

Name: S S Wortley  
Party: Claimant  
Number: First  
Date: 21.02.18  
Exhibits: "SSW1"

Claim No: HQ18X00612

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

ROYAL COURTS OF JUSTICE

B E T W E E N

CANARY WHARF INVESTMENTS LIMITED  
AND OTHERS

Claimants

and

- (1) RIKKE BREWER
- (2) ALEXANDER FARRELL
- (3) RYAN TAYLOR
- (4) ALISTAIR LAW
- (5) IMOGEN ANDERSON
- (6) PERSONS UNKNOWN ENTERING OR REMAINING ON  
THE CANARY WHARF ESTATE WITHOUT THE  
CLAIMANT'S LICENCE OR CONSENT

Defendants

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WITNESS STATEMENT OF

STUART SHERBROOKE WORTLEY

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I STUART SHERBROOKE WORTLEY of Eversheds Sutherland (International) LLP, One Wood Street, London, EC2V 7WS WILL SAY as follows:-

1. I am a Partner of Eversheds Sutherland (International) LLP and have conduct of these proceedings on behalf of the Claimants. I am duly authorised to make this statement.
2. These proceedings were issued on 15 February 2018.

3. On 15 February 2018, I served the following documents on the First, Second, Third, Fourth and Fifth Defendants by First Class Post (copies of each of the covering letters are attached to this email at pages 1 - 5 of "SSW1"):-

- Claim Form dated 15 February 2018;
- Particulars of Claim;
- Application Notice – N244 dated 15 February 2018 with draft Order and draft Undertaking;
- Application Notice – N16A dated 15 February 2018 with draft Injunction Order;
- Witness Statement of Nicholas John Bennett dated 15 February 2018 together with Exhibits "NJB1" to "NJB6";
- Guidance Notes and Defendant's Response Pack.

4. Application N244 was stamped with the details for the hearing and stated that the claim would be heard on 23 February 2018 (in a Court and at a time to be confirmed).

5. At 18.12 on 15 February, I also sent copies of the documents listed above to each of the First, Second, Third, Fourth and Fifth Defendants by email. Copies of the emails are attached to this email at pages 6 - 10 of "SSW1".

6. My email messages dated 15 February incorrectly referred to the hearing being on 23 March (as opposed to 23 February), I corrected this in an email message sent to all the named Defendants at 09.59 on 16 February (page 13 of "SSW1"). The email dated 16 February also asked the named Defendants to confirm their position in relation to the proceedings and whether they were still willing to provide an undertaking not to trespass (see paragraph 77 of the statement of Nicholas Bennett p 57 of the hearing bundle).

7. I have received the following responses:-

**Rikke Brewer – the First Defendant**

8. At 20.42 on 15 February, I received the following email from Mr Brewer

*"Why you trying to ruin a young boys life?*

*Like for real, just tighten your security!*

*In fact we are strengthening your team from a real terror threat, so why treat us like we are the enemy's?*

*Make sure this goes to your boss!*

*We mean no threat or danger!*

*Kind regards*

*Rikke"*

9. This contrasts with his earlier response dated 6 February which is at page 161 of the hearing bundle.
10. At 10.55 on 21 February, I sent an email message to Mr Brewer reminding him that the hearing was on 23 February and that I had not heard from him in reply to my email dated 16 February 2018. A copy of this message is at page 18 of the Exhibit marked "**SSW1**".
11. At the time of making this statement I have not heard anything further.
12. Since Mr Bennett's witness statement, Mr Brewer has featured in additional videos uploaded to the internet by Alistair Law (the Fourth Defendant) in which he is shown trespassing on various properties in Manchester. The titles of these videos are:-
  - *"Going To Court and then hitting an insane Rooftop."*
  - *"Attacked by Angry Owner ! Overnight gone wrong ...."*

#### **Alexander Farrell – the Second Defendant**

13. On 20 February 2018, Mr Farrell sent me a letter in the following terms:-

*"Dear Mr Wortley*

*I have signed the undertaking and have enclosed it.*

*I have not been able to get this witnessed because after having spoken to a few solicitors unfortunately I cannot afford their fees.*

*I am aware of the consequences and the importance of what I am signing and understand that if I break any promises to the Court I may be fined, my assets seized or I may be sent to prison for contempt of court*

*Yours faithfully*

*Alexander Farrell"*

14. Copies of the letter and the undertaking are at pages 16 – 17 of "**SSW1**".
15. Mr Farrell also features in the videos referred to in paragraph 11 of this statement.

