which are accessible remotely, social media accounts, accounts with cloud-based IT systems (including file-shares and email), and accounts with online storage/data sharing platforms such as Dropbox but shall not include any bank, building society, or share trading account; and

**“Relevant Document”** means:

- (a) any photograph of the First Claimant or the Second Claimant's younger daughter;
- (b) any message in any form (including by email, WhatsApp, Messenger, SMS text, LinkedIn, Twitter or Instagram) attaching any photograph of the First Claimant or referring explicitly or implicitly to any photograph of the First Claimant of the Second Claimant's youngest daughter; and
- (c) any message referring whether explicitly or implicitly to any threat of any kind to the Second Claimant, his brother, or his immediate family, save for any message to or from any legal representative.

12. Until the conclusion of trial, or further Order of the Court, the First, Second, Sixth and Seventh Defendants shall not delete or destroy any material held by them on

any Electronic Storage Device or any Online Account, in order that this material be preserved in its current state for the purposes of the Application to be determined as set out below. The First, Second, Sixth and Seventh Defendants are also not to destroy any copy of the Relevant Documents howsoever held, including in hard copy.

13. Within seven days of the Return Date (11 May 2022), each of the First, Second, Sixth and Seventh Defendants, is to provide to the Claimants by way of affidavit the following information:
  - (a) whether they currently hold or have held copies of the Photographs (or any of the Photographs), and if so, whether those images were held on Electronic Storage Devices (and if so, which ones) or in Online Accounts, or in paper;
  - (b) the date or dates on which any copies have been deleted or destroyed;
  - (c) the identities (or identifying information, if names and full contact information is not known) of any individual(s) from whom they received copies of the Photographs;
  - (d) the identities (or identifying information, if names and full contact information is not known) of any individuals to whom they have provided copies of the Photographs.
  - (e) insofar as the Defendants, or each of them, have or has in their knowledge, possession or control the following information in respect of any individual they are to include it within their affidavits:
    - (i) the full name of the individual;
    - (ii) their residential, or last known residential address;
    - (iii) any address at which that individual carries on business, whether in his or her own right or as an employee, servant, agent or otherwise howsoever.

#### **PART 4: IDENTIFICATION OF PERSONS UNKNOWN**

14. If, further to receipt of the affidavit evidence set out at paragraph 13 above, any further or different individuals are identified who have been, appear or continue to be, in receipt of the Photographs, or otherwise responsible for any act of misuse of private information or harassment as set out in this Order, the Claimants are to serve a copy of this Order upon them and may seek an injunction against those individuals as named at a further return date of this Application.
15. If, further to receipt of the affidavit evidence set out at paragraph 13 above, the Claimants wish to add any further person as a Defendant to this claim, they shall make an application to do so, and notify that person and all Defendants, as soon as is practicable.



## **PART 5: TRANSFER OF THE WITHDRAWN CLAIM AND EXPEDITED TRIAL**

16. **This Part of the Order applies to all parties.**
17. An expedited trial with an estimated length of 5 days, is ordered. This trial is to determine all matters in the action, including the Claimant's claim in respect of the Withdrawn Claim for set aside of the Consent Order and/or permission to bring a new claim on those facts.
18. The Claimants and the Grouped Defendants are to identify dates of non-availability for:
  - (i) a trial, in the period 3 October – 21 December 2022; and
  - (ii) for a pre-trial review, in the period 20 July – 21 December 2022.

They shall specify which of those dates relate to the parties (and if so which) and which relate to the legal representatives or counsel. The Claimants are to provide the same to the listing office by 4:00pm on **9 May 2022**. If the listing of the trial cannot be made to accommodate all those parties and the legal representatives/counsel, priority shall be given to accommodating dates of the parties' availability over dates of their legal representatives'/counsel's/s' availability.
19. The Claimants are to write to the Sixth Defendant by 4:00pm on **5 May 2022** to invite him to provide his dates of non-availability to the Claimant by email and/or telephone by 9:00am on **9 May 2022**. If there is no response from the Sixth Defendant (either at all, or providing dates), or if the Sixth Defendant indicates in any response that he will not make himself available for trial, the listing shall proceed as at paragraph 18 above.
20. The Withdrawn Claim, pursuant to the Claim Number at Confidential Schedule E is hereby transferred to the Queen's Bench Division (Media and Communications List) for the purposes of determining the aforesaid set aside. The Claimants are to serve a sealed copy of this Order (including the Confidential Schedules) on the relevant division and/registry of the High Court (as set out at Confidential Schedule E) by no later than 4:00pm on **9 May 2022**. The restrictions on this court file shall apply to any copy of this Order including the Confidential Schedules as held by that division or registry.
21. The Defendants are to file and serve Defences by 4:00pm on **25 May 2022**.
22. The Claimants may file and serve a Reply to any Defence by 4:00pm on **8 June 2022**.
23. Disclosure shall be given by the parties as follows:
  - (a) The parties shall exchange lists of their initial disclosure of the documents relied on and any known adverse documents (i.e. those that undermine a party's own case or provide support for the other side's case), together with copies of the documents, by 4:00pm on **15 June**

