

Claim Form

In the High Court of Justice
Queen's Bench Division
Commercial Court
Royal Courts of Justice

	for court use only
Claim No.	2013-FOLIO-192
Issue date	11/02/2013

REISSUED ON AMENDMENT

Claimant

STIRLING MORTIMER GLOBAL PROPERTY FUND PCC LIMITED

Heritage Hall PO Box 225 Le Marchant Street St Peter Port Guernsey Channel Islands GY1 4HY



Defendants

- (1) ELS INTERNATIONAL LAWYERS LLP (IN ADMINISTRATION)
- (2) MR JOE EZAZ
- (3) MRS SARAH LANE LOUISE EZAZ
- (4) MR RICHARD NEILL TREVOR ROBERTS
- (5) MRS JANE SHERIDAN ELIZABETH ROBERTS
- (6) MS MARTINA FRITZSCHE
- (7) MR DANIEL WRIGHT
- (8) MR TOM JEREMIAH SHEEHY
- (9) MR NIALL MARTIN FLEMING
- (10) GO2CAPEVERDE LIMITED
- (11) REGAL PROPERTY HOLDINGS INCORPORATED

Name and address of Defendants receiving this claim

Please see attached Continuation Sheet

Amount claimed	€45,957,581 plus interest
Court fee	£1,670
Solicitor's costs	
Total amount	

The court office at the Admiralty and Commercial Registry, Royal Courts of Justice, Strand, London WC2A 2LL is open between 10 am and 4.30 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

Brief details of claim

The Claimant claims recovery of monies misappropriated from the Claimant in the sum of €45,957,581 (as currently estimated, potentially plus a further €1,124,830 if not returned by those presently holding it). Some of those sums were misappropriated directly from the client accounts held by the First Defendant.

The basis of the Claimant's claim is: (a) breach of contract, escrow arrangements and the First Defendant's retainer; (b) procuring breaches in (a); (c) breach of trust; (d) breach of fiduciary duties; (e) knowing beneficial receipt; (f) dishonest assistance; (g) deceit; and (h) unjust enrichment.

The Claimant further alleges that the Second and Fourth Defendants engaged in an unlawful means conspiracy, in that, by themselves and/or with other Defendants or persons, they combined or agreed to act to misappropriate monies belonging to, beneficially owned by, held for and/or payable to the Claimant, upon which they acted intending to misappropriate those monies, unlawfully as set out at (a) to (g) above, and did so misappropriate the said monies.

The Claimant further alleges that the Second, Fourth and Sixth Defendants have conspired between themselves and/or with other Defendants: (i) fraudulently to conceal the said unlawful conduct from the Claimant; (ii) dishonestly to assist in concealing the fact or amount of the said misappropriation from the Claimant and/or (iii) to dissipate the said misappropriated sums or seek to put them beyond the reach of the court or the Claimant.

By reason of all and each of the matters above; the Claimant has suffered loss and damage; the Claimant has been deprived of its own property and monies; the Defendants have been unjustly enriched thereby and/or hold the same on constructive trust for the benefit of the Claimant; and the Claimant is entitled to recover its own property and monies and damages (including exemplary damages), interest and costs.

The Claimant claims: (1) declarations; (2) accounts, including accounts of profits and benefits; (3) orders for payments to the Claimant pursuant to (1) and (2); (4) orders that the sums misappropriated be traced into the assets of the Defendants; (5) restitution; (6) damages; (7) further or other relief; (8) interest pursuant to section 35A of the Senior Courts Act 1981 or the Court's equitable jurisdiction as appropriate; (9) costs.

The claim is made in Euros, because that is the currency of the Claimant's operations and the accounts from which the sums were (or were mostly) misappropriated; it is therefore also the currency in which the Claimant suffered its loss. As at 11 February 2013, the sterling equivalent of €45,957,581 is £39,160,455 based on the € Euro:£ sterling exchange rate of 0.8521 as published by FT.com at 10.52 am on 11 February 2013.

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	Statement of Truth
	The Claimant believes that the facts stated in this claim form are true.
. !	I am duly authorised by the Claimant to sign this statement
	Full name TIMOTHY MICHAEL CLINK
	Name of Claimant STIRLING MORTIMER GLOBAL PROPERTY FUND PCC LIMITED
İ	signed position or office heldDIRECTOR
	Claimant (if signing on behalf of firm, company or corporation)
ı	

Maitland Walker LLP 19 Imperial Square Cheltenham Gloucestershire England, UK GL50 1OZ

DX: 7445 Cheltenham Ref; RLC/JEB/STI5-1 Claimant's or solicitor's address to which documents or payments should be sent if different from overleaf including (if appropriate) details of DX, fax or e-mail.

