

## 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.)  (1) MULTIPLEX CONSTRUCTION EUROPE LTD (2) LUDGATE HOUSE LIMITED (INCORPORATED IN JERSEY)		
<b>Defendant's name</b> (including ref.)  PERSONS UNKNOWN ENTERING IN OR REMAINING AT THE CLAIMANTS' CONSTRUCTION SITE AT BANKSIDE YARDS WITHOUT THE CLAIMANTS' PERMISSION		
<b>Date</b>	4 May 2021	

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 (a draft of which is attached) that:

the Order of Mr. Justice Stewart dated 4 March 2021 be extended until 15 October 2021 having regard to the circumstances explained in box 10 below.

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?

<input type="text"/>	Hours	<input type="text"/>	Minutes
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

Is this time estimate agreed by all parties?

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 an expectation that the Honourable Mr. Justice Nicklin expected to deliver judgment in Various Local Authority Claimants v Persons Unknown within 4 weeks of a hearing on 27 / 28 January 2021.

Due to pressure of work and the many issues that this case has raised, I am informed by Steven Woolf of Counsel, who is instructed on behalf of a number of the claimants, that the learned Judge has indicated that the handing down of his judgment will be delayed.

In any event, I also understand from Mr. Woolf that it is very likely that because of the many important issues in that case, there is every likelihood that subject to the grant of permission, an appeal to the Court of Appeal will follow.

On 4 March 2021, The Honourable Mr. Justice Stewart extended the Injunction until 4pm on 19 May 2021 or further order.

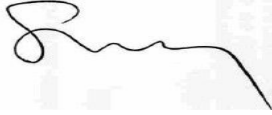
Pursuant to paragraph 4 of the Order of Mr. Justice Stewart dated 4 March 2021, in the event that the judgment of Mr. Justice Nicklin had not been handed down before 19 May 2021 or the judgment is subject to an appeal to the Court of Appeal or Supreme Court, the Claimants were granted permission to write to the Court to request a further extension of the Injunction.

The Claimants understand that the decision of Mr. Justice Nicklin has not yet been delivered and in the circumstances seek an extension to 15 October 2021. The Claimants have also suggested this date as it will avoid the need for a further application to be made over the vacation period. The

Claimants would also like to draw attention to the fact that each time an order is made, the Claimants are required to update the warning notices around the perimeter of the site, so therefore an extension to 15 October 2021 would be preferred.

**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

4 May 2021

11. Signature and address details



Applicant's solicitor

Stuart Sherbrooke Wortley  
Partner  
Eversheds Sutherland (International) LLP

4 May 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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