**2022;**

- (b) The parties shall request by list any specific documents or categories of document, together with the grounds on which disclosure of such documents are necessary and proportionate for a fair disposal of the dispute within an expedited timetable, by 4:00pm on **22 June 2022**;
  - (c) The parties shall provide the documents requested, or respond to the list of requests, setting out any grounds on which disclosure is resisted, by 5pm on 4:00pm on **29 June 2022**;
  - (d) If there is any dispute in respect of disclosure, the parties shall co-operate with each other and liaise with the Court to fix a date for hearing of the matter, or (depending on the dates of availability for such a hearing), this may be reserved until the pre-trial review.
24. Signed statements of witnesses of fact to be exchanged simultaneously by 4:00pm on **13 July 2022**:
- (a) Oral evidence will only be permitted from a witness whose evidence has been served late or otherwise not in accordance with this Order where permission of the Court has been given;
  - (b) If a witness is unable to read the statement in the form provided to the Court, the statement must be accompanied by a certificate that is compliant with the relevant rule/practice direction of the Civil Procedure Rules. If a witness who has made a statement is to give evidence and is unable to do so in spoken English, the party relying on that witness must ensure that a suitably qualified and independent interpreter is available.
  - (c) Witness statements must:
    - (i) start with the Claim Number and name of the case;
    - (ii) state the witness's full name and address;
    - (iii) set out the evidence clearly in numbered paragraphs on numbered pages;
    - (iv) end with a statement of truth "I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth"; and
    - (v) be signed by the witness and dated.
25. Costs management:
- (a) Costs Budgets are to be filed and exchanged by the parties by **1 June 2022**;

- (b) Budget discussion reports are to be filed and exchanged no later than **8 June 2022**; and
  - (c) any dispute as to costs budgets will be dealt with in writing by the Court. The parties have permission to file short written submissions in respect of the disputed items by **15 June 2022**.
26. A pre-trial review shall be listed in this matter, with a time estimate of 2 hours. The listing of the pre-trial review is to follow the listing of the trial, and is to be at least seven days in advance of the trial, and four weeks before if the trial listing permits.
27. The above dates and time limits may be extended by agreement between the parties, save that:
- (a) the dates and time limits in paragraph 24 (witnesses of fact) may not be extended to any date which is less than seven days before the first day of trial;
  - (b) the dates and time limits specified in paragraph 23 (disclosure) and paragraph 24 (witnesses of fact) may not be extended by more than 7 days without the permission of the Court; and
  - (c) the dates specified in paragraph (18) ((i) trial and (ii) pre-trial review), and at paragraph 25(c) (resolution of disputes as to costs budgeting) cannot be varied without the permission of the Court.

## **PART 6: PROTECTION OF HEARING PAPERS**

28. **This Part of the Order applies to all Defendants and any Third Party.**
29. The Defendants, and any third party given advance notice of the Application, must not publish or communicate or disclose or copy or cause to be published or communicated or disclosed or copied any witness statements and any exhibits thereto and information contained therein that are made, or may subsequently be made, in support of the Application or the Claimant's solicitors' notes of the hearing of the Application (the **Hearing Papers**), provided that the Defendants, and any third party, shall be permitted to copy, disclose and deliver the Hearing Papers to the Defendants' and third party's/parties' legal advisers for the purpose of these proceedings .
30. The Hearing Papers must be preserved in a secure place by the Defendants' and third party's/parties' legal advisers on the Defendants' and third party's/parties' behalf.
31. The Defendant, and any third party given advance notice of the Application, shall be permitted to use the Hearing Papers for the purpose of these proceedings provided that the Defendants' third party's/parties' legal advisers shall first inform anyone, to whom the said documents are disclosed, of the terms of this Order and, so far as is practicable, obtain their written confirmation that they understand and accept that they are bound by the same.

## **PART 7: PROVISION OF DOCUMENTS AND INFORMATION TO THIRD PARTIES**

32. The Claimants shall be required to provide the legal advisers of any third party where unrepresented, the third party served with advance notice of the application, or a copy of this Order promptly upon request, and receipt of their written irrevocable undertaking to the Court to use those documents and the information contained in those documents only for the purpose of these proceedings:
- (a) a copy of any material read by the Judge, including material read after the hearing at the direction of the Judge or in compliance with this Order save for the witness statements (and their exhibits) referred to in Schedule A at the end of this Order; and/or
  - (b) a copy of the Hearing Papers.

