

## **IMPORTANT**

**\*\*\*\*\* UPDATE: Persons Unknown & Named Defendants \*\*\*\*\***

### **WALLEYS QUARRY – NOTICE OF APPLICATION** **DATED 15 JUNE 2022**

On 24 May 2022, Mr Justice Fancourt ordered that if no Defendant files an Acknowledgement of Service within the time permitted by paragraph 22 of the Order of His Honour Judge Pearce dated 28 April, the Claimants (Walleys Quarry Limited, Share Properties Limited, Red Industries (Stoke) Limited and Red Industries Limited) have permission to apply for a final order in terms of the interim injunction with the application to be considered by the Court “on paper” without a hearing. Mr Justice Fancourt also ordered that any such application must be served on Persons Unknown by email to [thelandfillstinks@gmail.com](mailto:thelandfillstinks@gmail.com) and by publication of the Order on the Claimants websites.

In the absence of any Acknowledgements of Service being filed by any of the Defendants, the Claimants applied to the Court on 15 June 2022 seeking two orders:

- 1) for the interim injunction order of Mr Justice Fancourt dated 24 May 2022 against Persons Unknown to be made final; and
- 2) to dispense with service of the final injunction order of Mr Justice Fancourt dated 24 May 2022 on the Defendants listed at paragraph 1 of the Second Draft Order pursuant to CPR 6.28.

The Claimants have requested that its application is dealt with by Mr Justice Fancourt “on paper” without a hearing.

Should any of the Defendants wish to consider the content of the Claimants’ Application, a copy of the Application Notice, Witness Statement (along with accompanying exhibits) and draft orders are available online at <https://walleysquarry.co.uk/> and <https://redindustries.co.uk/legal-update/>.

In the event that a Defendant wishes to respond to, or oppose, the Claimants’ Application please provide any response to [litigation@cms-cmno.com](mailto:litigation@cms-cmno.com) or alternatively, to the Court [manchester.chancery@justice.gov.uk](mailto:manchester.chancery@justice.gov.uk) quoting the Claim Number (PT-2022-MAN-00056) ensuring [litigation@cms-cmno.com](mailto:litigation@cms-cmno.com) are copied into any correspondence.

Once the Claimants’ Application has been determined the Claimants will display any orders that are made as soon as the sealed copies are received from the Court at <https://walleysquarry.co.uk/> and <https://redindustries.co.uk/legal-update/>.