

IN THE HIGH COURT OF JUSTICE

CLAIM NO. HC12C01409

CHANCERY DIVISION

4 April 2012

The Hon. Mr Justice Arnold

BETWEEN:

OLYMPIC DELIVERY AUTHORITY

Claimant

- and -

PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT CONSENT ON LAND KNOWN
AS PORTER'S FIELD AND SURROUNDING LAND FORMING PART OF LEYTON MARSH IN
CONNECTION WITH PROTEST ACTIVITY

Defendants

ORDER

IMPORTANT:-

PENAL NOTICE TO THE DEFENDANTS

- (1) This Order prohibits you from doing and obliges you to do the acts set out in this Order. You should read it all carefully. You are advised to consult a Solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.
- (2) If you disobey this Order you may be found guilty of Contempt of Court and you may be sent to prison or fined or your assets may be seized.

An Application was made on 4 April 2012 by Counsel for the Claimant to the Judge. The Judge heard the Application and read the Witness Statement listed in Schedule 1 and accepted the undertakings in Schedule 2 of this Order.

IT IS ORDERED that:

THE INJUNCTION

1. Until the further hearing of this application on Wednesday 18 April 2012 at 10.30 am the Defendants must not

- (1) obstruct, or try or threaten to obstruct, in any way whatsoever, the free passage of the employees, agents, contractors and invitees of the Claimant or of the London Organising Committee of the Olympic and Paralympic Games ("LOCOG"), whether on foot or in vehicles, to and from the public highway known as Lea Bridge Road through the Lee Valley Ice Centre Car Park, along Sandy Lane and into and out of the land edged and hatched red on the plan annexed to this Order ("the ODA Land");
- (2) encourage or incite others to obstruct, or to try or threaten to obstruct, in any way whatsoever the passage of the employees, agents, contractors and invitees of the Claimant and LOCOG, whether on foot or in vehicles, to and from the public highway known as Lea Bridge Road through the Lee Valley Ice Centre Car Park, along Sandy Lane and into and out of the ODA Land;
- (3) obstruct or try or threaten to obstruct in any way whatsoever, on any part of the Lea Valley Regional Park or on the highways adjoining or leading to the Lea Valley Regional Park, the carrying out by the employees, agents and contractors of the Claimant or LOCOG of their duties in connection with the construction works or the dismantling and remediation works on the ODA Land;
- (4) encourage or incite others to obstruct or try or threaten to obstruct in any way whatsoever, on any part of the Lea Valley Regional Park or on the highways adjoining or leading to the Lea Valley Regional Park, the carrying out by the employees, agents and contractors of the Claimant or LOCOG of their duties in connection with the construction works or the dismantling and remediation works on the ODA Land;

- (5) enter or try or threaten to enter the ODA Land, or damage or attempt to break through the fence surrounding the ODA Land or the gates giving access to the ODA Land, or attach themselves by any means to the fence or gates, or cover up any health and safety notices on the fence or gates;
- (6) encourage or incite others to enter, or try or threaten to enter, the ODA Land, or damage or attempt to break through the fence surrounding the ODA Land or the gates giving access to the ODA Land, or attach themselves by any means to the fence or gates, or cover up any health and safety notices on the fence or gates;
- (7) remove, or encourage or incite others to remove, this Order from the posts on the land to which it is attached, save for the purpose of reading the Order and then replacing the Order in the plastic envelope attached to the posts.

COSTS OF THE APPLICATION

2. The costs of the application are reserved to the Judge hearing the trial.
3. Any Defendant who wishes to serve evidence and oppose the renewal of the injunction must do so at a reasonable time before 18 April 2012.

SERVICE OF THIS ORDER

4. Pursuant to rule 6.15 of the CPR 1998, service of this Order shall be effected, in addition to handing it to any persons present on the land and forming part of the protest camp, by fixing the Order securely to posts in conspicuous places around the land.
5. The Order shall be deemed to have been served on the Defendants on the date of such affixation on the land, such time and date to be verified by the completion and filing of a certificate of service.

VARIATION OR DISCHARGE OF THIS ORDER

A Defendant may make application to the Court at any time for a hearing to vary this Order, provided that the application is made in writing, stating reasons for the application, and provided that the application and reasons are provided to the Claimant's solicitors in writing at the time or before the application is made.

NAME AND ADDRESS OF CLAIMANTS' SOLICITORS

The Claimant's Solicitors are:

Berwin Leighton Paisner LLP (ref: JL/KLEH/24122)

Adelaide House

London Bridge

London

EC4R 9HA

Tel: 020 3400 1000

INTERPRETATION OF THIS ORDER

- (1) In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".
- (2) Where there are two or more Defendants then (unless the contrary appears)
 - (a) References to "the Defendant" mean both or all of them;
 - (b) An Order requiring "the Defendant" to do or not to do anything requires each Defendant to do or not to do it;

THE EFFECT OF THIS ORDER

- (1) A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- (2) A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.
- (3) It is a contempt of court for any person notified of this order knowingly to assist in or permit a breach of this order. Any person doing so may be imprisoned fined or have their assets seized.

SCHEDULE 1.

Witness Statements/Affidavits

The Judge read the following Witness Statements (with exhibits) and documents before making this Order:

- (1) Witness statement of Mark Sorrell dated 2 April 2012 (with exhibit MS/1)
- (2) Witness statement of Philipp Mohr dated 2 April 2012 (with exhibit PM/1)

SCHEDULE 2.

Undertaking given to the Court by the Claimant

- (1) If the Court later finds that this Order has caused loss to the Defendant or any other party served with or notified of this Order and decides that the Defendant or other Party should be compensated for that loss, the Claimant will comply with any Order the Court may make.
- (2) Anybody notified of this order will be given a copy of it as soon as is reasonably practicable.
- (3) If any defendant who identifies himself by name requests a copy of this order, the Claimant will use its best endeavours to serve upon them, together with this order, copies of the witness statements and exhibits containing the evidence relied upon by the claimant and the claim form and particulars of claim.

IN THE HIGH COURT OF JUSTICE

CLAIM NO. HC12C0140

CHANCERY DIVISION

4 April 2012

The Hon. Mr Justice Arnold

BETWEEN:

OLYMPIC DELIVERY AUTHORITY

Claimant

- and -

PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT CONSENT ON LAND KNOWN
AS PORTER'S FIELD AND SURROUNDING LAND FORMING PART OF LEYTON MARSH IN
CONNECTION WITH PROTEST ACTIVITY

Defendants

ORDER

This order was collected from Chancery Associates for service on all parties to the claim by:-

Clerk to Timothy Fancourt QC

T +44 (0)20 7353 2484

F +44 (0)20 7353 1261

Falcon Chambers, Falcon Court, London EC4Y 1AA

DX 408 Lond/Chancery Lane

This order was sealed by Wilf Orton, Chancery Associate, Rolls Building, Fetter Lane,
London EC4 1LN, DX 160040 Strand 4 0207-947-6275