

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

Before the Hon. Mr Justice Sweeting

On 28 February 2024

B E T W E E N:

- (1) 1 LEADENHALL GP LIMITED
- (2) 1 LEADENHALL NOMINEE LIMITED
- (3) MULTIPLEX CONSTRUCTION EUROPE LIMITED

and

PERSONS UNKNOWN ENTERING IN OR REMAINING
AT THE CONSTRUCTION SITE AT 1 LEADENHALL
STREET, LONDON EC3V 1PP WITHOUT THE
CLAIMANTS' PERMISSION

Defendants



ORDER FOR AN INJUNCTION

PENAL NOTICE

IF YOU, THE DEFENDANTS DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS OR ANY OF THEM TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing certain acts. You should read this Order very carefully. You are advised to consult a solicitor as soon as possible.

If you disobey this Order you may be found guilty of contempt of court and you may be sent to prison or your assets seized.

You have the right to apply to the court to vary or discharge this order (which is explained below)

RECITALS

UPON the Claimants' application notice dated 19 February 2024

AND UPON HEARING Counsel for the Claimants and the Defendants not appearing

AND UPON READING the Witness Statements of Peter Clarke dated 4 February 2022 and 15 February 2022 and of Stuart Sherbrooke Wortley dated 8 February 2022, 14 February 2022, 19 February 2024 and 27 February 2024

AND UPON the First and Second Claimants giving the undertaking to the Court set out in Schedule 2 to this Order

IT IS ORDERED THAT:

THE INJUNCTION

- (1) The Defendants must not, until 28 March 2025 or further order, without the consent of the Claimants, enter or remain upon any part of the construction site at 1 Leadenhall Street, London EC3V 1PP as shown edged red on the plan at Schedule 3 to this Order as demarcated from time to time by hoarding or security fencing (the "1 Leadenhall Street Construction Site").

VARIATION OR DISCHARGE OF THIS ORDER

- (2) The Defendants may apply to vary or discharge this Order upon giving 48 hours' notice in writing to the Claimants' solicitors at Eversheds Sutherland (International) LLP, One Wood Street, London, EC2V 7WS (Ref: Stuart Wortley tel: 020 7919 0969; email: stuartwortley@eversheds-sutherland.com).

INTERPRETATION OF THIS ORDER

- (3) A Defendant who is ordered not to do something must not do it him/herself or in any other way. He/she must not do it through another acting on his/her behalf or on his/her instructions or with his/her encouragement.

NOTICE OF THIS ORDER

- (4) Notice of this Order may be effected in the manner set out in paragraphs (5) and (6) below.
- (5) The Claimants shall post notice of the existence of this Order in the form approved by the Court, as soon as reasonably practicable:-
 - (a) at all main entrances to the 1 Leadenhall Street Construction Site; and

(b) at not less than 10 prominent locations around the perimeter of the 1 Leadenhall Street Construction Site.

(6) The said notice shall include a statement that copies of this Order, the Claim Form, the Particulars of Claim, the Claimants' application notice dated 8 January 2022, the Witness Statements of Mr Peter Clarke dated 4 February 2022 and 15 February 2022 and the Witness Statements of Stuart Sherbrooke Wortley dated 8 February 2022, 14 February 2022, 19 February 2024 and 27 February 2024, submitted to the Court in support of the Claim:-

(a) at a website the URL of which is specified in the notice; and

(b) at a physical location which is specified in the notice,

and may be obtained from the Claimants' Solicitor, whose contact details shall be included.

COMMUNICATIONS WITH THE COURT

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

- Room E03 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 3936 8957

(8) Costs reserved

SCHEDULE 1

Witness Statements

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

1. Witness Statement of Peter Clarke dated 4 February 2022 together with the Exhibits marked **"PC1" - "PC5"**
2. Witness Statement of Peter Clarke dated 15 February 2022
3. Witness Statement of Stuart Sherbrooke Wortley dated 8 February 2022 together with the Exhibits marked **"SSW1" - "SSW8"**
4. Witness Statement of Stuart Sherbrooke Wortley dated 14 February 2022, together with the Exhibit marked **"SSW9"**
5. Witness Statement of Stuart Sherbrooke Wortley dated 19 February 2024 together with the Exhibit marked **"SSW10"**
6. Witness Statement of Stuart Sherbrooke Wortley dated 27 February 2024

SCHEDULE 2

Undertakings given to the Court by the First Claimant

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

SCHEDULE 3

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