Continuation Sheet

Continued from Form N1(CC)

Claim No. 2013-FOLIO-192

Name and address of Defendants receiving this claim form

- (1) ELS INTERNATIONAL LAWYERS LLP (IN ADMINISTRATION)
 Mountview Court
 1148 High Road
 Whetstone
 London
 N20 0RA
- (2) WR JOE EZAZ
 Arlington House
 5 Coombe Hill Court
 Windsor
 Berkshire SL4 4UL
- (3) MRS SARAH JANE LOUISE EZAZ
 Arlington House
 5 Coombe Hill Court
 Windsor
 Berkshire SL4 4UL
- (4) MR RICHARD NEIL<u>I</u> TREVOR ROBERTS
 4750 North Jensen Street
 Las Vegas
 Nevada 89129
 USA
- (5) MRS JANE SHERIDAN ELIZABETH ROBERTS
 4750 North Jensen Street
 Las Vegas
 Nevada 89129
 USA
- (6) MS MARTINA FRITZSCHE
 Domus Venari Group
 Urb. Andasol Ctra N340 KM189
 29604
 Marbella
 Spain
- (7) MR DANIEL WRIGHT
 Black Horse Management
 Calle Jaen 4
 Officinal 3E
 San Pedro
 29670
 Marbella
 Spain

Continuation Sheet

- (8) MR TOM JEREMIAH SHEEHY
 Rua Mata De Mina
 Beloura 1
 Sintra 2710 692
 Lisbon
 Portugal
- (9) MR NIALL MARTIN FLEMING Rua do Moinho Novo, Quinta Da Baloura, Linho 2710-704, Lisboa Portugal
- (10) GO2CAPEVERDE LIMITED
 Michael Powell Services Ltd
 Floor 2
 5 Lapp's Quay
 Cork
 Ireland
- (11) REGAL PROPERTY HOLDINGS INCORPORATED c/o Business Filings Incorporated 311 S Division St Carson City Nevada 89703 USA

Service	out	of the Jurisdiction	Name of court	HIGH COMET OF JUST THE COMMITTEE OF DISCORDING COMMITTEE OF THE COMITTEE OF THE COMMITTEE	usion
Name of clair	nant	STIRLING MORTIMER GLOBAL PR	OPERTY FUND I	PCC LIMITED	·
Name of defe	ndant	MARTINA FRITZSCHE			
Where rule 6.3	l4 appli	es this form must be completed an	d filed at court v	vith the claim form.	
by this form permission Where a cla	, the cl (rule 6. Im forn	n for service on a defendant out of aim form may only be served once 34(2)). n is served without particulars of cla fendant on replying to the claim for	this form is filed aim, it must be a	l with the court or if the accompanied by a cop	e court gives
Please tick on urisdiction with	e of the	e following boxes as your statemen permission of the court. Also delet	t of why the clai le anything in so	m form can be served quare brackets that do	out of the es not apply.
	In pro	ceedings to which rule 6.32(1)(b)(i) or 6,33(2)(b)(l) applies, the stateme	ent is —
Ø	has p define Kinad	e that the [High Court of England a ower under the [Clvfl-Jurisdiction-ar id in CPR rule 6.31(d))]-to hear this om] {a Member State] and that no j i of any other part of the United Kin	nd-Judgments-A claim, that the proceedings are	defendant is domicile pending between the	d In [the United
	In pro	ceedings to which rule 6.32(1)(b)(i	I) applies, the s	latement is —	
	has po	e that the (High Court of England a ower under the Civil Jurisdiction an raph 11 of Schedule 4 to that Act a ng between the partles in the courts	d Judgments Ad oplies, to hear ti	nis claim and that no p	proceedings are
	In pro	seedings to which rule 6.32(1)(b)(l	II) applies, the s	tatement is —	
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	In proc	ceedings to which rule 6.32(2) or 6	.33(3) applies, t	he statement is —	
	has the	that the [High Court of England and e power to hear this claim under [sta unity instrument]	d Wales] [ate the provision	ns of the relevant enac	County Court) elment or
	procee Kinado	satisfies the requirements of [CPR r dings are pending between the par m, in any other Convention territory Divil Jurisdiction and Judgments Ac	tles in the courts of any Contrac	s of any other part of t ting State (as defined	he United In section 1(3)

