

Application notice

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Name of court HIGH COURT OF JUSTICE QUEEN'S BENCH DIVISION		Claim No. QB-2020-002702
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)	
	H W F - [] [] - [] []	
Warrant no. (if applicable)		
Claimant's name (including ref.) (1) MULTIPLEX CONSTRUCTION EUROPE LTD (2) LUDGATE HOUSE LIMITED (INCORPORATED IN JERSEY)		
Defendant's name (including ref.) PERSONS UNKNOWN ENTERING IN OR REMAINING AT THE CLAIMANTS CONSTRUCTION SITE AT BANKSIDE YARDS WITHOUT THE CLAIMANTS' PERMISSION		
Date	2 March 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 Bourne dated 26 January 2021 be extended until 9 June 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.

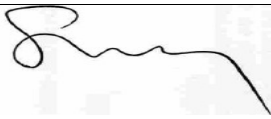
Due to pressure of work and the many issues that this case has raised, I am informed by Steven Woolf of counsel, who is instructed on behalf of a number of the claimants that the learned Judge has indicated that the handing down of his judgment will be a little delayed.

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

In light of the importance to this present case of Mr. Justice Nicklin's first instance decision and the possibility that the judgment is likely to be subject to an appeal, I would respectfully invite the Court to extend the order of Mr. Justice Bourne by three months, by which time a greater knowledge of the ongoing position will have arisen

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

2 March 2021

11. Signature and address details



Applicant's solicitor

Stuart Sherbrooke Wortley
Partner
Eversheds Sutherland (International) LLP

2 March 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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