#### **Ryan Taylor – the Third Defendant**

16. At 01.13 on 19 February, I received an email from Mr Taylor in the following terms:-

*"To who'm this may concern.*

*Please understand that I am willing to accept the undertaking as I have been given legal advice previously in court on how a Injunction works.*

*I Am aware that I am not allowed to trespass on this property or any of the ones highlighted.*

*Im not in the country to attend court nor will I be able to attend anything with this matter for the next month as im away training for BMX championships.*

*Thanks,"*

17. The undertaking to which Mr Taylor was referring was one which he gave to the Court on 7 February 2018 (following his trespass in the Celebrity Big Brother house). On that occasion, the undertaking was explained to him by Leigh-Ann Mulcahy QC sitting as a Deputy High Court Judge. The undertaking is referred to in paragraph 66 of the statement of Nicholas Bennett in this action (page 54 of the bundle) and a copy of Mr Taylor's undertaking is included at exhibit "NJB4" at 150-152 of the hearing bundle.
18. Since Mr Bennett's witness statement dated 15 February 2018, Mr Taylor has added further videos to his YouTube channel with the following titles:-
  - "Escaped – sneaking inside NBA All Star Event"
  - "Are we going to Jail"
  - "Illegal – climbing Egyptian Pyramids"
  - "Captured – Crazy Kart inside a mall" – in this video Mr Taylor rides a go kart through Brent Cross shopping centre (when the shops are closed) and attempts to avoid being removed from the centre.

#### **Alistair Law – the Fourth Defendant**

19. *In an email message at 18.22 on 15 February, Mr Law send me a message saying:-*

*"Hey Stuart*

*What are the terms of the undertaking? I am happy to accept an undertaking for an injunction & agree to never enter Canary wharf again.*

*I am fully aware the implications of an undertaking & have been explained by a judge in court of law & I'd be happy to agree to never enter Canary wharf again.*

*Thanks"*

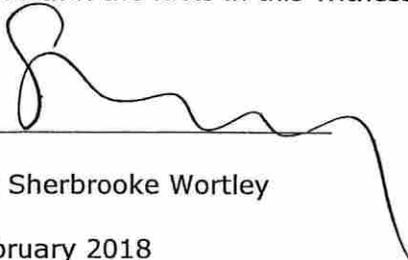
20. The undertaking to which Mr Law was referring was one which he gave to the Court following at the same time as Mr Taylor at 147-9 of the hearing bundle.
21. On 16 February after the proceedings were served, I replied to Mr Law's email with the form of undertaking (page 13 of "**SSW1**").

22. Not having heard anything further from Mr Law, at 10.57 on 21 February 2018, I sent him a further email message reminding him of the hearing on 23 February. A copy of this message is at page 19 of "**SSW1**".
23. At the time of making this statement I have not heard anything further.
24. Since Mr Bennett's witness statement, not only has Mr Law uploaded the videos referred to in paragraph 11, he has also uploaded other videos (all of which involve him trespassing on private property) with the following titles:-
  - I dyed my hair to trick security for overnight
  - Overnight in a cinema! We ran into the police
  - Epic trampoline v rooftop! (Police Came)
  - Overnight in ten pin bowling !!

**Imogen Anderson – the Fifth Defendant**

25. At 16.02 on 6 February, Ms Anderson sent me an email message stating that she was willing to sign an undertaking but that she needed more time to consult a solicitor (page 164 of the hearing bundle).
26. On 16 February after the proceedings were served, I sent an email to Ms Anderson with the form of undertaking (page 13 of "**SSW1**").
27. At 11.02 on 21 February, I sent an email message to Ms Anderson reminding her of the hearing on 23 February and that I had not heard from her in reply to my email dated 16 February.
28. At 11.08 on 21 February, Ms Anderson replied to the effect that she was meeting a solicitor later that evening and would provide the undertaking on 22 February.
29. At 16.16 on 21 February, I replied to Ms Anderson's email and explained that the Claimants would in any event be seeking an order for costs against the named defendants. Copies of these messages are at pages 20 - 21 of "**SSW1**".

