

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

Claim No.: QB-2020-000881

Master Dagnall Sitting in Private

Monday 19th Day of April 2021



BETWEEN

- (1) MXM (a child, by her mother and litigation friend MXE) QB-2020-000881
(2) TXS (a child, by his grandmother and litigation friend MXE)

Claimant

-and-

ZURICH INSURANCE PLC, SUCURAL EN ESPANA]

Defendant

ORDER

UPON the Application of the Claimants ("the Application") made by Notice of Application dated 8 April 2021 And without a Hearing or Notice of the Application having been served upon the Defendant

AND UPON consideration of the Claimants' Article 8 right to respect for private and family life and the Article 10 right to freedom of expression

AND UPON Court considering the Notice of Application and the accompanying draft order sought by it **AND THAT:**

1. The claim is one which might attract significant media attention and publicity
2. The claim relates to events and matters regarding children, and is an application for approval of a settlement required because the Claimants are children
3. Publicity revealing the identity or address/location of the Claimants or of the litigation friend could result in the publication of private matters and financial information, and further and in any event could unfairly damage the interest of the Claimant and the Claimants and of the litigation friend and their family and give rise to harm to the Claimants and their family.
4. Non-disclosure of the identity of and anonymity of and of the addresses/locations of the Claimants and the litigation friend is necessary in

order to protect the interests of the Claimants and of the litigation friend and to secure the proper administration of justice.

5. The Claimants' and the Litigation Friend's identity and addresses/locations ought to be withheld from the public and should not be published, and that the Court should allow these prohibitions and give consequential directions, and that such prohibitions are necessary to secure the proper administration of justice
6. It is necessary to sit in private to secure the proper administration of justice, and including because publicity would subvert the purpose of the Application and this Order.

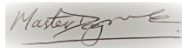
AND pursuant to the section 11 Contempt of Court Act 1981, Civil Procedure Rules 1998 rules 1.1, 1.2, 3.1, 3.3, 3.10, 5.4 A-D and 39.2 and the inherent jurisdiction of the Court.

IT IS ORDERED AND DIRECTED THAT:-

1. The identity and the address/location of the Claimants and of the Litigation Friend and their family be not disclosed or published without the permission of the court (other than as required for the purposes of the carrying on of this action).
2. There be substituted for all purposes in this action in place of references to the First Claimant, and the Second Claimant and the Litigation Friend by name, and whether orally or in writing, reference to the sequence of characters, respectively MXM, TXS and MXE; and the First Claimant and the Second Claimant and the Litigation Friend shall be described in all statements of case and other documents to be filed or served in the proceedings and in any judgment or order in the proceedings and in any report of the proceedings by the press or otherwise respectively as "MXM", "TXS" and "MXE".
3. The address of the Claimants be stated in all statements of case and other documents to be filed or served in the proceedings as the address of the Claimant's solicitors.
4. That insofar as necessary, any statement of case or other document disclosing the Claimants or the Litigation Friend's name or address already filed in the proceedings be replaced by a document describing such name or address in anonymised form as above (and in the meantime shall be kept confidential), and the Claimants' solicitor shall have permission to file with the court such copies of such documents adjusted so as to comply therewith.
5. The original of any such statement of case or other document disclosing the name or address/location of the Claimants or the Litigation Friend (and in particular any Claim Form, or any statement of case, judgment, Order or other document to which anyone might have access to pursuant to Rule 5.4 A-D or otherwise at any time) are to be retained by the Court in a sealed envelope, marked "Not to be opened without the permission of a Judge or Master or District Judge of the Queen's Bench Division", or, if electronically filed or scanned, shall be placed on the court file and marked "confidential: not to be opened without the permission of a Master or High Court Judge".
6. Any person not a party to this action may not inspect or obtain a copy of any document on or from the Court file (other than this order duly anonymised as directed) and whether pursuant to Part 5.4 A-D of the Civil Procedure Rules or

otherwise, without the permission of a Judge or Master of the Queen's Bench Division. Any application for such permission must be made on notice to the Claimant and the Court will effect service. The Court file is to be retained by the Court and marked "Anonymised".

7. The reporting restrictions apply as to the disclosing of any information that may lead to the subsequent identification of the Claimants or the Litigation Friend. The publication of the name or address/location of the Claimants or the Litigation Friend or their family or of any member of the Claimants' immediate family is prohibited.
8. The Claimants must serve a copy of this Order and of the Notice of Application upon the Defendant and otherwise comply with CPR Rule 23.9 within three days of service of this Order upon them.
9. The Defendant may apply under CPR Rule 23.10 and CPR3.3(5) to set aside or vary this Order within seven days of service of it upon them.
10. Any non-party affected by this Order may apply on notice to all parties to have this Order set aside or varied.
11. The Claimants has permission to apply to set aside or vary this order.
12. A copy of this Order shall be published on the judicial website of the High Court of Justice specifying that the First Claimant, the Second Claimant and the Litigation Friend shall be referred to as MXM, TXS and MXE respectively.
13. The Application and this Order shall be further considered at the first hearing of the Claim.
14. The costs of the Application are reserved.



SERVICE OF THE ORDER

The Court has sent sealed copy of this order to:

Keith Barrett – Fieldfisher LLP