

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST**

Claim No: QB-2021-002482

**BEFORE THE HONOURABLE MRS JUSTICE STEYN DBE
IN PRIVATE**

Dated: 28 June 2021

BETWEEN:-

**(1) 4 NEW SQUARE LIMITED
(2)-(88) THE MEMBERS OF 4 NEW SQUARE (IDENTIFIED IN SCHEDULE B)**



**Intended Claimants/
Applicants**

- and -

Person or Persons Unknown

responsible for engaging in a cyber-attack on the Applicants on or about
12 June 2021 and/or who is threatening to release the information
thereby obtained

**Intended Defendant(s)/
Respondent(s)**

PENAL NOTICE

**IF YOU THE RESPONDENT DISOBEY THIS ORDER YOU MAY BE HELD TO
BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED OR
HAVE YOUR ASSETS SEIZED.**

**ANY PERSON WHO KNOWS OF THIS ORDER AND DISOBEYS THIS ORDER
OR DOES ANYTHING WHICH HELPS OR PERMITS ANY PERSON TO
WHOM THIS ORDER APPLIES TO BREACH THE TERMS OF THIS ORDER
MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE
IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.**

NOTICE TO ANYONE WHO KNOWS OF THIS ORDER

You should read the terms of the Order and the Practice Guidance on Interim Non-Disclosure Orders very carefully. You are advised to consult a solicitor as soon as possible. This Order prohibits you from doing the acts set out in Paragraphs 7 and 10 of the Order and obliges you to do the acts set out in Paragraphs 8, 9 and 11 of the Order. You have the right to ask the Court to vary or discharge the Order. If you disobey this Order you may be found guilty of contempt of court and you may be sent to prison or fined or your assets may be seized.

THIS ORDER

1. This is an Injunction, with other orders as set out below, made against the Defendant on 28 June 2021 by the Judge identified above (the **Judge**) on the application (the **Application**) of the Claimants. The Judge:
 - (a) read the witness statement referred to in Confidential Schedule 1;
 - (b) heard from Leading and Junior Counsel for the Claimants;
 - (c) accepted the undertakings set out in Schedule A at the end of this Order;
 - (d) considered the provisions of the Human Rights Act 1998 (**HRA**), section 12.

2. This Order was made at a hearing without notice to those affected by it, the Court having considered section 12(2) Human Rights Act 1998 and being satisfied that there are compelling reasons for notice not being given, namely: the Defendant's identity is unknown and s/he is blackmailing the Claimants. The Defendant (and anyone served with or notified of this Order) has a right to apply to the Court to vary or discharge the Order (or so much of it as affects them): see paragraph 14 below.

ACCESS TO DOCUMENTS

3. Upon the Judge being satisfied that it is strictly necessary:
 - (a)
 - (i) no copies of the statements of case; and
 - (ii) no copies of the witness statements (including exhibits) and the applications, will be provided to a non-party without further order of the Court.
 - (b) Any non-party other than a person notified or served with this Order seeking access to, or copies of the abovementioned documents, must make an application to the Court, proper notice of which must be given to the other parties.

SERVICE OF DOCUMENTS

4. Upon the Court being satisfied that England and Wales is the proper place in which to bring this claim, the Claimants have, if required, permission to serve the Claim Form and other documents outside of the jurisdiction pursuant to CPR 6.36 and 6.37(3) and PD 6B(21).
5. Pursuant to CPR 6.6, 6.15, 6.27, 6.36 and/or 6.37(5)(b)(i) and/or (ii), the Claimants have permission to serve the Claim Form and the Particulars of Claim (in redacted form) and any other documents, including this Order and any other documents for this application, on the Defendant by alternative method by: (i) using the communications channel provided by the Defendant, service to be deemed to be effective by emailing the documents to the said email address, save that:

unless or until the Defendant provides to the Claimants' solicitors his/her full name and an address for service, the Claimants are only required to serve on, or provide to, the Defendant, this Order excluding Confidential Schedule 1, the Claim Form, the Application Notice and the Particulars of Claim in redacted form. Any documents bearing the names of individuals at RPC LLP or identifying Counsel may be served on the Defendant with the names redacted.