I believe that the facts in this Witness Statement are true

  
\_\_\_\_\_  
Stuart Sherbrooke Wortley  
21 February 2018

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LICENCE OR CONSENT OF THE CLAIMANTS

Defendants

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**EXHIBIT "SSW1"**

---

This is the exhibit marked "SSW1" referred to in the witness statement of STUART SHERBROOKE WORTLEY dated 21 February 2018

**Date:** 15 February 2018

**Your ref:**

**Our ref:** WORTLES\323959-000001

**Direct:** 020 7919 0969

**Email:** stuartwortley@eversheds-sutherland.com

Dear Sir

**Canary Wharf Investments Ltd and others**

We refer to previous email correspondence and now enclose by way of service the following documents:-

- (1) Claim Form
- (2) Particulars of Claim
- (3) Application Notice – form N244 and draft Order
- (4) Application Notice – form N16A and draft Order
- (5) Witness Statement of Nicholas John Bennett
- (6) Exhibits "NJB1", "NJB2", "NJB3", "NJB4", "NJB5" and "NJB6"
- (7) Response Pack

You will see that we have provided a form of undertaking that you may be willing to enter into. You will see that this is attached to the draft Order attached to Application Notice form 244.

Please let us know whether or not you are willing to enter into an undertaking in this form.

We recommend that you seek independent legal advice.

Yours faithfully

**Eversheds Sutherland (International) LLP**

cam\_1b\5857115\1\wortles

Eversheds Sutherland (International) LLP is a limited liability partnership, registered in England and Wales (number OC304065), registered office One Wood Street, London EC2V 7WS. Authorised and regulated by the Solicitors Regulation Authority. A list of the members' names and their professional qualifications is available for inspection at the above office.

Eversheds Sutherland (International) LLP is part of a global legal practice, operating through various separate and distinct legal entities under Eversheds Sutherland. For a full description of the structure and a list of offices, please visit [www.eversheds-sutherland.com](http://www.eversheds-sutherland.com).

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**Email:** stuartwortley@eversheds-sutherland.com

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**Date:** 15 February 2018

**Your ref:**

**Our ref:** WORTLES\323959-000001

**Direct:** 020 7919 0969

**Email:** [stuartwortley@eversheds-sutherland.com](mailto:stuartwortley@eversheds-sutherland.com)

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**Date:** 15 February 2018

**Your ref:**

**Our ref:** WORTLES\323959-000001

**Direct:** 020 7 919 0969

**Email:** stuartwortley@eversheds-sutherland.com

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## Bult, Sebastian

---

**From:** Wortley, Stuart  
**Sent:** 15 February 2018 18:12  
**To:**  
**Cc:** Bult, Sebastian  
**Subject:** Canary Wharf - court proceedings  
**Attachments:** Claim Form.pdf; Particulars of Claim.pdf; Form N244 Application Notice.pdf; Application for Injunction (General Form).pdf; Witness Statement of N J Bennett.pdf; Exhibits NJB1-NJB6.pdf; Response Pack (incl. Guidance Notes).pdf

**Categories:** Efiled

Dear Sir

On 05.02.18 we sent you an email message in which we explained that we were instructed to issue proceedings against you in respect of your trespass on the Canary Wharf Estate.

We explained that our clients may be willing to accept an undertaking from you to the Court not to trespass on the Canary Wharf Estate and we explained that such an undertaking would only be capable of being acceptable if you can demonstrate that you have first received independent legal advice.

On 06.02.18, you replied to the effect that you would not trespass on the Canary Wharf Estate again.

Whilst we thank you for providing that confirmation we note that we have not yet received a completed undertaking. In any event, as we said on 05.02.18, it was always our clients' intention to issue proceedings against you in this matter because any undertaking must be addressed to the Court. Our clients remain willing to accept an undertaking from you and we attach a draft of this (attached to form N244) for your consideration.

