

PANNONE

**PRIVATE AND CONFIDENTIAL
BY POST & SPECIAL DELIVERY**

FAO: Mr M Clarke
31 Cherry Tree Road
Blackpool
Lancashire
FY4 4NS

Date: 19th December 2012
Our Ref: PJ01/MRB/a/620714/38
Your Ref:
Direct Fax: 0161 909 4560

**Service is accepted by fax on
0161 909 4444. We do not
accept service by email**

Also by EMAIL: mike@rake.net

Dear Sir

**Claim against you under the Protection from Harassment Act- Claim No. 2
Claim number: 2MA91155**

We write further to the hearing of the above matter which took place on 17th December 2012 before his Honour Judge Pelling.

We enclose by way of service:

- 1 claim form issued on 18th December 2012 (claim number 2MA91155);
- 2 N208C- notes for the defendant; and
- 3 the sealed order of The Honourable Mr Justice Pelling dated 17th December 2012.

We draw your attention to the notice of the front of the enclosed order.

This provides that the order prohibits you from doing the acts set out in the order. You should read it carefully. You are advised to consult a solicitor as soon as possible.

If you disobey the order you may be found guilty of contempt of court and may be sent to prison or fined or your assets may be seized.

Yours faithfully

Pannone LLP

Pannone LLP
Encs

123 Deansgate
Manchester
M3 2BU
Registered Office

Tel: 0161 909 3000
Fax: 0161 909 4444
DX 14314 Manchester 1

Pannone LLP is a limited liability partnership registered in England and Wales with number OC317202. Authorised and regulated by the Solicitors Regulation Authority. Authorised and regulated by the Financial Services Authority. A list of members is available for inspection at the registered office. We use the word "partner" to refer to a member of the LLP. Directors are not members of the LLP. Pannone Law Group EEIG: Andorra, Argentina, Austria, Belgium, Brazil, Canada, Chile, China, Costa Rica, Cyprus, France, Germany, Israel, Italy, Luxembourg, Netherlands, Poland, Portugal, Singapore, Spain, Switzerland, Turkey, UK, Uruguay.

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INVESTOR IN PEOPLE



Claim Form (CPR Part 8)

In the High Court Of Justice

Queen's Bench Division
Manchester District Registry

Claim No.

2MA91155

Claimant

(1) Charles Soren Robert Tattam

(2) Pannone LLP

(on behalf of themselves and the former members, employees and self employed consultants of Pannone LLP)

123 Deansgate
Manchester, M3 2BU

Defendant(s)

Michael Clarke

31 Cherry Tree Road
Marton
Blackpool
Lancashire
Fy4 4NS



Does your claim include any issues under the Human Rights Act 1998?

Yes

No

Details of claim *(see also overleaf)*

SEE ATTACHED

£

Defendant's
name and
address

Michael Clarke
31 Cherry Tree Road
Marton
Blackpool
Lancashire
Fy4 4NS

Court fee	465
Solicitor's costs	TBA
Issue date	18 December 2012

The court office at Manchester Civil Justice Centre, 1 Bridge Street West, Manchester

is open between 10 am and 4 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number

Claim No.

Details of claim (continued)

Statement of Truth

~~XXXXXXXXXX~~ (The Claimant believes) that the facts stated in these particulars of claim are true.

* I am duly authorised by the claimant to sign this statement

Full name MICHAEL KENNEDY

Charles Soren Robert Tatham

Name of claimant's solicitor's firm Pannone LLP

CSR Tatham
CONSULTANTS

signed 
~~XXXXXXXXXX~~ (Claimant's solicitor)

position or office held PARTNER
(if signing on behalf of firm or company)

**delete as appropriate*

Pannone LLP
123 Deansgate
Manchester
M3 2BU

Claimant's or claimant's solicitor's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

DX: 14314 Manchester 1
Tel: 0161 909 3000
Fax: 0161 909 4560

CLAIM NO:

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MANCHESTER DISTRICT REGISTRY

BETWEEN:

(1) CHARLES SOREN ROBERT TATTAM
(2) PANNONE LLP

**(on behalf of themselves and the former members, employees and self employed
consultants of Pannone LLP)**

Claimants

- and -

MICHAEL CLARKE

Defendant

DETAILS OF CLAIM

1. This claim is made under Section 3 of the Protection from Harassment Act 1997. Part 8 of the Civil Procedure Rules 1998 applies to this claim.
2. The 2nd Claimant (**Pannone**) is a limited liability partnership of solicitors practising from 123 Deansgate, Manchester, M3 2BU.
3. The 1st Claimant (**Mr Tattam**) is a former member and now self employed consultant retained by Pannone within the Corporate and Commercial Group and as head of the International Practice Group. Prior to the matters complained of herein, there had been no contact between the Defendant and Mr Tattam of any kind and Mr Tattam had no personal, professional or other involvement of any kind with the affairs of the Defendant, the Patient (as defined below) or the matters the subject matter of Claim No 2MA90015 (***Pannone v Clarke (No 1)***) or the conduct of that action.

