

IN THE HIGH COURT OF JUSTICE

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
PROPERTY TRUSTS AND PROBATE LIST (Ch)

BEFORE MRS JUSTICE FALK DBE

9 FEBRUARY 2021

B E T W E E N:

(1) UK OIL & GAS PLC

(PREVIOUSLY KNOWN AS UK OIL & GAS INVESTMENTS PLC)

(2) UKOG (234) LIMITED

(PREVIOUSLY KNOWN AS KIMMERIDGE OIL & GAS LIMITED)

(3) MAGELLAN PETROLEUM (UK) LIMITED

(4) HORSE HILL DEVELOPMENTS LIMITED

(5) UKOG (GB) LIMITED

Claimants

- and -

PERSONS UNKNOWN WHO ARE PROTESTORS AGAINST THE EXPLORATION
AND/OR EXTRACTION OF MINERAL OIL OR RELATIVE HYDROCARBON OR
NATURAL GAS BY THE CLAIMANT(S) AND WHO ARE INVOLVED IN THE
FOLLOWING ACTS OR ANY OF THEM:

(1) ENTERING OR REMAINING WITHOUT THE CONSENT OF THE
CLAIMANT(S) ON LAND AND BUILDINGS SHOWN EDGED RED ON THE
PLANS ANNEXED TO THIS ORDER ("THE LAND");

(2) OBSTRUCTING OR INTERFERING WITH THE RIGHTS OF WAY AND/OR
THEIR ACCESS TO AND FROM THE LAND ENJOYED BY THE PROTECTED
PERSONS AS DEFINED IN THIS ORDER

(7) MS ANN STEWART

(8) MS SUE JAMESON

(9) MS NATASHA DOANE

(10) MS VICKI ELCOATE

~~(11) MS CONSTANCE WHISTON~~

(12) MS JACQUI HAMLIN

~~(13) FRIENDS OF THE EARTH LIMITED~~



(14) SCOTT BREEN

(15) MAVIS MACDUFF (ALSO KNOWN AS “CHRISSEY” OR “CHRISSIE”)

(16) ROZ AROO

Defendants

(17) ROSS MONAGHAN

(18) PETER WHITTICK (ALSO KNOWN AS “DAVE DOKTOR”)

(19) TOM SMITH JUNIOR

(20) CALLUM EDEN (ALSO KNOWN AS “CALLIE RIVIERA”)

~~(21) [THIS NUMBERED DEFENDANT IS INTENTIONALLY BLANK]~~

(22) GILLIAN FLETCHER

(23) STEVE DUNN-LOWES

(24) VENETIA CARTER

(25) MARGARET MULOWSKA

(26) CHRISTOPHER SMITH

(27) SIMON SINCLAIR

(28) ALISTAIR SANDELL

(29) LINDSAY PARKIN

Proposed Further Defendants

as set out in the Schedule hereto

ORDER

UPON the Court considering the Claimants’ applications of 7 February 2020, 22 January 2021 and 2 February 2021, and the Application made by the 7th to 10th and 12th Defendants dated 20 March 2020

AND UPON hearing from Timothy Polli QC, Counsel for the Claimants, and Stephanie Harrison QC, Counsel for the 7th to 10th and 12th Defendants, and Stephen Clark, Counsel for the 28th and 29th Defendants

AND UPON none of the 14th to 16th Defendants, nor any of the Proposed 17th to 27th Defendants, being present or represented

AND UPON the Court, by separate Order of today's date, discharging the Interim Injunction currently in force dated the 7 May 2020 and making a varied order in terms substantially agreed between the Claimant and the 7th to 10th and 12th Defendants.

AND UPON the Court, by separate Consent Order of today's date, disposing of the Claimants applications of 22 January 2021 and 2 February 2021 insofar as they concern the proposed 28th and 29th Defendants

IT IS ORDERED THAT:

1. Re-Re-Amendment to Join Individual Defendants

1.1 The Claimants do have permission:

1.1.1 to re-re-amend the Claim Form to join those persons identified in the Schedule hereto to the proceedings as the 17th to 20th Defendants and 22nd to 27th Defendants to the claim;

1.1.2 to re-re-amend the Particulars of Claim into the form attached hereto.

1.2 The Consent Order of today's date deals separately with the Claimants' applications insofar as they concern the Proposed 28th and 29th Defendants.

2. Alternative Service on the 14th to 20th Defendants

2.1 The Claimants have permission to serve on the 14th to 20th Defendants any of (a) the re-re-amended Claim Form and Particulars of Claim; (b) a copy of this Order; (c) a copy of the Interim Injunction restated on today's date; (d) a Note of the *ex tempore* judgment of Falk J of 9 February 2020; (e) any Disclosure List, Supplemental Disclosure List and/or copy documents; (f) any existing or future witness statements and exhibits thereto; and (g) any notices of future hearings by the alternative methods set out paragraph 2.2 of this Order.

