

## Application notice

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<b>Name of court</b> <b>HIGH COURT OF JUSTICE QUEEN'S BENCH DIVISION</b>		<b>Claim No.</b> <b>QB-2020-002702</b>
<b>Fee account no.</b> (if applicable)	<b>Help with Fees – Ref. no.</b> (if applicable)	
PBA0087211	H W F - [ ] [ ] [ ] - [ ] [ ] [ ]	
<b>Warrant no.</b> (if applicable)		
<b>Claimant's name</b> (including ref.)  <b>(1) MULTIPLEX CONSTRUCTION EUROPE LTD (2) LUDGATE HOUSE LIMITED (INCORPORATED IN JERSEY)</b>		
<b>Defendant's name</b> (including ref.)  <b>PERSONS UNKNOWN ENTERING IN OR REMAINING AT THE CLAIMANTS' CONSTRUCTION SITE AT BANKSIDE YARDS WITHOUT THE CLAIMANTS' PERMISSION</b>		
<b>Date</b>	<b>19 July 2021</b>	

1. What is your name or, if you are a legal representative, the name of your firm?

**Eversheds Sutherland (International) LLP**

2. Are you a  Claimant  Defendant  Legal Representative

Other (please specify)

If you are a legal representative whom do you represent?

**Claimants**

3. What order are you asking the court to make and why?

**I intend to apply for an order that the Order of The Honourable Mrs. Justice Eady dated 6 May 2021 be extended until 14 January 2022 for the reasons given in box 10.**

4. Have you attached a draft of the order you are applying for?  Yes  No

5. How do you want to have this application dealt with?  at a hearing  without a hearing

at a telephone hearing

6. How long do you think the hearing will last?

Hours  Minutes

Is this time estimate agreed by all parties?

Yes  No

7. Give details of any fixed trial date or period

N/A

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

See Draft Order

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

N/A

10. What information will you be relying on, in support of your application?

the attached witness statement

the statement of case

the evidence set out in the box below

If necessary, please continue on a separate sheet.

On 30 July 2020, The Honourable Mr. Justice Soole granted an interim injunction to restrain the Defendants from entering or remaining upon the construction site known as Bankside Yards and as defined in the order of that date (“the Injunction”). The Injunction was expressed to last until 29 January 2021 or further order.

On 26 January 2021, The Honourable Mr. Justice Bourne extended the Injunction until 9 March 2021 or further order. When giving judgment, the learned Judge referred to the anticipated judgment of The Honourable Mr. Justice Nicklin in *London Borough of Barking and Dagenham (and others) v Persons Unknown*.

On 4 March 2021, The Honourable Mr. Justice Stewart extended the Injunction until 19 May 2021 or further order. Paragraph 4 of the Order provided that in the event of an appeal against the anticipated judgment of The Honourable Mr. Justice Nicklin to the Court of Appeal, the Claimants be granted permission to write to the Court to request a further extension of the Injunction.

On 6 May 2021, The Honourable Mrs. Justice Eady extended the Injunction until 26 July 2021 or further order.

On 12 May 2021, The Honourable Mr Justice Nicklin handed down judgment *London Borough of Barking and Dagenham v Persons Unknown [2021] EWHC 1201 (QB)*. This decision raises issues of general application concerning the jurisdiction of the Courts to grant injunctions against Persons Unknown.

Appeals have been made against the judgment of Mr Justice Nicklin for which the Court references are as follows:-

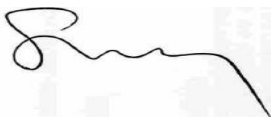
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 A2/2021/1010  
 A2/2021/1017  
 A2/2021/1018  
 A2/2021/1021  
 A2/2021/1022  
 A2/2021/1026

Attached to this application marked "Exhibit 1" are copies of correspondence with the Civil Appeals Office which record the fact that the said appeals will be listed with a 2 day time estimate in October or November 2021.

In anticipation that the Court of Appeal will reserve judgment, this application seeks to extend the Injunction until Friday 14 January 2022.

**Statement of Truth**

The applicant believes that the facts stated in this section (and any continuation sheets) 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.



Stuart Sherbrooke Wortley

Partner  
 Eversheds Sutherland (International) LLP

19 July 2021

11. Signature and address details



Applicant's solicitor

Stuart Sherbrooke Wortley  
 Partner  
 Eversheds Sutherland (International) LLP

19 July 2021

Applicant's address to which documents about this application should be sent

Eversheds Sutherland (International) LLP, One Wood Street, London	If applicable	
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