

**IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS
OF ENGLAND AND WALES
COMMERCIAL COURT (QBD)**

Claim No CL-2015-000047



CL-2015-000047

Mr Peter MacDonald Eggers QC (sitting as a Deputy Judge of the High Court)

BETWEEN:

(1) ALTA TRADING UK LIMITED (formerly known as ARCADIA PETROLEUM LIMITED)

(2) ARCADIA ENERGY (SUISSE) SA

(3) ARCADIA ENERGY (PTE) LTD

(4) FARAHEAD HOLDINGS LIMITED

Claimants / Respondents

(1) PETER MILES BOSWORTH

(2) COLIN HURLEY

~~(3) STEPHEN CLIVE LANGFORD GIBBONS~~

~~(4) MARK RICHARD LANCE~~

Defendants

(5) STEVEN KELBRICK

Defendant / Applicant

~~(6) SALEM CHUCRI MOUNZER~~

(7) ARCADIA PETROLEUM SAL OFFSHORE

(8) ARCADIA PETROLEUM LIMITED, MAURITIUS

Defendants

(9) ATTOCK OIL INTERNATIONAL LIMITED, MAURITIUS

Defendant / Applicant

~~(10) THE CORNHILL GROUP LIMITED~~

Defendant

ORDER

UPON the application made by the Fifth and Ninth Defendants (the “**Applicants**”) on 10 August 2020 for the Claimants (the “**Respondents**”) further to fortify their undertakings in damages given pursuant to the Court’s order of 12 February 2015 (the “**Application**”)

AND UPON reading the evidence and submissions documents on the Court file

AND UPON hearing from leading counsel for the Applicants and for the Respondents

AND UPON the Court handing down its judgment on 30 April 2021 (the “**Judgment**”)

IT IS HEREBY ORDERED THAT:

- 1 The determination of the appropriate form of Order to be made following the handing down of the Judgment shall be adjourned to a further hearing (the “**Consequential Hearing**”) in accordance with the provisions hereof.
- 2 The parties shall co-operate to list a further remote hearing before Mr Peter MacDonald Eggers QC (sitting as a Deputy Judge of the High Court) on or as soon as possible after 14 May 2021 (at the convenience of counsel) with a time estimate of one hour.
- 3 The parties are to seek to agree the form of Order. To the extent they are unable to agree, or where the decision is a matter for the Court rather than the parties, the parties shall exchange written submissions on the form of Order to be made, such submissions to be filed and exchanged by 4pm on 11 May 2021. Such written submissions shall be accompanied by a draft of the Order to be made showing any matters which are agreed between the parties and, in the case of any matters which are not agreed, the parties’ respective rival forms of order in those respects.

- 4 Following the exchange of such written submissions, the parties shall write to the Court (by email to the clerk to Mr Peter MacDonald Eggers QC) no later than 4pm on 12 May 2021 indicating whether any of them wishes to be heard orally at the hearing listed pursuant to paragraph 2 above on the issues addressed in the said written submissions. If neither party wishes to be heard orally, the hearing shall be taken out of the list.
- 5 The adjournment provided for in paragraph 1 above is an adjournment within paragraph 4.1(a) of Practice Direction 52A to Part 52; and accordingly the time for making any application for permission to appeal be extended until 21 days after the day on which the Order is made at the Consequential Hearing, pending which the time for filing and service of any Appellant's Notice under CPR r 52.12(2) shall not run or expire.
- 6 Costs in the Application.

Dated this 30th day of April 2021