4. The Claimants bring this action on behalf of themselves and all the employees in, former members of and self employed consultants retained by Pannone pursuant to CPR 19.6(1).
5. The Defendant is the son of Ann Clarke, a patient (the **Patient**), whose affairs are and have for some years been administered under the aegis of the Court of Protection.
6. Mr Hugh Jones, one of the Claimants in ***Pannone v Clarke (No 1)***, was formerly the Deputy appointed to administer the Patient's affairs.
7. The Defendant appears to have become convinced, in his own mind, that his mother's affairs have been mismanaged and that Mr Hugh Jones has abused his position as Deputy of his mother's affairs. He appears randomly to hold the (or some of the) members and former members of, the employees in and/or the self employed consultants retained by Pannone to be guilty by association with Mr Hugh Jones, regardless of whether such people had actual knowledge of or any involvement in the administration of the Patient's affairs.
8. By reason of his beliefs as stated above, the Defendant has conducted a campaign of harassment against the members and former members of, the employees in, and/or the self employed consultants retained by Pannone (the **Campaign**).
9. That there has been such a campaign as against the members of Pannone is *res judicata* as between Pannone and the Defendant by reason of the final order of the Hon. Mr Justice Foskett in ***Pannone v Clarke (No 1)*** dated 2 May 2012 (the **May Order**). Permanent injunctive relief restraining the Defendant from continuing the Campaign against them was granted to (i) Mr Hugh Jones, (ii) Mr Paul Jonson on behalf of himself and all the members of Pannone and (iii) Pannone itself by the May Order.
10. The Defendant has failed and refused to comply with the May Order and, on 17th December 2012, by the order of HHJ Pelling QC sitting as a judge of the High Court in ***Pannone v Clarke (No 1)*** a warrant for the Defendant's arrest was issued pursuant to section 3(3) of the Protection from Harassment Act 1997.
11. Whilst the Campaign had been directed primarily at the members of Pannone prior to the making of the May Order, the Defendant has subsequently extended the Campaign to include targeting and harassing Mr Tattam, and the Defendant threatens and intends, unless restrained, to continue to do so and/or to further extend the Campaign to target and harass other former members and/or self employed consultants and/or employees of Pannone.
12. The Defendant has been informed that there are available legitimate routes for him to pursue any complaint against Mr Hugh Jones and/or Pannone which he may wish to pursue and that such routes are the proper method of ventilating the Defendant's complaints. Nothing in the May Order or the order of HHJ Pelling QC referred to above prevents the Defendant from pursuing such legitimate

avenues of complaint, and the continuance and extension of the Campaign which the Defendant has chosen to pursue in preference to such legitimate avenues of complaint is wholly unnecessary, improper and unlawful.

13. The Defendant has harassed the Claimants in that:

PARTICULARS OF HARRASSMENT

- (a) The Defendant has repeatedly stated that he is not bound by the May Order and that he is entitled to continue the Campaign despite the May Order (and the previous interlocutory order of Mrs Justice Sharpe DBE) because he refuses to recognise the jurisdiction of the Court over him. Such refusal, repeatedly and publicly stated, is calculated to harass, intimidate and cause distress to, inter alios, the Claimants.
- (b) In particular, despite the declaratory relief and supporting injunctive relief contained in the May Order relating to the patent invalidity of the so-called "Commercial Lien" served on the members of Pannone by the Defendant prior to the commencement of proceedings in ***Pannone v Clarke (No 1)***, the Defendant has continued to maintain the validity of the same and, by a recorded delivery letter dated 3rd December 2012 addressed to Mr Tattam and sent to the private, home address of Mr Tattam (known as "The Ranch House") enclosing a copy of the so-called Commercial Lien and a purported Statutory Declaration dated 3 December 2012, the Defendant:
- (i) sought to maintain that the May Order was unlawful, illegal and void, and of no applicability or relevance to him or the continuance of the Campaign;
 - (ii) sought to maintain that the so-called Commercial Lien continued to be valid and enforceable despite the Court's express declaration to the contrary as embodied in the May Order;
 - (iii) alleged that "*under common law the torts suffered at the hands of your associate partner Hugh Adrian Scott Jones are such that as a company and the criminal matters to hand you are privately vicariously liable as a consequence*".
- (c) The behaviour referred to in the foregoing paragraph was known or ought to have been known by the Defendant to cause harassment to Mr Tattam and/or was intended by the Defendant to have that effect.

