

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

Mrs Justice Yip

19 October 2022

BETWEEN:

(1) ALMACANTAR CENTRE POINT NOMINEE NO.1 LIMITED

(2) ALMACANTAR CENTRE POINT NOMINEE NO.2 LIMITED



QB-2022-001952
Claimants

– and –

(1) ALEXANDER FARRELL

(2) [DISCONTINUED]

(3) OWEN REECE (AKA “TRIKKSTAR”)

(4) HARRY DAVIES

(5) PERSONS UNKNOWN ENTERING OR REMAINING ON THE ROOFS OR EXTERNAL STRUCTURES (EXCLUDING BALCONIES) OF CENTRE POINT (AS DESCRIBED IN PARAGRAPHS 2-4 OF THE PARTICULARS OF CLAIM) WITHOUT THE CLAIMANT’S PERMISSION

(6) PERSONS UNKNOWN ENTERING OR REMAINING AT CENTRE POINT (AS DESCRIBED IN PARAGRAPHS 2-4 OF THE PARTICULARS OF CLAIM) WITH THE INTENTION OF GAINING ACCESS TO THE ROOFS OR EXTERNAL STRUCTURES (EXCLUDING BALCONIES) AT CENTRE POINT WITHOUT THE CLAIMANT’S PERMISSION

Defendants

ORDER

RECITALS

UPON hearing Counsel for the Claimants and no one attending or being represented on behalf of the named defendants

AND UPON the court having granted an interim injunction on 5 October 2022 (“the Order”)

AND UPON it becoming apparent that the court had not issued the claim

AND UPON the Claimants not yet having sealed claim documents but having posted unsealed versions of those documents on a Service Website

AND UPON the Claimants having taken steps to give notice of the injunction to the named defendants, but not yet being able to effect service of the claim without having sealed claim documents

AND UPON it being necessary to consider service of the injunction and claim on the named defendants at a further hearing

IT IS ORDERED THAT:

- (1) The actions taken by the Claimants (as set out in the Third Witness Statement of Mr Waite dated 17 October 2022 and the Third Witness Statement of Mr Spencer dated 18 October 2022) to post notice of the claim are deemed to comply with paragraphs 10-12 of the Order.
- (2) The Claimants shall serve the Claim Form and Particulars of Claim on the named defendants as soon as reasonably practicable after sealed claims documents are received.
- (3) The Claimants shall update the Service Website (referred to in paragraph 9 of the order of 5 October 2022) and any other copies of the claim documents with the sealed versions as soon as reasonably practicable after the sealed claim documents are received.
- (4) The Claimants shall post a copy of this order on the Service Website (referred to in paragraph 9 of the Order) as soon as reasonably practicable after a sealed version of it is received.
- (5) The matter be re-listed for a further hearing on 16 November 2022 with a time estimate of 1 hour.
- (6) Costs reserved.

COMMUNICATIONS WITH THE COURT

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

- King's Bench Division, Royal Courts of Justice, Strand WC2A 2LL. The offices are open between 10.00 a.m. and 4.30 p.m. Monday to Friday (except Bank Holidays).
- The telephone number is 020 7947 6000

TAKE NOTE: A FURTHER HEARING WILL TAKE PLACE AT 10.30AM ON 16 NOVEMBER 2022 AT ROYAL COURTS OF JUSTICE, STRAND WC2A 2LL

SCHEDULE 1

Witness Statements

The Judge read the following Witness Statement before making this Order:

- Witness Statement of James Daniel Waite dated 1 June 2022 and together with the Exhibits marked JDW1
- Second Witness Statement of James Daniel Waite dated 28 September 2022 and together with the Exhibits marked JDW2
- Witness Statement of Philip Keith Spencer dated 3 October 2022 and together with the Exhibits marked PKS1
- Second Witness Statement of Philip Keith Spencer dated 4 October 2022 and together with Exhibits marked PKS2

and the annexes to the Particulars of Claim

SCHEDULE 2

Undertaking given to the Court by the Claimants:

To pay any damages which the Defendants (or any other party served with or notified of this Order) shall sustain and which the Court considers the Claimants should pay