



Claim No. BL-2022-001396

**IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
BUSINESS LIST (ChD)**

In the matter of an Injunction sought pursuant to CPR 25

BL-2022-001396

**Before the Honourable Mr Justice Fancourt
21 December 2023**

B E T W E E N :

(1) ARLA FOODS LIMITED

(2) ARLA FOODS HATFIELD LIMITED

Claimants

-and-

(1) PERSONS UNKNOWN WHO ARE, WITHOUT THE CONSENT OF THE CLAIMANTS, ENTERING OR REMAINING ON LAND AND IN BUILDINGS ON ANY OF THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM (“the Sites”), THOSE BEING:

a. “THE AYLESBURY SITE” MEANING ARLA FOODS LIMITED’S SITE AT AYLESBURY DAIRY, SAMIAN WAY, ASTON CLINTON, AYLESBURY HP22 5EZ, AS MARKED IN RED ON THE PLANS AT ANNEXE 1 TO THE CLAIM FORM;

b. “THE OAKTHORPE SITE” MEANING ARLA FOODS LIMITED’S SITE AT OAKTHORPE DAIRY, CHEQUERS WAY, PALMERS GREEN, LONDON N13 6BU, AS MARKED IN RED ON THE PLANS AT ANNEXE 2 TO THE CLAIM FORM;

c. “THE HATFIELD SITE” MEANING ARLA FOODS HATFIELD LIMITED’S SITE AT HATFIELD DISTRIBUTION WAREHOUSE, 4000 MOSQUITO WAY, HATFIELD BUSINESS PARK, HATFIELD, HERTFORDSHIRE AL10 9US, AS MARKED IN RED ON THE PLANS AT ANNEXE 3 TO THE CLAIM FORM; AND

d. “THE STOURTON SITE” MEANING ARLA FOODS LIMITED’S DAIRY AT PONTEFRACT ROAD, LEEDS LS10 1AX AND NATIONAL DISTRIBUTION CENTRE AT LEODIS WAY, LEEDS LS10 1NN AS MARKED IN RED ON THE PLANS AT ANNEXE 4 TO THE CLAIM FORM

(2) PERSONS UNKNOWN WHO FOR THE PURPOSE OF PROTESTING ARE OBSTRUCTING ANY VEHICLE ACCESSING FROM THE HIGHWAY THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM

(3) PERSONS UNKNOWN WHO FOR THE PURPOSE OF PROTESTING ARE OBSTRUCTING ANY VEHICLE ACCESSING THE HIGHWAY FROM ANY OF THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM

(4) PERSONS UNKNOWN WHO ARE FOR THE PURPOSE OF PROTESTING CAUSING THE BLOCKING, SLOWING DOWN, OBSTRUCTING, OR OTHERWISE INTERFERING WITH THE FREE FLOW OF TRAFFIC ON TO, OFF, OR ALONG THE ROADS LISTED AT ANNEXE 1A, 2A, 3A, AND 4A TO THE CLAIM FORM

(5) PERSONS UNKNOWN WHO ARE FOR THE PURPOSE OF PROTESTING, AND WITHOUT THE PERMISSION OF THE REGISTERED KEEPER OF THE VEHICLE, ENTERING, CLIMBING ON, CLIMBING INTO, CLIMBING UNDER, OR IN ANY WAY AFFIXING THEMSELVES ON TO ANY VEHICLE WHICH IS ACCESSING OR EXITING THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM

(6) PERSONS UNKNOWN WHO ARE FOR THE PURPOSE OF PROTESTING, AND WITHOUT THE PERMISSION OF THE REGISTERED KEEPER OF THE VEHICLE, ENTERING, CLIMBING ON, CLIMBING INTO, CLIMBING UNDER, OR IN ANY WAY AFFIXING THEMSELVES ON TO, ANY VEHICLE WHICH IS TRAVELLING TO OR FROM ANY OF THE SITES LISTED IN SCHEDULE 2 OF THE CLAIM FORM)