- (d) On 4th December 2012, the Defendant posted an entry on his website www.opg.me containing a hyperlink to an email to Mr Tattam which was threatening, intimidatory, and which the Defendant knew or ought to have known would cause harassment to the Claimants in general and further harassment to Mr Tattam in particular. The text of the email included the words “*Those whom will sit back in their ‘Ranch Houses’ whilst associated with fraud, theft, mal administration and financial rape of the eledery (sic) vulnerable, acting with impunity, afforded the protection of the New World Order of elite! The turkey will be in the oven for these people over christmas because they have in effect stolen my mothers, for this Christmas, **but we know who you are and where you are ? Keep looking down your drive at night Charles, you never know when ...the CONSTITUTIONAL COMMON LAW BAILIFFS might arrive**” (emphasis supplied).*
- (e) The Defendant published Mr Tattam’s name, private address and date of birth on his website thereby causing, as he knew or ought to have known he would cause and/or which he intended to cause Mr Tattam further distress, anxiety and harassment.
- (f) On 9th December 2012, the Defendant drove from his home in Blackpool to the vicinity of Mr Tattam’s home in Alderley Edge. When Mr Tattam’s son and girlfriend left Mr Tattam’s home by car, the Defendant drove his car in such an intimidatory manner as to obstruct their path, causing them to have to halt, and then began to question them as to whether they had come from the Tattam family and the Ranch House. The Defendant knew or ought to have known and/or intended that such behaviour would cause those to whom it was immediately directed fear, anxiety and distress and that the event would be bound to be reported to Mr Tattam thereby causing him further anxiety, distress and harassment. The Defendant also knew or ought to have known that such behaviour would be likely to cause fear, anxiety and distress to Mr Tattam’s family as it has, in fact, caused such fear, anxiety and distress to Mr Tattam’s wife, daughter and son, and that this would, in turn, increase the anxiety and distress of Mr Tattam and further intimidate and harass him.
- (g) Further particulars of the harassment of Mr Tattam and the consequences thereof on his family and himself appear in Mr Tattam’s affidavit sworn on 14th December 2012 in ***Pannone v Clarke No 1***.

- (h) The Defendant has continued the Campaign against members of Pannone in breach of the May Order in the various respects particularised in the affidavit of Mr Paul Jonson sworn on 14th December 2012 in ***Pannone v Clarke No 1***. Such behaviour, as the Defendant knows or ought to know and/or intended, is harassment not only of the members themselves but also of such of the Claimants as becomes aware of the same including, in particular, Mr Tattam.
- (i) The Defendant knew or ought to have known that the conduct particularised above amounted to harassment of the Claimants. The Claimants will rely, in particular, on:
- (i) the entry posted on the website referred to above on or about 7th January 2012 in which the Defendant manifested his deliberate intention to cause anxiety, distress, intimidation and harassment when he stated: "*What Pannone partners are now feeling is I believe, exactly what my mother has been made to feel by HUGH JONESs actions, where at her age of 71 to start to feel homeless and insecure by him considering selling her property and fraud by false representation in not allowing her to do with her property as she so HUMAN RIGHTLY deserves to do, provides untold "ANXIETY" "DISTRESS", "HARASSMENT", "INTIMIDATION" AND "ILED" (intentional infliction of emotional distress) that becomes within the realm of "beyond comprehension". PANNONE partners feelings now, might be able to bear a fruit of understanding, as to what it is now like, to be feeling what my own mother is feeling. **LOSS OF YOUR OWN HOME'***";
- (ii) the Defendant has been made fully aware of and has been subject to the May Order and the previous interlocutory order of Mrs Justice Sharpe DBE throughout most of 2012 and therefore is or ought to be fully aware that his persistence in the Campaign and his extending of it to others such as Mr Tattam amounts to harassment.
14. The Defendant's conduct is contrary to Sections 1, 1A and 3 of the Protection from Harassment Act 1997.
15. The Claimants believe that the Defendant will continue to harass them or some of them unless restrained by order of the Court. The Defendant had been requested to desist from the Campaign and to pursue lawful avenues of complaint but he has failed or refused to do so.

