

**IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY**

HS2 REVIEW HEARING

CLAIMANTS' ADMINISTRATIVE NOTE

For Review Hearing Tuesday 16 May 2023

[A] APPEARANCES

1. Appearances for the Claimants are:

Counsel: Richard Kimblin KC
Michael Fry

Instructed by: Robert Shaw
Legal Director
DLA Piper UK LLP

2. Appearances for D6 are:

Counsel: Stephen Simblet KC
Owen Greenhall

Instructed by: Nicola Hall
Solicitor
Robert Lizar Solicitors

3. The following may appear in person, amongst others:

Ms Caroline Thomson-Smith

Mr Mark Keir

4. Mr Chris Butcher has provided an undertaking which is acceptable to the Claimants.

[B] DOCUMENTS

5. Skeleton arguments:

Claimant's main skeleton argument dated

Claimant's skeleton argument in response to D6

Skeleton argument on behalf of D6

If necessary, the Claimants will also refer to the First and Second skeleton arguments on legal principles (dated 18th May 2022; Core-A-304) and the merits (dated 20th May 2022; Core-A-317).

6. There is a Core Bundle. It is in three volumes, A, B, C. Most of the material which the Claimant's will refer to is in Core Bundle A. The exhibits to the Claimant's witness statements are in Core Bundle B. Defendants' documents are in Core Bundle C.
7. There is a Supplemental Bundle. It contains materials which it is appropriate to have before the court, such as plans and certificates of service, but on which it is not anticipated much will be spent.
8. The bundles in support of the original application before Julian Knowles J has been provided in volumes A-D.
9. There is a Claimants' Authorities Bundle.
10. D6 has prepared and is sending a copy of his authorities to the court.

11. Mr Kier has submitted the documents at Core-C-Tab B.

[C] ISSUES

12. The Claimants identify the following issues for the hearing:

- a. Whether to admit late evidence
- b. Whether to extend time for D6 to file his skeleton argument
- c. Whether any oral evidence is required/permitted
- d. Whether to continue the Injunction Order until May 2024
- e. Whether to extend the injunctioned land to include that which has come within the Claimants' possession since March 2022
- f. Whether to remove named Defendants
- g. Whether to add named Defendants
- h. Whether to add D68 and unlawful means conspiracy against named defendants
- i. If the Injunction Order is continued, whether the draft is in terms which the court will approve
- j. Interaction between this review hearing and that in *Shell*, timing, extension of the current Injunction Order and any written submissions
- k. Costs.

RICHARD KIMBLIN KC

MICHAEL FRY

15th May 2023