(7) 34 OTHER NAMED DEFENDANTS LISTED AT SCHEDULE 1 OF THIS ORDER

Defendants

ORDER

UPON the Court adjourning the final hearing of the Claim by way of an Order dated 31 January 2023, and directing that the Claimant must write to the Court within 28 days of judgment in the appeal of *Wolverhampton City Council & Ors v London Gypsies and Travellers & Ors* (UKSC 2022/0046) being handed down to (i) inform the Court that judgment has been handed down and (ii) proposing directions to bring this Claim to final hearing

AND UPON the Claimants writing to the Court accordingly

AND UPON the Court considering the correspondence from the Claimants and the accompanying proposed directions

WITHOUT A HEARING IT IS ORDERED THAT:

Directions: evidence

1. The Claimants shall file and serve any further evidence upon which they will seek to rely at the trial of the Claim by 4pm on 15 April 2024.
2. The Defendants shall file and serve any further evidence upon which they will seek to rely at the trial of the Claim by 4pm on 13 May 2024.
3. The Claimants may file and serve any further evidence in reply by 4pm on 27 May 2024.
4. Any application pursuant to para 4.2 or 4.4 of CPR PD57AC (Trial witness statements in the Business and Property Courts) for variation or dispensation for a specific trial witness statement shall be made to the Master without notice for determination without a hearing no later than 10 working days before the statement is to be filed and served.

Trial listing

5. The trial of the Claim shall be listed with a time estimate of 2 days, category B, with an additional allocation of ½ day judicial pre-reading. Any application to fix a date for trial must be made to Chancery Listing by email with unavailability dates attached.
6. Not earlier than 7 days or later than 3 days before the date fixed for the trial the Claimants shall file with the Chancery Listing Office and serve a trial bundle. The Claimants need only serve those Defendants who have acknowledged service or indicated an intention to participate in the trial of the Claim.
7. The Parties shall file and serve skeleton arguments not less than 2 clear days before the trial of the Claim. The Claimants need only serve those Defendants who have acknowledged service or indicated an intention to participate in the trial of the Claim.
8. Solicitors for the Claimants shall liaise with the Chancery Listing Office as to the audio-visual technology required at the trial of the Claim (if any).

The interim injunction Orders

9. For the avoidance of doubt, pending the final hearing of this Claim the Interim Injunction Orders of Mr Justice Fancourt dated 4 October 2022 in relation to the 1st to 29th Defendants (inclusive) and 31st to 37th Defendants (inclusive), and 25 October 2022 in relation to the 30th Defendant and 38th to 40th Defendants (inclusive), remain in force.

Alternative service of this Order

10. Pursuant to CPR rule 6.27, the Claimants have permission to serve the Defendants with this Order by **all** of the following methods (with paragraph 10.1 to 10.5 to be treated conjunctively):
 - i. **Websites:** placing a web link on the First Claimant's website and Facebook page at which a copy of the re-Amended Claim Form, Application(s) for an Interim Injunction, the supporting documents relied on in this Claim, and this Order can be accessed; and

- ii. **Email:** sending a copy of this Order to Animal Rebellion and Extinction Rebellion at the following email addresses:

actions@animalrebellion.org; fundraising@animalrebellion.org;
integration@animalrebellion.org; talks@animalrebellion.org;
global@animalrebellion.org; localgroups@animalrebellion.org;
media@animalrebellion.org; pressoffice@animalrebellion.org;
finance@animalrebellion.org; governance@animalrebellion.org;
techsupport@animalrebellion.org; press@extinctionrebellion.uk;

and providing a web link at which they can access the re-Amended Claim Form, Application(s) for an Interim Injunction, the supporting documents relied on in this Claim, and this Order; and