16. Further and in any event, there is no cause of action known to the law entitling the Defendant to assert that a debt is owed to him by the Claimants or any of them arising out of or based upon the so called "Commercial Lien" and neither Mr Tattam nor any other of the former members, employees or self employed consultants of Pannone are indebted to the Defendant (or the Patient) whether in the sums claimed in the so called "Commercial Lien" or at all.

AND THE CLAIMANTS ACCORDINGLY CLAIM:

- (1) A declaration that the so called "Commercial Lien" is of no legal validity or effect as against them (other than as a record of the evidence which the Defendant might seek to give in any legal proceedings) and that the same does not create and is incapable of creating a debt due from the Claimants or any of them.
- (2) A declaration that, accordingly, the Claimants are not indebted to the Defendant or the Patient whether in the sums alleged in the so called "Commercial Lien" or at all.
- (3) An injunction restraining the Defendant, whether directly by himself or indirectly through others instructed, encouraged, authorised or directed by him, from making any further or other claims whether in the press, on the internet or otherwise howsoever that a debt is due to him or the Patient arising out of or based upon the so called "Commercial Lien".
- (4) An injunction restraining the Defendant, whether directly by himself or indirectly through others instructed, encouraged, authorised or directed by him, from pursuing any conduct which amounts to harassment of the Claimants and, in particular, from:
 - (i) making any further or other claims whether in the press, on the internet or otherwise howsoever, other than by issuing a Claim Form or commencing a Counterclaim in this action, that a debt is due to him or the Patient from the Claimants or any of them arising out of or based upon the so called "Commercial Lien";
 - (ii) taking any further steps to enforce or claim to be entitled to enforce the so called "Commercial Lien" or the alleged debt said to be represented by the same whether in the sum of £9M, £5M or any other sum, otherwise than by issuing a Claim Form or commencing a Counterclaim in this action;

- (iii) further communicating, whether by email or otherwise, with Mr Tattam or any other former member, employee or self employed consultant of Pannone in relation to any matter concerning the so called "Commercial Lien" and/or the affairs of the Patient or himself and/or the role of Mr Hugh Jones as Deputy of the affairs of the Patient without the prior written consent of Pannone given through the same Mr Paul Jonson or Ms Emma Holt as are referred to in paragraph 3(b)(f) of the May Order or further order of the Court;
- (iv) attending or causing, requiring or encouraging any third party, whether a debt collection agency or otherwise, to attend at the residential properties of Mr Tattam or any other former member, employee or self employed consultant of Pannone whether for the purpose of enforcement of the alleged debt or for any other purpose whatsoever in connection with the affairs of the Patient or himself and/or the role of Mr Hugh Jones as Deputy of the affairs of the Patient, without the prior written consent of Pannone given through the same Mr Paul Jonson or Ms Emma Holt as are referred to in (iii) above or order of the Court;
- (v) taking any steps to seek to encumber or otherwise adversely affect the legal titles to the residential properties of Mr Tattam or any other former member, employee or self employed consultant of Pannone or any of them without the prior written consent of the owner of the property or order of the Court.

(5) Costs.

Jeffrey Terry

STATEMENT OF TRUTH

I believe that the facts stated in these Particulars of Claim are true.

Signed:



Charles Soren Robert Tattam

First Claimant


For and on his own behalf, and on behalf of the former members, employees and self employed consultants of Pannone LLP

Dated: 18th December 2012

STATEMENT OF TRUTH

The Second Claimant believes that the facts stated in these Particulars of Claim are true.

I am duly authorised by the Second Claimant to make this statement.

Signed: 

Michael Kennedy

Member of Pannone LLP

For and on behalf of Pannone LLP, and on behalf of the former members, employees and self employed consultants of Pannone LLP

Dated: 18th DECEMBER 2012

Notes for defendant (Part 8 claim form)

Please read these notes carefully - they will help you to decide what to do about this claim.

- You have 14 days* from the date on which you were served with the claim form to respond to the claim
- If you **do not return** the acknowledgment of service, you will be allowed to attend any hearing of this claim but you will **not** be allowed to take part in the hearing unless the court gives you permission to do so
- Court staff can tell you about procedures but they cannot give legal advice. If you need legal advice, you should contact a solicitor or Citizens Advice Bureau immediately

Time for responding

The completed acknowledgment of service must be returned to the court office within *(14 days) () of the date on which the claim form was served on you.