2.2 Each of the 14th to 20th Defendants shall be deemed served with the documents specified in paragraph 2.1 above on the day after the later of the following requirements have been completed:

2.2.1 The said document(s) concerned have been uploaded into the Dropbox folder in which the Claimants make the Court documents relating to this case publicly available; and

2.2.2 The method(s) of service specified for that Defendant in the Schedule to this Order have been completed in respect of the document(s) concerned.

2.2.3. For the avoidance of all doubt,

2.2.3.1 any documents that are already publicly available on the Dropbox Folder do not have to be uploaded again in order to comply with paragraph 2.2.1 hereinabove; and

2.2.3.2 Any message or document to be sent by Facebook is to be sent by Direct Message from a Facebook account that must not be an account in an alias name.

2.3 The Claimant shall serve the newly joined Defendants with the documents set out in paragraphs 2.1(a) to 2.1(d) in accordance with this paragraph 2 as soon as possible and, in any event, by 4pm on 19 February 2021.

3. Directions for the filing of any Defence

3.1 Each of the 17th to 20th Defendants and 22nd to 27th Defendants shall file and serve any Defence to the Claim by 4pm on 19 March 2021 following effective service in accordance with paragraph 2 above.

3.2 A hearing shall be listed before the Chief Master on the first open date after 2 April 2020, with a time estimate of 2 hrs, to consider any Defences filed by any of the 17th to 27th Defendants and what directions might be required as a consequence of those Defences. If no Defences are filed, then the Chief Master shall consider making a Final Order disposing of the proceedings in their entirety on that occasion.

4. The Application of 20 March 2020 made by the 7th to 10th and 12th Defendants

4.1 There be no Order on the application made by the 7th to 10th and 12th Defendants on 20 March 2020.

5. Vacation of the Existing Trial Date and Re-Listing

- 5.1 The existing listing of this claim for trial, within a two week window commencing on Monday 21 February, and with a time estimate of 8 days, be vacated.
- 5.2 The trial of the claim shall be re-listed to take place between 1 June 2020 and 31 October 2020 ("the trial window").
- 5.3 The Claimants shall make an appointment to attend on the Listing Officer (The Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL; Tel. 020 7947 6690; email rcjchancery.judgeslisting@hmcts.gsi.gov.uk) to fix a date for the hearing before the Chief Master and the trial date within the trial window, such appointment to be not later than Friday 21 February 2020 and give notice of the appointment to all other parties.
- 5.4 The Claim be entered in the Trial List, with a listing category of B, with a time estimate of 2 days, to include 2 hours judge's pre-reading time
- 5.5 The trial shall take place in London.

6 Liberty to Apply

- 6.1 Anyone affected by these proceedings shall have liberty to apply on notice.

7. Costs

- 7.1 Save that there shall be No Order as to Costs as between the Claimants and the 7th to 10th, 12th and 28th and 29th Defendants, the costs of today shall be in the case.

Dated this 9th day of February 2021

SERVICE OF THIS ORDER

The Court has provided a sealed copy of this order to the serving party:

Hill Dickinson LLP, 50 Fountain Street, Manchester, M2 2AS

Email: ukogteam@hilledickinson.com

Tel: 44 (0)161 817 7200

Ref: 12009498.11.HJP.HJP

SCHEDULE

<u>Proposed Def No</u>	<u>Name</u>	<u>Method of Service</u>
14	Scott Breen	By sending a Facebook message attaching the documents concerned, or a link to a website from where the documents can be viewed and/or downloaded to: https://www.facebook.com/scott.breen.14
15	Mavis MacDuff (also known as "Chrissey" or "Chrissie")	By sending a Facebook message attaching the documents concerned, or a link to a website from where the documents can be viewed and/or downloaded to: https://www.facebook.com/mavis.mcduff
16	Roz Aroo	By sending a Facebook message attaching the documents concerned, or a link to a website from where the documents can be viewed and/or downloaded to: https://www.facebook.com/profile.php?id=100009418380750
17	Ross Monaghan	By sending a Facebook message attaching the documents concerned, or a link to a website from where the documents can be viewed and/or downloaded to: https://www.facebook.com/ross.monaghan.35

18	Peter Whittick (Also known as "Dave Doktor")	By sending a Facebook message attaching the documents concerned, or a link to a website from where the documents can be viewed and/or downloaded to: https://www.facebook.com/pwhittick
19	Callum Eden (also known as "Callie Riviera")	By sending a Facebook message attaching the documents concerned, or a link to a website from where the documents can be viewed and/or downloaded to: https://www.facebook.com/KurtCobains.LoveChild
20	Tom Smith Junior	By sending a Facebook message attaching the documents concerned, or a link to a website from where the documents can be viewed and/or downloaded to: https://www.facebook.com/FuzzyBear77
21	<i>In order to avoid possible confusion, this Defendant number is not being used and is therefore intentionally blank</i>	
22	Gillian Fletcher	Service by post

23	Steve Dunn- Lowes	Service by post
24	Venetia Carter	Service by post
25	Margaret Mulowska	Service by post
26	Christopher Smith	Service by post
27	Simon Sinclair	Service by post