We now attach copies of the following documents which are also being served upon you by First Class Post today:-

1. Claim Form issued today
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3. Form N244 Application Notice with draft Order and draft undertaking
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5. Witness Statement of Nicholas John Bennett dated 15 February 2018
6. Exhibits "NJB1" - "NJB6"
7. Guidance Notes and Response Pack

**You will see that the Form N244 Application has been stamped to show that the application for the injunction will be considered by a Judge of the High Court on Friday 23 March. The time of the hearing and the Court Room will probably not be confirmed until Thursday 22 March.**

We again recommend that you seek independent legal advice in connection with this matter.

Yours faithfully

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On 06.02.18, you replied to the effect that you are willing to provide an undertaking but that you need time to get legal advice.

Whilst we thank you for providing that confirmation we note that we have not yet received a completed undertaking. In any event, as we said on 05.02.18, it was always our clients' intention to issue proceedings against you in this matter because any undertaking must be addressed to the Court. Our clients remain willing to accept an undertaking from you and we attach a draft of this (attached to form N244) for your consideration.

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On 06.02.18, you replied to the effect that you would not return to the Canary Wharf Estate.

Whilst we thank you for providing that confirmation we note that we have not yet received a completed undertaking. In any event, as we said on 05.02.18, it was always our clients' intention to issue proceedings against you in this matter because any undertaking must be addressed to the Court. Our clients remain willing to accept an undertaking from you and we attach a draft of this (attached to form N244) for your consideration.

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On 06.02.18, you replied to the effect that you would provide an undertaking not to trespass on the Canary Wharf Estate again.

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We again recommend that you seek independent legal advice in connection with this matter.

Yours faithfully

Stuart Wortley | Partner – Real Estate Dispute Resolution | Eversheds Sutherland

T: + 44 207 919 0969  
M: + 44 771 288 1393

[www.eversheds-sutherland.com](http://www.eversheds-sutherland.com)

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**Bult, Sebastian**

---

**From:**  
**Sent:** 15 February 2018 18:22  
**To:** Wortley, Stuart  
**Subject:** Canary wharf injunction

Hey Stuart,

What are the terms of the undertaking? I am happy to accept an undertaking for an injunction & agree to never enter Canary wharf again.

I am fully aware the implications of an undertaking & have been explained by a judge in a court of law & I'd be happy to agree to never enter Canary wharf again.

Thanks

//

## Bult, Sebastian

---

**From:** Rikke Brewer <[Rikke.Brewer@eversheds-sutherland.com](mailto:Rikke.Brewer@eversheds-sutherland.com)>  
**Sent:** 15 February 2018 20:42  
**To:** Wortley, Stuart  
**Subject:** Re: Canary Wharf - court proceedings

Why you trying to ruin a young boys life?

Like for real, just tighten your security!

In fact we are strengthening your team from a real terror threat, so why treat us like we are the enemy's?

Make sure this goes to your boss!

We mean no threat or danger!

Kind regards,

Rikke.

Sent from my iPhone

- > On 15 Feb 2018, at 18:15, Wortley, Stuart <[StuartWortley@eversheds-sutherland.com](mailto:StuartWortley@eversheds-sutherland.com)> wrote:
- >
- > Dear Sir
- >
- > On 05.02.18 we sent you an email message in which we explained that we were instructed to issue proceedings against you in respect of your trespass on the Canary Wharf Estate.
- >
- > We explained that our clients may be willing to accept an undertaking from you to the Court not to trespass on the Canary Wharf Estate and we explained that such an undertaking would only be capable of being acceptable if you can demonstrate that you have first received independent legal advice.
- >
- > On 06.02.18, you replied to the effect that you would not trespass on the Canary Wharf Estate again.
- >
- > Whilst we thank you for providing that confirmation we note that we have not yet received a completed undertaking. In any event, as we said on 05.02.18, it was always our clients' intention to issue proceedings against you in this matter because any undertaking must be addressed to the Court. Our clients remain willing to accept an undertaking from you and we attach a draft of this (attached to form N244) for your consideration.
- >
- > We now attach copies of the following documents which are also being served upon you by First Class Post today:-
- >
- > 1. Claim Form issued today
- > 2. Particulars of Claim with site plan
- > 3. Form N244 Application Notice with draft Order and draft undertaking
- > 4. For N16A Application for Injunction with draft Injunction
- > 5. Witness Statement of Nicholas John Bennett dated 15 February 2018
- > 6. Exhibits "NJB1" – "NJB6"
- > 7. Guidance Notes and Response Pack
- >
- > You will see that the Form N244 Application has been stamped to show that the application for the injunction will be considered by a Judge of the High Court on Friday 23 March. The time of the hearing and the Court Room will probably not be confirmed until Thursday 22 March.

