

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

MANCHESTER DISTRICT REGISTRY

Before His Honour Judge Pelling QC sitting as a Judge of the High Court at Manchester on Monday, 31 October 2011

BETWEEN:-

THE SWIFTHOLD FOUNDATION

Claimant

- and -

FAST TRADING GROUP

Defendant

Order

UPON HEARING the trial for the assessment of damages herein

AND UPON HEARING Leading Counsel for the Claimant

AND UPON the Defendant not appearing

AND UPON the Learned Judge determining, from the witness statement of Julia Anne Sorrell dated 21 October 2011 that the Defendant had been duly given notice of hearing in accordance with the procedures laid down by the orders of District Judge Khan herein

AND UPON the Learned Judge reading the documents recorded on the court file as having been read

IT IS ORDERED THAT

1. Pursuant to CPR 32.2 the Claimant for the purposes of the trial of assessment of damages herein be permitted to adduce witness evidence (namely the Third Witness Statement of Christopher Robert John Sorrell dated 18 August 2011, the Particulars of Claim herein signed by Christopher Robert John Sorrell under a statement of truth dated 9 July 2010, the witness statement of Martin Stuart Caller dated 13 October 2011, the witness statement of Julia Anne Sorrell dated 21 October 2011 and the expert report of Stuart Cheek dated 13 October 2011) by production of the said witness statements Particulars of Claim and the said expert report without the witnesses and expert having to attend to give evidence orally.
2. The Defendant pay the Claimant \$4 billion or the Sterling equivalent at the time of payment.

3. There be interest thereon from 1 July 2010 at 1% above the US LIBOR dollar quarterly rate.
4. The Defendant do pay the Claimant's costs of this action on the standard basis to be assessed.

Michael J Booth QC
Leading Counsel for the Claimant