- iii. **Post:** where an address of a named Defendant is known to the Claimants, by posting a copy of this Order together with a covering letter through the letterbox of the named Defendant's address (or by leaving in a separate mailbox) with a notice affixed to the front door if necessary, drawing the recipient's attention to the fact that the package contains a court order. If the premises do not have a letterbox, or mailbox, or the package will not fit through the letterbox, a package may be left next to the front door and a notice containing this Order may be affixed to the front door marked with a notice drawing the recipient's attention to the fact that the package contains a court order. The notices shall be given in the form set out in Schedule 2 to this Order; and
- iv. **Text messages:** sending a text message to any named Defendant for whom the Claimants have a mobile telephone number, notifying them that a further order has been granted that concerns them and providing a web link at which the Defendant can access the re-Amended Claim Form, Application(s) for an Interim Injunction, the supporting documents relied on in this Claim, and this Order. The notice shall be given in the form set out in Schedule 2 to this Order; and
- v. **Placing signs and/or notices:** on the perimeter of **The Aylesbury Site, The Oakthorpe Site, The Hatfield Site, and The Stourton Site** providing a web link and/or QR code at which the Amended Claim Form, Application(s) for an Interim Injunction, the supporting documents relied on in this Claim, and this Order can be found; **OR**
- vi. **Where requested:** this Order may be served by email where the Defendant has requested that they be served by email and by sending the email to the address provided by the Defendant; **OR**
- vii. **Lawyers:** by serving any solicitor acting for a Defendant who has filed a notice of acting in these proceedings.

11. The **deemed date of service** of any documents referred to in paragraph 10 above shall be the day on which service of the document or documents is completed in accordance with paragraph 10 above.

Liberty to Apply

12. Each of the Defendants (and anyone else notified of this Order who has an interest in it) may apply to the Court, on 72 hours' written notice to the Court and the Claimants' solicitors, to vary or discharge this Order (or so much of it that affects that person).

Costs

13. Costs in the case.

Service of this Order

This Order will be served by the Claimants on the Defendants. The Court has provided a sealed copy of this Order to the Claimants' legal representatives, Walker Morris at email nick.mcqueen@walkermorris.co.uk

SCHEDULE 1-NAMED DEFENDANTS

Defendant No.

7	Xanthe Wells
8	Stephen Bone
9	Kim Wainwright
10	Bryan Mongelli
11	Nikola Muratova
12	Radim Sandr
13	Robert King-Houston
14	Vojtech Palencar
15	Jan Kratky
16	Anna Wilkinson
17	Lucia Bree Alexander
18	Rueben Lemer
19	Solene Rashleigh
20	Cristina Acosta
21	Sined Singhage
22	Vaclav Opatril
23	Cathy Eastburn
24	Marina Ballestra Candel
25	Hamish Gardner
26	Euphemia Smith
27	Dev Vyas
28	Vita Sleigh
29	Gabriella Ditton
30	Robert Smith
31	Emily Camp
32	Gemma Barnes
33	Marcus Decker
34	Robert Allan
35	Theresa Higginson
36	Rachel Steele
37	Alexander Bourke
38	Rosa Sharkey
39	Rik Jansen
40	Person identified in image 1 at Schedule 1A to the re-Amended Claim Form

SCHEDULE 2-NOTICES

On the package containing this Order:

“VERY URGENT: THIS PACKAGE CONTAINS AN ORDER OF THE HIGH COURT AND YOU SHOULD READ IT IMMEDIATELY AND SEEK LEGAL ADVICE. IF YOU NEED ANOTHER COPY PLEASE DOWNLOAD IT FROM <https://www.walkermorris.co.uk/arla-injunction/> OR CALL 0113 283 2500”

to affix to the front door when the package has been posted through the letterbox or placed in a mailbox:

“VERY URGENT: A PACKAGE HAS BEEN LEFT THAT CONTAINS AN ORDER OF THE HIGH COURT AND YOU SHOULD READ IT IMMEDIATELY AND SEEK LEGAL ADVICE. IF YOU NEED ANOTHER COPY PLEASE DOWLOAD IT FROM <https://www.walkermorris.co.uk/arla-injunction/> OR CALL 0113 283 2500”

For service by text message:

“VERY URGENT: A HIGH COURT ORDER HAS BEEN MADE THAT CONCERNS YOU, THE LINK PROVIDED IN THIS TEXT MESSAGE CONTAINS AN ORDER OF THE HIGH COURT AND THE SUPPORTING DOCUMENTS RELIED UPON BY THE CLAIMANTS. YOU SHOULD IMMEDIATELY SEEK LEGAL ADVICE. IF YOU NEED ANOTHER COPY PLEASE CALL 0113 283 2500”