## Bult, Sebastian

---

**From:** Wortley, Stuart  
**Sent:** 16 February 2018 09:58  
**To:**  
**Cc:** Bult, Sebastian  
**Subject:** Canary Wharf - court proceedings (2)  
**Attachments:** Form N244 Application Notice.pdf  
**Categories:** Efiled

All

Our email message to each of you yesterday evening included the following paragraph:-

***"You will see that the Form N244 Application has been stamped to show that the application for the injunction will be considered by a Judge of the High Court on Friday 23 March. The time of the hearing and the Court Room will probably not be confirmed until Thursday 22 March."***

You will see from the details on the front page of the attached application that the hearing of this matter will take place on Friday 23 February (not Friday 23 March). The time of the hearing and the Court room will probably be confirmed at around 2.00 pm on the previous day. We apologise for our error.

If you have not already done so, please confirm whether or not you are willing to provide an undertaking in the form which appears on page 6 of the attached document. You will need to take independent legal advice before signing the undertaking or else appear at Court on 23 February so that the Judge may explain the undertaking to you.

Yours faithfully

Stuart Wortley | Partner – Real Estate Dispute Resolution | Eversheds Sutherland

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## Bult, Sebastian

---

**From:** Ryan Taylor <  
**Sent:** 19 February 2018 01:13  
**To:** Wortley, Stuart  
**Subject:** Re: Canary Wharf - court proceedings (2)

To who'm this may concern..

Please understand that I am willing to accept the undertaking as I have been given legal advice previously in court on how a Injunction works.

I Am aware that I am not allowed to trespass on this property or any of the ones highlighted.

Im not in the country to attend court nor will I be able to attend anything with this matter for the next month as im away training for BMX championships.

Thanks,

On 16 Feb 2018, at 09:57, Wortley, Stuart <StuartWortley@eversheds-sutherland.com  
<mailto:StuartWortley@eversheds-sutherland.com> > wrote:

All

Our email message to each of you yesterday evening included the following paragraph:-

"You will see that the Form N244 Application has been stamped to show that the application for the injunction will be considered by a Judge of the High Court on Friday 23 March. The time of the hearing and the Court Room will probably not be confirmed until Thursday 22 March."

You will see from the details on the front page of the attached application that the hearing of this matter will take place on Friday 23 February (not Friday 23 March). The time of the hearing and the Court room will probably be confirmed at around 2.00 pm on the previous day. We apologise for our error.

If you have not already done so, please confirm whether or not you are willing to provide an undertaking in the form which appears on page 6 of the attached document. You will need to take independent legal advice before signing the undertaking or else appear at Court on 23 February so that the Judge may explain the undertaking to you.

Yours faithfully

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This email is sent for and on behalf of Eversheds Sutherland (International) LLP

## Bult, Sebastian

---

**From:** Alexander Farrell < >  
**Sent:** 20 February 2018 21:10  
**To:** Wortley, Stuart  
**Subject:** Re: Canary Wharf - court proceedings (2)  
**Attachments:** Letter.PDF; Signed undertaking.PDF

I have sent the attached signed undertaking and letter to this address.