If the claim form was:

- sent by post, the *(14 days) () begins 2 business days from the date of the postmark on the envelope.
- delivered or left at your address, the *(14 days) () begins the second business day after it was delivered.
- handed to you personally, the *(14 days) () begins on the second business day it was given to you.

Completing the acknowledgment of service

You should complete sections A - E as appropriate. In all cases you must complete sections F and G.

Section A - not contesting the claim

If you do **not** wish to contest the remedy sought by the claimant in the claim form, you should complete section A. In some cases the claimant may only be seeking the court's directions as to how to act, rather than seeking a specific order. In these circumstances, if you wish the court to direct the claimant to act in a certain way, give brief details.

Section B - contesting the claim

If you do wish to contest the remedy sought by the claimant in the claim form, you should complete section B. If you seek a remedy different from that sought by the claimant, you should give brief details in the space provided.

Section C - disputing the court's jurisdiction

You should indicate your intention by completing section C and filing an application disputing the court's jurisdiction within 14 days of filing your acknowledgment of service at the court. The court will arrange a hearing date for the application and tell you and the claimant when and where to attend.

Section D - objecting to use of procedure

If you believe that the claimant should not have issued the claim under Part 8 because:

- there **is** a substantial dispute of fact involved; and
 - you do not agree that the rule or practice direction stated does provide for the claimant to use this procedure
- you should complete section D setting out your reasons in the space provided.

Section E - written evidence

Complete this section if you wish to rely on written evidence. You must send your written evidence to the court with your acknowledgment of service. It must be verified by a statement of truth or the court may disallow it. If you have agreed with the other party(ies)

an extension of time for filing your written evidence, a copy of your written agreement must be filed with your acknowledgment of service. Please note that the agreement can only extend time by 14 days from the date you file your acknowledgment of service.

Claims under section 1 of the Inheritance (Provision for Family and Dependents) Act 1975

A defendant who is a personal representative of the deceased must file and serve written evidence which must state to the best of that person's ability:

- full details of the value of the deceased's net estate, as defined in section 25 of the Act;
- the person or classes of person beneficially interested in the estate, and
 - the names and (unless they are parties to the claim) addresses of all living beneficiaries; and
 - the value of their interests in the estate so far as they are known;
- whether any living beneficiary (and if so, naming him) is a child or protected party within the meaning of Rule 21.1(2); and
- any facts which might affect the exercise of the court's powers under the Act.

Section F - name of defendant

Print your full name, or the full name of the defendant on whose behalf you are completing this form.

Serving other parties

You must send to any other party named on the claim form, copies of both the acknowledgment of service and any written evidence, at the same time as you file them with the court.

What happens next

The claimant may, within 14 days of receiving any written evidence from you, file further evidence in reply. On receipt of your acknowledgment of service, the court file will be referred to the judge for directions for the disposal of the claim. The court will contact you and tell you what to do next.

Statement of truth

This must be signed by you, by your solicitor or your litigation friend, as appropriate.

Where the defendant is a registered company or a corporation the statement must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company or (in the case of a corporation) the mayor, chairman, president or town clerk.

**For claims under the Inheritance (Provision for Family and Dependents) Act 1975 the period is 21 days.*

IN THE INTENDED ACTION
IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MANCHESTER DISTRICT REGISTRY



Before His Honour Judge Pelling QC sitting as a Judge of the High Court at Manchester on Monday, the 17th day of December 2012

BETWEEN:

- (1) CHARLES SOREN ROBERT TATTAM
(2) PANNONE LLP

(on behalf of themselves and
on behalf of all employees and/or self employed consultants of Pannone LLP)

Claimants

AND

MICHAEL CLARKE

Defendant

ORDER FOR AN INTERIM INJUNCTION

IMPORTANT

NOTICE TO THE DEFENDANT (the Defendant)

- 1. This order prohibits you from doing the acts set out in this order. You should read it all carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge this order.**

- 2. If you disobey this order you may be found guilty of contempt of Court and may be sent to prison or fined or your assets may be seized.**

THE ORDER

An application was made on 17th December 2012 by Counsel for the intended Claimants to the Judge.

The Judge heard the application in the absence of the Defendant and read the affidavits and other material listed in Schedule 1 and accepted the undertakings in Schedule 2 at the end of this order.