INJUNCTION

6. Until Friday 9 July 2021 (the **Return Date**) the Defendant must not:
 - (a) use, publish or communicate or disclose to any other person (other than (i) by way of disclosure to legal advisers instructed in relation to these proceedings (the **Defendant's legal advisers**) for the purpose of obtaining legal advice in relation to these proceedings or (ii) for the purpose of carrying this Order into effect) all or any part of the information referred to in Confidential Schedule 2 to this Order (the **Information**).

PROTECTION OF HEARING PAPERS

7. The Defendant must not publish or communicate or disclose or copy or cause to be published or communicated or disclosed or copied any witness statements and

any exhibits thereto and information contained therein that are made, or may subsequently be made, in support of the Application or the Claimants' solicitors' notes of the hearing of the Application (the **Hearing Papers**), provided that the Defendant shall be permitted to copy, disclose and deliver the Hearing Papers to the Defendant's legal advisers for the purpose of these proceedings.

8. The Hearing Papers must be preserved in a secure place by the Defendant's legal advisers on the Defendant's behalf.
9. Subject to paragraph 5 above, the Defendant shall be permitted to use the Hearing Papers for the purpose of these proceedings provided that the Defendant's legal advisers shall first inform anyone, to whom the said documents are disclosed, of the terms of this Order and, so far as is practicable, obtain their written confirmation that they understand and accept that they are bound by the same.

PROVISION OF DOCUMENTS AND INFORMATION TO THIRD PARTIES

10. The Claimants shall be required to provide to the legal advisers of any third party and where unrepresented, the third party, served with advance notice of the application or a copy of this Order, promptly upon request, and upon receipt of their written irrevocable undertaking to the Court to use those documents and the information contained in those documents only for the purpose of these proceedings:
 - (a) a copy of any material read by the Judge, including material read after the hearing at the direction of the Judge or in compliance with this Order; and/or
 - (b) a copy of the Hearing Papers save for confidential exhibits.

HEARING IN PRIVATE

11. The Judge considered it strictly necessary, pursuant to CPR 39.2(3)(a), (c), (e) and/or (g), to order that the hearing of the Application be in private and there shall be no reporting of the same.

PUBLIC DOMAIN

12. For the avoidance of doubt, nothing in this Order shall prevent the Defendant from publishing, communicating or disclosing such of the Information, or any part thereof, as was already in, or that thereafter comes into, the public domain in England and Wales (other than as a result of breach of this Order or a breach of confidence or privacy).

COSTS

13. The costs of and occasioned by the Application are reserved.

VARIATION OR DISCHARGE OF THIS ORDER

14. The parties or anyone affected by any of the restrictions in this Order may apply to the Court at any time to vary or discharge this Order (or so much of it as affects that person), but they must first give written notice to the Claimants' solicitors. If any evidence is to be relied upon in support of the application, the substance of it must be communicated in writing to the Claimants' solicitors in advance. The Defendant may agree with the Claimants' solicitors and any other person who is, or may be bound by this Order, that this Order should be varied or discharged, but any agreement must be in writing.

INTERPRETATION OF THIS ORDER

15. 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.
16. A Defendant which is not an individual which is ordered not to do something must not do it itself or by its directors, officers, partners, employees or agents or in any other way.

PERSONS OUTSIDE ENGLAND AND WALES

17. (1) Except as provided in paragraph (2) below, the terms of this Order do not affect or concern anyone outside the jurisdiction of this Court.
(2) The terms of this Order will affect the following persons in a country or

state outside the jurisdiction of this Court –

- (a) the Defendant or his officer or agent appointed by power of attorney;
- (b) any person who –
 - (i) is subject to the jurisdiction of this Court;
 - (ii) has been given written notice of this Order at his residence or place of business within the jurisdiction of this Court; and
 - (iii) is able to prevent acts or omissions outside the jurisdiction of this Court which constitute or assist in a breach of the terms of this Order; and
- (c) any other person, only to the extent that this Order is declared enforceable by or is enforced by a court in that country or state.

