

VWF GENERIC ORDERS

This table sets out a summary of the generic Orders made in the Vibration White Finger Litigation. A brief description is provided for each Order. It is not intended that the brief description covers all elements of the Order made and reliance should not be placed on the brief description given.

It should be noted that almost every Order contains some provisions in relation to generic costs. Some Orders listed below only deal with generic costs (as indicated).

Year Band	Date of Order		Brief Description
1990s	21 July 1994	1.	Establishing procedural arrangements for the VWF Litigation including setting up of a register, definition of parties, setting out a timetable in relation to the trial.
	15 June 1995	2.	Setting out a timetable with directions for the parties prior to the preliminary issue hearing taking place in October 1995.
	17 January 1996	3.	Following the preliminary issue trial and confirming that the date of knowledge: (1) 1 January 1973 (that the work complained of in nine actions gave rise to a foreseeable risk) (2) In respect of warnings, system and routine examination 1 January 1975 and in respect of job rotation 1 January 1976.
	28 November 1996	4.	Court of Appeal in respect of the Defendant's Appeal against the findings on date of knowledge (see Order number 3 above). Order confirms that the Defendant's Appeal is dismissed.
	9 October 1997	5.	Following lead case trial on 30 October 1997 Judgment for the claimants: ██████████, ██████████ and ██████████.
	24 February 1998	6.	Monies paid into Court to be paid out to the lead claimants: ██████████ and ██████████.
	17 March 1998	7.	Directions made for the stayed cases (further to Order number 1 above).
	24 August 1998	8.	Court of Appeal in respect of the Defendant's Appeal against lead case Judgment (see Order 5 above).
	5 November 1998	9.	Procedural arrangements for the VWF Litigation including requirements for the maintenance of the

			register of claims and timetable for the parties' proposals for a Scheme for the remaining claims.
	18 March 1999	10.	Generic costs
	7 May 1999	11.	<ul style="list-style-type: none"> • First Defendant to serve a schedule of claims where claimant suffers from dual pathology and medical experts to produce an agreed list of dual pathologies. • First Defendant to serve a schedule of all actions where they dispute claim for loss of services. • Claimants to be paid interim payment for general damages of full sum in Category A claims and 80% of offer in Category B and C claims.
	7 May 1999	12.	<ul style="list-style-type: none"> • Co-Defendants to serve list of claims where they admit employing the claimant/or explanation of their position. • First Defendant to produce a schedule of all information provided.
	29 July 1999	13.	Directions made for the VWF Litigation including timescales for Co-Defendants to provide their proposals for the progressing of negotiations with the other parties and confirmation of stay on proceedings.
	5 November 1999	14.	Generic costs
	5 November 1999	15.	Directions made for Contractors and Private Mine Owner Groups and DTI to include maintaining by IRISC of Co-Defendant register.
2000/2001	31 January 2000	16.	Directions made for Contractors and Private Mine Owners.
	13 March 2000	17.	Directions made for Contractors and Private Mine Owners to include whether individual companies accept the terms of the Handling Arrangement and their attitude to the Medical Assessment Process (MAP), if they have reservations.
	23 June 2000	18.	Directions made regarding the Co-Defendant and BCC/DTI registers.
	13 October 2000	19.	<ul style="list-style-type: none"> • CMC / CMR Defendants to confirm whether or not they agree the MAP. • CSG to respond to CMC and CMR Defendants regarding their proposals regarding Services protocol.

	31 May 2001	20.	Directions for hearing on 11 July 2001.
	11 July 2001	21.	<ul style="list-style-type: none"> • Directions made for the CMC / CMR Defendants including generic costs. • Directions for hearing on 21 December 2001.
	21 December 2001	22.	<ul style="list-style-type: none"> • Directions made for NMR Defendants. • Directions for hearing on 25 March 2000.
2002/2003	25 March 2002	23.	Directions for hearing on 24 July 2002.
	10 June 2002	24.	Supreme Court Costs Office – generic costs.
	24 July 2002	25.	Generic costs.
	20 December 2002	26.	Generic costs.
	20 December 2002	27.	Directions for dissolution of the claims register.
	20 December 2002	28.	Directions for process for dealing with patient (protected party) claims.
	4 April 2003	29.	<ul style="list-style-type: none"> • Cut off date for CMC/CMR defendants • Directions for claims submitted after cut off dates (13 October 2001 live and 31 January 2003 deceased).
	23 July 2003	30.	Directions for hearing on 3 December 2003 to deal with VWF / COPD cross over issues.
	22 December 2003	31.	Directions for hearing on 15 and 16 April 2004 to deal with Tortious exposure in Group 3 claims (First Defendant claims) and Apportionment of damages for loss of services as between CMC/CMR Defendants and others.
2004/2005	19 March 2004	32.	Hearing of issues referred to in Order number 31 to be adjourned to a date to be fixed.
	30 July 2004	33.	Cut off dates ordered for wage loss claims, Group 3 claims (including posthumous and co defended Group 3 claims), and Services claims.
	21 January 2005	34.	<ul style="list-style-type: none"> • Declaration given regarding Apportionment of damages for loss of services (see Order number 31 above). • Stalled Claims Procedure to re-commence. • CMC/CMR issue regarding compensation for CTS claims adjourned until hearing on 22

