IN THE COURT OF APPEAL (CIVIL DIVISION) A3/2021/0557 BEFORE LORD JUSTICE LEWISON, LADY JUSTICE ASPLIN & SIR TIMOTHY LLOYD ON APPEAL FROM THE BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES BUSINESS LIST (ChD) THE HONOURABLE MRS JUSTICE BACON DBE BETWEEN:

## VALBONNE ESTATES LIMITED

**Appellant** 

## - and –

## (1) CITYVALUE ESTATES LIMITEED(2) UNITED HOMES LIMITED

**Respondents** 

## ORDER

UPON an injunction granted by Mann J on 10 December 2020 on the application of the Appellant ("the Injunction");

AND UPON the order of Bacon J. dated 11 March 2021 (as amended on 14 March 2021) discharging the Injunction ("the Discharge Order"), subject to a stay pending the determination of the Appellant's appeal ("the Stay");

AND UPON the Appellant's appeal against the Discharge Order;

AND UPON hearing Mr Gary Blaker QC for the Appellant, Mr Philip Newman for the First Respondent and Mr Edward Levey QC for the Second Respondent;

IT IS ORDERED THAT:

- 1. The appeal is dismissed.
- 2. The Stay is lifted.

- 3. The Appellant shall within 14 days of the date of this order pay the Respondents' costs on the standard basis, such costs summarily assessed in the sum of £6,000 in respect of the First Respondent and £60,000 in respect of the Second Respondent.
- 4. In the event that the Appellant fails to comply with paragraph 3 above, the Respondents shall have liberty to apply to a judge of the High Court for an order that their costs be paid by Mr Alexander Halpert personally, whether pursuant to the cross-undertaking in damages which he provided in support of the Injunction and/or pursuant to section 51 of the Senior Courts Act 1981.

DATED: 28 June 2021