PARTIES OTHER THAN THE CLAIMANT AND THE DEFENDANT

18. Effect of this Order

It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be imprisoned, fined or have their assets seized.

NAME AND ADDRESS OF THE CLAIMANT'S LEGAL REPRESENTATIVES

19. The Claimants' solicitors are:

RPC LLP, Tower Bridge House, St Katherine's Way, London, E1W 1AA

Reference: RC10/RVB/BG02/NEW226.1 Telephone: +44 (0) 20 3060 6000 Fax:

+44 (0) 20 3060 7000 Telephone (outside of office hours): +44 (0) 7990 598

008Email: Rupert.cowper-coles@rpc.co.uk; bethan.griffiths@rpc.co.uk

COMMUNICATIONS WITH THE COURT

20. All communications to the Court about this Order should be sent to:

Room WG08, Royal Courts of Justice, Strand, London, WC2A 2LL, quoting the case number. The telephone number is 020 7947 6010.

The offices are open between 10 a.m. and 4.30 p.m. Monday to Friday.

SCHEDULE A

UNDERTAKINGS GIVEN TO THE COURT BY THE 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 Claimants will comply with any order the Court may make.

(2) If the Court later finds that this Order has caused loss to any person or company (other than the Defendant) to whom the Claimants have given notice of this Order, and decides that such person should be compensated for that loss, the Claimants will comply with any Order the Court may make.

(3) On the return date the Claimants will inform the Court of the identity of all third parties that have been notified of this Order. The Claimants will use all reasonable endeavours to keep such third parties informed of the progress of the action insofar as it may affect them, including, but not limited to, advance notice of any applications, the outcome of which may affect the status of the Order.

(4) If this Order ceases to have effect or is varied, the Claimants will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this Order, or whom he has reasonable grounds for supposing may act upon this Order, that it has ceased to have effect in this form.

SCHEDULE B

4 New Square Members

First Name	Surname	First Name	Surname
Mark	Cannon	Helen	Evans
Nicholas	Davidson	Carl	Troman
Justin	Fenwick	Miles	Harris
Murray	Rosen	Matthew	Bradley
Roger	Stewart	Tim	Chelmick
Graham	Eklund	Richard	O'Brien
Patrick	Lawrence	Benjamin	Wood
David	Halpern	Shail	Patel
Graeme	McPherson	Kendrah	Potts
Ben	Hubble	Hugh	Saunders
David	Turner	Tom	Asquith
Ben	Patten	George	McDonald
Nicholas	Bacon	Can	Yeginsu
Paul	Nicholls	Lucy	Colter
Ben	Elkington	Thomas	Ogden
Nicholas	Fletcher	Tom	Shepherd
Hugh	Jory	Christopher	Greenwood
Jonathan	Hough	Ben	Smiley
Graham	Chapman	Nicholas	Broomfield
Benjamin	Williams	Pippa	Manby
Neil	Hext	Jonathan	Worboys
Jamie	Smith	Benjamin	Fowler
Paul	Mitchell	Matthieu	Gregoire
Alison	Padfield	Anthony	Jones
Robert	Marven	Paul	Fisher
Nicole	Sandells	Peter	Morcos
Sian	Mirchandani	Saaman	Pourghadiri
Daniel	Saoul	Marie-Claire	O'Kane
Roger	Mallalieu	Theo	Barclay
Richard	Liddell	Mark	Cullen
Amanda	Savage	Joshua	Folkard

Clare	Dixon	Diarmuid	Laffan
George	Spalton	Simon	Teasdale
Cyril	Chern	William	Harman
Paul	Parker	Seohyung	Kim
Hugh	Evans	Usman	Roohani
Nigel	Burroughs	Benjamin	Archer
Andrew	Nicol	Hannah	Daly
Charles	Phipps	Ian	McDonald
Nicola	Shaldon	John	Williams
Paul	Cowan	Melody	Ihuoma
Michael	Bowmer	Will	Cook
Scott	Allen		
Peter	Feldschreiber		
Stephen	Innes		