



IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION

CLAIM NO: HC-2016-002391

05 Dec 2016

IN THE MATTER OF (1) THE LANCASTER PENSION SCHEME (2) CRANBORNE
STAR PENSION SCHEME (3) GROSVENOR PARADE PENSION SCHEME (4) TALLTON
PLACE PENSION SCHEME (5) WOODCROFT HOUSE PENSION SCHEME (6) THE
PORTMAN PENSION SCHEME HC-2016-002391

BEFORE CHIEF MASTER MARSH
1st December 2016

BETWEEN:

DALRIADA TRUSTEES LIMITED
(as trustee of the above named pension schemes)

Claimant

-and-

KIM ANNETTE GOLDSMITH

Defendant

ORDER

UPON the hearing of a directions hearing
AND UPON hearing Leading Counsel for the Claimant (Mr F Moeran QC) and
Leading Counsel for the Defendant (Mr K Bryant QC)
AND UPON W Legal Ltd attending but not appearing or making submissions
AND UPON it appearing to the Court that the Defendant is a person who has
the same interests in this claim as those it is intended she represents, and it
would further the overriding objective to appoint her as a representative party

IT IS ORDERED that:

1. The trial of this claim shall be listed to take place between 1 May and 31 July 2017 ("**the trial window**") with a listing category of A (to be listed if possible before a judge with pensions experience) and a time estimate of 2 ½ days, together with 1 day pre-reading, to take place in London.
2. The Claimant shall make an appointment to attend on the Listing Officer to fix a trial date within the trial window, such appointment to be made not later than 14 days after the date of this order, and shall give notice of the appointment to all other parties.

3. By 14th February 2017 the Claimant shall inform the Court whether the full 2 ½ days is required for the hearing of this case together with any other related action brought by the Claimant as trustee of the above named pension schemes.
4. The Claimant and Defendant have permission to file and serve further evidence updating their respective positions not less than 6 weeks before the trial is listed.
5. If the Claimant is to apply to amend the Claim Form such application shall be made not less than 6 weeks before the trial is listed (but for the avoidance of doubt such application may be heard at the trial).
6. Pursuant to CPR Part 19.7(2):
 - (i) The Claimant is appointed to represent for the purposes of these proceedings all members of the above named pension schemes (whether current active members or persons entitled or prospectively entitled to retirement benefits under the various schemes) and all persons claiming under or through such members in whose interests it is to argue in favour of the answers to the questions set out in the Claim Form Details of Claim at paragraphs 7-9 and 11-13 being as are set out in the table annexed to this Order in the third column, and in the order set out therein.
 - (ii) The Defendant is appointed to represent for the purposes of these proceedings all members of the above named pension schemes (whether current active members or persons entitled or prospectively entitled to retirement benefits under the various schemes) and all persons claiming under or through such members in whose interests it is to argue in favour of the answers to the questions set out in the Claim Form Details of Claim at paragraphs 7-9 and 11-13 being as are set out in the table annexed to this Order in the fourth column, and in the order set out therein.

7. Any application to be joined to the proceedings and/or to have orders made to appoint further representative parties should be made by no later than 20th January 2017. For the avoidance of doubt there is no sanction attached to this provision, but the Court shall take into account a failure to make such an application by that date when determining any such application made at a later date, both in relation to relief sought and costs.
8. Pursuant to CPR 32.2(2), at the trial of the claim evidence shall be by way of the evidence in writing of the witness statements, and witnesses need not attend for cross-examination.
9. The parties shall agree a trial bundle index at least 28 days before trial.
10. The Claimant shall file and serve a trial bundle, in accordance with Appendix 6 of the Chancery Guide, at least 21 days before trial.
11. The Claimant shall file and serve a skeleton argument not less than 14 clear days before trial.
12. The Defendant shall file and serve a skeleton argument not less than 7 clear days before trial.
13. The Claimant's costs shall be raised and paid out of the funds of the above named pension schemes on the indemnity basis.
14. The Defendant's costs, pursuant to the costs agreement dated 15th August 2016, shall be raised and paid out of the funds of the above named pension schemes.
15. Permission to apply.
16. This order shall be served by the Claimant on the Defendant.

Service of the order:

The court has provided a sealed copy of this order to the serving party:

Pinsent Masons LLP
30 Crown Place
Earl Street
EC2A 4ES
DX 157620 Broadgate