			and 23 February 2005.
	22 February 2005	35.	<ul style="list-style-type: none"> • Amendment of order regarding services cut off date (see Order number 33 above). • Directions that DTI provide their proposals for addressing claims stalled at IRISC.
	8 July 2005	36.	<ul style="list-style-type: none"> • Cut off dates ordered by Handicap on the Labour Market, Disputes and CTS claims. • Directions regarding apportionment as between Defendants • Directions regarding age at letter of claim issue.
	21 December 2005	37.	<ul style="list-style-type: none"> • Directions regarding denied / partially denied services claims following cut off date. • Directions for hearing on 12 April 2006 (to cover multiple DNAs, Services employment, Services costs, Conditional Fee Arrangements, Base costs, Stalled claims at Capita).
2006	6 June 2006	38.	<p>Following hearing on 12 April 2006 (see Order number 37 above):</p> <ul style="list-style-type: none"> • Judge's powers limited to those set out in the CHA. • Claimant entitled to recovery of success fee.
	5 July 2006	39.	Supreme Court Costs Office – generic costs.
	25 September 2006	40.	Directions for timetable regarding services costs issue.
	29 September 2006	41.	Directions for timetable regarding services costs issue.
	9 October 2006	42.	Directions for timetable regarding services costs issue.
	30 November 2006	43.	Court of Appeal – further to hearing on 27 and 28 July 2006. Claimants' (Judge's powers) and Defendant's (funding by CFA) appeals dismissed.
2007	16 January 2007	44.	Supreme Court Costs Office – Directions for services costs issue.
	25 January 2007	45.	Supreme Court Costs Office – Directions for services costs issue.
	12 February 2007	46.	<ul style="list-style-type: none"> • Applications for extensions of time from the cut off date in wage loss claims. • Claims for extensions of time beyond post cut off dates generally. • Timetable for services costs issue.
	12 February 2007	47.	UK Coal – cut off date for claims for loss of earnings and care support needed adjourned for next review hearing.

	2 May 2007	48.	<ul style="list-style-type: none"> • Directions for timetable regarding services costs issue. • Ruling on non-application of indemnity principle.
	2 May 2007	49.	Cut off for claims against CMC and CMR Defendants.
	30 July 2007	50.	Services costs tariff.
	30 July 2007	51.	Directions for timetable regarding posthumous protocol claims.
	5 November 2007	52.	Directions for matters to be heard at hearing on 15 January 2008 (mediation, costs of mediation, resolution before litigation at common law of issues outstanding after the failure or rejection of mediation within the CHA).
2008/2009	15 January 2008	53.	Order made on issues – see Order number 52 above.
	18 March 2008	54.	Court of Appeal – refused permission for Claimant to appeal decision on mediation – see Order number 53 above.
	6 March 2008	55.	Generic costs.
	6 March 2008	56.	<ul style="list-style-type: none"> • Cut off dates ordered for wage loss, services claims, Handicap on the Labour Market, CTS and costs (order number 33 above amended). • Timescales in the SCP reduced.
	7 March 2008	57.	UDM solicitors to receive 83.33% of services costs.
	15 January 2008	58.	Posthumous protocol tariff.
	28 April 2008	59.	Court of Appeal – permission for claimants to appeal (on Judge's powers) refused.
	28 April 2008	60.	Applications for extensions of time from the cut off dates in CMC protocol services and loss of wages claims.
	31 July 2008	61.	Posthumous protocol tariff (for UDM).
	31 July 2008	62.	Amended cut off dates for disputes, CTS and costs (see Orders 56 and 36 above).
	12 January 2009	63.	Generic costs.
	8 April 2009	64.	Generic costs.
	8 April 2009	65.	UK Coal services claims.

	8 April 2009	66.	CMC services and loss of earnings and associated losses protocol.
	8 April 2009	67.	Scheme closure.
	8 April 2009	68.	Scheme closure (for UDM).