Unfortunately I will not be able to attend Court on the 23rd of February due to work but like I have said in the letter I understand the Undertaking and the consequences of signing it.  
I would like to resolve the issue so that it does not need to go further and saves court time

Yours faithfully  
Alexander Farrell

On 16 February 2018 at 09:57, Wortley, Stuart <[StuartWortley@eversheds-sutherland.com](mailto:StuartWortley@eversheds-sutherland.com)> wrote:

All

Our email message to each of you yesterday evening included the following paragraph:-

*"You will see that the Form N244 Application has been stamped to show that the application for the injunction will be considered by a Judge of the High Court on Friday 23 March. The time of the hearing and the Court Room will probably not be confirmed until Thursday 22 March."*

You will see from the details on the front page of the attached application that the hearing of this matter will take place on Friday 23 February (not Friday 23 March). The time of the hearing and the Court room will probably be confirmed at around 2.00 pm on the previous day. We apologise for our error.

If you have not already done so, please confirm whether or not you are willing to provide an undertaking in the form which appears on page 6 of the attached document. You will need to take independent legal advice before signing the undertaking or else appear at Court on 23 February so that the Judge may explain the undertaking to you.

Yours faithfully

Stuart Wortley | Partner – Real Estate Dispute Resolution | Eversheds Sutherland

inmate house  
Cronal Road  
Crockham Village  
Fleet  
GU51 5SS

Ref-WORTLES1323959-000001

20 February 2018

Dear Mr Wortley,

I have signed the undertaking and have enclosed it.

I have not been able to get this witnessed because after having spoken to a few solicitors unfortunately I can not afford their fees.

I am aware of the consequences and the importance of what I am signing and understand that if I break any promises to the court I may be fined, my assets seized or I may be sent to prison for Contempt of Court

Yours faithfully  
Alexander Farrell

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

ROYAL COURTS OF JUSTICE

B E T W E E N:

CANARY WHARF INVESTMENTS LIMITED AND OTHERS

Claimants

and

- (1) RIKKE BREWER
- (2) ALEXANDER FARRELL
- (3) RYAN TAYLOR
- (4) ALISTAIR LAW
- (5) IMOGEN ANDERSON
- (6) PERSONS UNKNOWN ENTERING OR REMAINING ON THE CANARY WHARF ESTATE WITHOUT THE CLAIMANT'S LICENCE OR CONSENT

Defendants

---

**Draft / UNDERTAKING TO COURT**

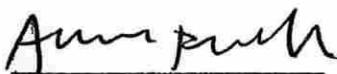
**PURSUANT TO CPR Part 81.4(4)**

---

I ALEXANDER FARRELL of \_\_\_\_\_ undertake that I shall not enter the land shown edged red on the attached plan.

The terms of this undertaking and the consequences of breaching it have been explained to me by [ \_\_\_\_\_ ] a solicitor. I therefore understand that if I breach this undertaking, I may be held in contempt of court and may be imprisoned, fined or have my assets seized.

Dated: 20.2.2018



Alexander Farrell

Witnessed by

[ \_\_\_\_\_ ]  
A Solicitor

**Bult, Sebastian**

---

**From:** Wortley, Stuart  
**Sent:** 21 February 2018 10:55  
**To:** Rikke Brewer  
**Cc:** Bult, Sebastian  
**Subject:** Canary Wharf - court proceedings (3)  
**Attachments:** Canary Wharf - court proceedings (2)

Dear Sir

As you know, this matter will be considered by the Court on Friday this week.

Given your email below and the fact that you have not yet replied to our email message dated 16 February, we assume - but please confirm - that you will not be providing an undertaking in the form which was attached to the application notice.

Please also confirm whether or not you will be attending Court on Friday.

Yours faithfully

Stuart Wortley | Partner – Real Estate Dispute Resolution | Eversheds Sutherland

T: + 44 207 919 0969  
M: + 44 771 288 1393

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-----Original Message-----

From: Rikke Brewer [mailto: ]  
Sent: 15 February 2018 20:42  
To: Wortley, Stuart <StuartWortley@eversheds-sutherland.com>  
Subject: Re: Canary Wharf - court proceedings

Why you trying to ruin a young boys life?

Like for real, just tighten your security!

In fact we are strengthening your team from a real terror threat, so why treat us like we are the enemy's?