IT IS ORDERED that:

1. The Defendant be restrained and an injunction is hereby granted restraining him until the trial of this claim or further order in the meantime from pursuing any conduct which amounts to harassment of the Claimants and, in particular, from:
 - (a) making any further or other claims, whether in the press, on the internet or otherwise howsoever, other than by issuing a Claim Form or commencing a Counterclaim in this action, that a debt is due to him or Ann Clarke arising out of or based upon the so called "Commercial Lien" referred to in the order of the Hon. Mr Justice Foskett dated 2 May 2012 in Claim No 2MA90015 (the **May Order**) and subsequently posted to the 1st Claimant by the Defendant by recorded delivery;
 - (b) taking any further steps to enforce or claim to be entitled to enforce the so called "Commercial Lien" or the alleged debt said to be represented by the same whether in the sum of £9M, £5M or any other sum, otherwise than by issuing a Claim Form or commencing a Counterclaim in this action;
 - (c) further communicating, whether by email or otherwise, with the 1st Claimant or any other employee or self employed consultant of the 2nd Claimant LLP in relation to any matter concerning the so called "Commercial Lien" and/or the affairs of Ann Clarke or himself and/or the role of Mr Jones as Deputy of the affairs of Ann Clarke without the prior written consent of the 2nd Claimant LLP given through the same Mr Paul Jonson or Ms Emma Holt as are referred to in paragraph 3(b)(f) of the May Order or further order of the Court;
 - (d) attending, or causing, requiring or encouraging any third party, whether a debt collection agency or otherwise, to attend at the residential properties of the 1st Claimant or any other employee or self employed consultant of the 2nd Claimant LLP whether for the purpose of enforcement of the alleged debt or for any other purpose whatsoever in connection with the affairs of Ann Clarke or himself and/or the role of Mr Jones as Deputy of the affairs of Ann Clarke without the prior written consent of the 2nd Claimant LLP given through the same Mr Paul Jonson or Ms Emma Holt as are referred to in (c) above or further order of the Court;
 - (e) taking any steps to seek to encumber or otherwise adversely affect the legal titles to the residential properties of the 1st Claimant or any other employee or self employed consultant

of the 2nd Claimant LLP or any of them without the prior written consent of the owner of the property or further order of the Court.

2. The costs of the application are reserved.

VARIATION OR DISCHARGE OF THIS ORDER

The Defendant may apply to the Court at any time to vary or discharge this order but if he wishes to do so he must first inform the Claimants' solicitors in writing at least 48 hours beforehand.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

The Claimant's solicitors are:

PANNONE LLP
123 DEANSGATE
MANCHESTER
M3 2BU

TEL: 0161 909 3000

THE EFFECT OF THIS ORDER

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

SCHEDULE 1

The Judge read the following affidavits and other materials before making this order:

1. the affidavit of Paul Daniel Jonson dated 14th December 2012;
2. the affidavit of Charles Soren Tattam dated 14th December 2012;
3. the affidavit of Alan Curtis dated 2nd July 2012;
4. the order of the Hon Mr Justice Foskett dated 2nd May 2012 in Claim No 2MA90015;
5. the Application Notice dated 14th December 2012 in Claim No 2MA90015;
6. the table of alleged breaches of the order of the Hon Mr Justice Foskett dated 2nd May 2012 in Claim No 2MA90015 appended to the Application Notice in 5 above;
7. the skeleton argument of the Claimants' counsel as orally corrected at the hearing.

SCHEDULE 2

UNDERTAKINGS GIVEN TO THE COURT BY THE 2ND CLAIMANT

1. If the Court later finds that this order has caused loss to the Defendant, and decides that the Defendant should be compensated for that loss, the 2nd Claimant (Pannone LLP) will comply with any order the Court may make.
2. To issue or cause to be issued a Part 8 Claim Form seeking injunctive relief substantially in the form granted by this order and naming the intended Claimants, **(1) CHARLES SOREN ROBERT TATTAM** and **(2) PANNONE LLP (on behalf of themselves and all employees and/or self employed consultants of Pannone LLP)** as Claimants, and the intended Defendant, **MICHAEL CLARKE**, as Defendant by noon on 18th December 2012, and to serve the same on the Defendant as soon as reasonably practicable thereafter.

All communications to the Court about this order should be sent to Manchester District Registry of the High Court of Justice, Manchester Civil Justice Centre, 1 Bridge Street West, Manchester, M60 9DJ.

The office is open between 10 am and 4.30 pm Monday to Friday. The telephone number is 0161 240 5000.