

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

Claim No. KB-2024-001672

BEFORE THE HONOURABLE MR JUSTICE KERR

B E T W E E N:



KB-2024-001672

RBT

**Applicant/
Claimant**

-and-

YLA

**Respondent/
Defendant**

ORDER

PENAL NOTICE

IF YOU THE RESPONDENT DISOBEY 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 Paragraph 4 of the Order and obliges you to do the acts set out at Paragraphs 5 and 8 of the 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.

UPON the return date hearing of the Claimant's application for an interim injunction granted without notice by order dated 7th June 2024;

AND UPON the Court considering (a) the witness statement of Benjamin Blatch-Hanlon dated 19th June 2024 and confidential exhibit BBH1 (b) an email sent by the Defendant to the Court dated 21st June 2024 at 10.20am and (c) a WhatsApp message sent by the Defendant to the Claimant's solicitor, Mr Graham Small, on 20th June 2024 at 8.17pm.

AND UPON the court confirming that the Order of Mrs Justice Steyn DBE dated 7th June 2024 remains in place save to the extent it is varied by this Order;

AND UPON the court accepting the undertaking in the Schedule at the end of this Order;

AND UPON listing the matter for a further return date hearing;

AND UPON hearing counsel for the Claimant;

IT IS ORDERED:

RETURN DATE

1. The return date for this order is **Friday 12th July 2024, not before 10.30am**, at the Royal Courts of Justice, Strand, London WC2A 2LL.

ANONYMITY

2. The Defendant is reminded that paragraph 4 of the Order dated 7th June 2024 remains in force.

ACCESS TO DOCUMENTS

3. The Defendant is reminded that paragraph 5 of the Order dated 7th June 2024 remains in force.

INJUNCTION

4. Until the return date or further Order of the Court, the Defendant must not whether by himself and / or any other person:
 - (a) physically approach the Claimant or his family, whether at their homes, workplaces, or at all.
 - (b) make any direct contact by any means (including telephone, text message, WhatsApp, email or social media) with the Claimant, his family, his business or his staff.
 - (c) publish, communicate or disclose any information to any third party about the Claimant, his family, his business or his staff.

save that the injunction at paragraph 4(c) above does not apply to any complaint by the Defendant to a properly appointed regulator which regulates the Claimant's business, provided that such complaint is in writing, not made in public, and copied to the

Claimant's solicitor at the time it is made.

5. No later than 4pm on the seventh day after service of this sealed Order on the Defendant, the Defendant is to serve on the Claimant's solicitor:
 - (a) copies of all communications he has published, communicated or disclosed to any third party about the Claimant, his family, his business or his staff.
 - (b) copies of all information obtained by the Defendant from the Claimant's business which is either in his possession or the possession of third parties.
 - (c) a witness statement (compliant with the Civil Procedure Rules) confirming:
 - (i) his compliance with paragraph 5(a) and (b) above. In the event of his non-compliance, the Defendant is to set out his legal reasons for the same.
 - (ii) the name, address, email address and telephone number of any third party recipient at paragraph 5(a) and (b) above as well as the date and means of each communication. Again, in the event of non-compliance, the Defendant is to set out his legal reasons for the same.
6. The Claimant's "business" and "staff" are defined in the Confidential Schedule to this Order.

ALTERNATIVE SERVICE

7. Paragraph 9 of the Order of 7th June 2024 is varied to allow the Defendant to serve upon the Claimant by email to Ben.Blatch-Hanlon@jmw.co.uk or Graham.Small@jmw.co.uk.

INFORMATION TO BE DISCLOSED

8. The Defendant shall by 4.00pm on the third working day after service of this sealed order:
 - a) disclose to the Claimant's solicitor an address for service of documents, which need not be his residential address.
 - b) nominate the solicitor he intends to represent him and provide to the Claimant's solicitor the name, address, telephone number and email address of the same.

PROTECTION OF HEARING PAPERS

9. The Defendant is reminded that paragraph 11 of the Order dated 7th June 2024 remains in force.

INTERPRETATION OF THIS ORDER

10. 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.

PARTIES OTHER THAN THE CLAIMANT AND THE DEFENDANT

11. 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.

VARIATION OR DISCHARGE OF THIS ORDER

12. 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.

COSTS

13. Costs reserved.

SCHEDULE

UNDERTAKINGS GIVEN TO THE COURT BY THE CLAIMANT

(1) By 4.30pm on Monday 24th June 2024 the Claimant will cause a witness statement to be served on the Defendant confirming the substance of what was said to the Court by the Claimant's Counsel at the hearing on 21st June 2024.

Dated: 21st June 2024