Make sure this goes to your boss!

We mean no threat or danger!

Kind regards,

Rikke.

Sent from my iPhone

18

## Bult, Sebastian

---

**From:** Wortley, Stuart  
**Sent:** 21 February 2018 10:57  
**To:** Ally Law  
**Subject:** Canary Wharf - court proceedings (3)  
**Attachments:** Canary Wharf - court proceedings (2)

Dear Sir

As you know, this matter will be considered by the Court on Friday this week.

Given that you have not yet replied to our email message dated 16 February, we assume - but please confirm - that you will not be providing an undertaking in the form which was attached to the application notice.

Please also confirm whether or not you will be attending Court on Friday.

Yours faithfully

Stuart Wortley | Partner – Real Estate Dispute Resolution | Eversheds Sutherland

T: + 44 207 919 0969  
M: + 44 771 288 1393

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**From:** Ally Law [mailto: ]  
**Sent:** 15 February 2018 18:22  
**To:** Wortley, Stuart <StuartWortley@eversheds-sutherland.com>  
**Subject:** Canary wharf injunction

Hey Stuart,

What are the terms of the undertaking? I am happy to accept an undertaking for an injunction & agree to never enter Canary wharf again.

I am fully aware the implications of an undertaking & have been explained by a judge in a court of law & I'd be happy to agree to never enter Canary wharf again.

Thanks

## **Bult, Sebastian**

---

**From:** Wortley, Stuart  
**Sent:** 21 February 2018 11:02  
**To:**  
**Cc:** Bult, Sebastian  
**Subject:** Canary Wharf - court proceedings (3)  
**Attachments:** Re: Important; Canary Wharf - court proceedings (2)

Dear Madam

As you know, this matter will be considered by the Court on Friday this week.

On 6 February 2018, you informed us that you were willing to provide an undertaking in this matter but that you would need some time to consult a solicitor.

On 16 February 2018, we provided you with a further copy of the form of undertaking which our clients require.

We note that we have not yet heard from you.

We assume - but please confirm - that you will not be providing an undertaking in the form which was attached to the application notice before the hearing.

Please also confirm whether or not you will be attending Court on Friday.

Yours faithfully

Stuart Wortley | Partner – Real Estate Dispute Resolution | Eversheds Sutherland

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## **Bult, Sebastian**

---

**From:** Wortley, Stuart  
**Sent:** 21 February 2018 16:16  
**To:**  
**Cc:** Bult, Sebastian  
**Subject:** Canary Wharf - court proceedings (4)

Dear Imogen

Thank you for your message.

On 15.02.18, we served the Court papers on you by email and by First Class Post to . These papers included the application notice (N244) to which the draft Order and draft Undertaking were attached.

On 16.02.18, we sent a further copy of the application notice (N244), draft Order and draft Undertaking. Exactly the same document was attached to our email and letter dated 15.02.18. The message dated 16.02.18 was only sent by email.

If you return the completed undertaking to us, we will put this before the Court. Provided the Undertaking is correctly completed and confirms that you have been independently advised concerning its importance and meaning, we are hopeful that the Judge will accept it. Whether or not the Judge does so is outside our control. If the Judge does not accept the undertaking, we will ask the Court to make an Injunction Order to restrain you from trespassing within the red line on the Plan.

We will in any event be seeking an order that the Claimants' costs of these proceedings be paid by the named Defendants.

Whether or not you attend Court on Friday is a matter for you.

Yours sincerely

Stuart

Stuart Wortley | Partner – Real Estate Dispute Resolution | Eversheds Sutherland

T: + 44 207 919 0969  
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**From:** Spider Girl [mailto: ]  
**Sent:** 21 February 2018 11:08  
**To:** Wortley, Stuart <StuartWortley@eversheds-sutherland.com>  
**Subject:** Re: Canary Wharf - court proceedings (3)

Dear Mr Wortley,

I have a meeting with a solicitor this evening and will be in touch with an attached undertaking tomorrow. I have only received one copy of this undertaking by email and nothing by post. Upon receipt of the undertaking, am I required to attend the hearing?

Kind regards,

Imogen

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