## **PART 8: PUBLIC DOMAIN**

33. The Judge considered it strictly necessary, pursuant to CPR 39.2(3)(a) and (c), to order that the hearing of the Application be in private and that there be no reporting of the same.
34. For the avoidance of doubt, nothing in this Order shall prevent the Defendants from publishing, communicating or disclosing such of the Information, or any part thereof, as was already in, or that thereafter comes into, the public domain in England and Wales (other than as a result of breach of this Order or a breach of confidence or privacy).

## **PART 9: COSTS**

35. The costs of and occasioned by the Application are reserved.

## **PART 10: VARIATION OR DISCHARGE OF THIS ORDER**

36. The parties or anyone affected by any of the restrictions in this Order may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person), but they must first give written notice to the Claimant's solicitors. If any evidence is to be relied upon in support of the application, the substance of it must be communicated in writing to the Claimant's solicitors in advance. The Defendant may agree with the Claimant's solicitors and any other person who is, or may be bound by this Order, that this Order should be varied or discharged, but any agreement must be in writing.

## **PART 11: OTHER PROVISIONS OF THIS ORDER**

### **Interpretation of this Order**

37. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his

behalf or on his instructions or with his encouragement.

38. A Defendant which is not an individual which is ordered not to do something must not do it itself or by its directors, officers, partners, employees or agents or in any other way.

### **Persons outside England and Wales**

39.

- (1) Except as provided in paragraph (2) below, the terms of this Order do not affect or concern anyone outside the jurisdiction of this Court.
- (2) The terms of this Order will affect the following persons in a country or state outside the jurisdiction of this Court –
  - (a) a Defendant or his officer or agent appointed by power of attorney;
  - (b) any person who –
    - (i) is subject to the jurisdiction of this Court;
    - (ii) has been given written notice of this Order at his residence or place of business within the jurisdiction of this Court; and
    - (iii) is able to prevent acts or omissions outside the jurisdiction of this Court which constitute or assist in a breach of the terms of this Order; and
  - (c) any other person, only to the extent that this Order is declared enforceable by or is enforced by a court in that country or state.

### **Parties other than the Claimants and the Defendants**

40. Effect of this Order: It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be imprisoned, fined or have their assets seized.

### **NAME AND ADDRESS OF THE CLAIMANTS' LEGAL REPRESENTATIVES**

41. The Claimants' solicitors are:

Harding Evans, Queens Chambers, 2 North Street, Newport, NP20 1TE,  
Tel: 01633 244233

Email: [jenkinsb@hevans.com](mailto:jenkinsb@hevans.com)

## **COMMUNICATIONS WITH THE COURT**

42. All communications to the Court about this Order should be sent to:

Room WG08, Royal Courts of Justice, Strand, London, WC2A 2LL, quoting the case number. The telephone number is 020 7947 6010.

The offices are open between 10:00am and 4.30pm Monday to Friday.

## **SCHEDULE A**

The Claimant relied on the following witness statements:

1. Witness statement of the First Claimant;
2. Witness statement of the Second Claimant;
3. Witness statement of the First Claimant's sister.

## **SCHEDULE B**

### **UNDERTAKINGS GIVEN TO THE COURT BY THE CLAIMANT**

- (1) If the Court later finds that this Order has caused loss to the Defendant and decides that the Defendant should be compensated for that loss, the Claimant will comply with any order the Court may make. Further if the carrying out of this order has been in breach of the terms of this order or otherwise in a manner inconsistent with the Claimants' solicitors' duties as officers of the court, the Claimants will comply with any order for damages the court may make.
- (2) If the Court later finds that this Order has caused loss to any person or company (other than the Defendant) to whom the Claimants have given notice of this Order, and decides that such person should be compensated for that loss, the Claimant will comply with any Order the Court may make.
- (3) By 4:00pm on the dates set out at paragraph 3 of this Order the Claimants served on the Defendants:
  - (i) The Order and Explanatory Note;
  - (ii) The Claim Form and Amended Particulars of Claim;
  - (iii) The Hearing Bundle for the hearing of 11 April 2022;
  - (iv) The Claimants' skeleton argument for the hearing of 11 April 2022;
  - (v) The Note of Hearing;
  - (vi) The Email sent to the clerk to Mr Justice Nicklin of 8 April 2022 regarding the listing of the hearing of 11 April 2022;
  - (vii) The additional pages 124A, 127A and 128A of the Hearing Bundle.
- (4) By 4:00pm on 19 April 2022, the Second Claimant served the statement referred to in paragraph 5(a) of the Order of 11 April 2022.
- (5) On the Return Date the Claimants will inform the Court of the identity of all third parties that have been notified of this Order. The Claimant will use all reasonable endeavours to keep such third parties informed of the progress of the action insofar as it may affect them, including, but not limited to, advance notice of any applications, the outcome of which may affect the status of the Order.
- (6) If this Order ceases to have effect or is varied, the Claimants will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this Order, or whom he has reasonable grounds for supposing may act upon this Order, that it has ceased to have effect in this form.