In proceedings to which rule 6.33(1)(b)(ll) applies, the statement is —
"I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the claim being one to which article 16 of Schedule 1 or article 16 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State (as defined in section 1(3) of that Act)."
In proceedings to which rule 6.33(1)(b)(iii) applies, the statement is —
"I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the defendant being a party to an agreement conferring jurisdiction to which article 17 of Schedule 1 or article 17 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or in any other Convention territory of any Contracting State (as defined in section 1(3) of that Act),"
In proceedings to which rule 6.33(2)(b)(ii) applies, the statement is —
"I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the claim being one to which article 22 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."
In proceedings to which rule 6.33(2)(b)(iii) applies, the statement is —
"I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6,31(d)), the defendant being a party to an agreement conferring jurisdiction to which article 23 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."
In proceedings to which rule 6.33(1)(b)(i) applies, the statement is—
"I state that the [High Court of England and Wales][has power under the Civil Jurisdiction and Judgments Act 1982 to hear this claim, that the defendant is domiciled in [the United Kingdom] [a Convention territory of a Contracting State (as defined in section 1(3) of the Act)] and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State."
Statement of Truth
*(I-belie ve) (The Claimant believes)-that the facts stated in this notice are true. * I -am-duly authorised by the claimant to sign-this statement.
Full name TIMOTHY CLINK
Name of claimant's solicitor's firm MAITLAND WALKER LLP
signed position or office held DIRECTOR *(Claimant) (Elitigation friend) (Claimant's collicitor) (if signing on behalf of firm or company)
'delete as appropriate

Service out of the Jurisdiction		Name of court FIGH COVIZI OF JUSTICE COVICE COVICE OF SUSTICE COVICE		
		Claim no.		
Name of claimant	STIRLING MORTIMER GLOBAL PROPERTY FUND PCC LIMITED			
Vame of defendant	DANIEL WRIGHT			
/here rule 6.34 appl	ies this form must be completed ar	id filed at court	with the claim form.	

Where a claim form for service on a defendant out of the jurisdiction under rule 6.34 is not accompanied by this form, the claim form may only be served once this form is filed with the court or if the court gives permission (rule 6.34(2)).

! Where a claim form is served without particulars of claim, it must be accompanied by a copy of Form M1D - Notes for defendant on replying to the claim form out of the jurisdiction.

Please tick one of the following boxes as your statement of why the claim form can be served out of the jurisdiction without the permission of the court. Also delete anything in square brackets that does not apply.

In proceedings to which rule 6.32(1)(b)(i) or 6.33(2)(b)(i) applies, the statement is --

L.1	"I state that the fHigh Court of England and Wales}{————————————————————————————————————	n (as
	defined in CPR rule 6.31(d))].to hear this claim, that the defendant is domiciled in [the-L Kingdom].[a Member State] and that no proceedings are pending between the parties in courts of any other part of the United Kingdom or any other Member State."	Inited.

In proceedings to which rule 6.32(1)(b)(ii) applies, the statement is —

-	"I state that the [High Court of England and Wales] [County Court)
\	has power under the Civil Jurisdiction and Judgments Act 1982, the claim being	one to which
	paragraph 11 of Schedule 4 to that Act applies, to hear this claim and that no pro-	oceedings are
	pending between the parties in the courts of any other part of the United Kingdo	m."

In proceedings to which rule 6.32(1)(b)(III) applies, the statement is $-\!\!\!-$

"I state that the [High Court of England and Wales] [has power under the Civil Jurisdiction and Judgments Act 1982, the def an agreement conferring jurisdiction to which paragraph 12 of Schedule to hear this claim and that no proceedings are pending between the par	⇒ 4 to that Act applies,
any other part of the United Kingdom."	, , , , , , , , , , , , , , , , , , ,

In proceedings to which rule 6.32(2) or 6.33(3) applies, the statement is -

"I state that the [High Court of England and Wales] [County Court] has the power to hear this claim under (state the provisions of the relevant enactment or Community instrument)

which satisfies the requirements of [CPR rule 6.32(2)] [CPR rule 6.33(3)] and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom. In any other Convention territory of any Contracting State (as defined in section 1(3) of the Civil Jurisdiction and Judgments Act 1982) or in any other Member State."

	In proceedings to which rule 6.33(1)(b)(ii) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the claim being one to which article 16 of Schedule 1 or article 16 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State (as defined in section 1(3) of that Act)."
	In proceedings to which rule 6.33(1)(b)(III) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the defendant being a party to an agreement conferring jurisdiction to which article 17 of Schedule 1 or article 17 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or in any other Convention territory of any Contracting State (as defined in section 1(3) of that Act)."
	In proceedings to which rule 6.33(2)(b)(ii) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the claim being one to which article 22 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."
	In proceedings to which rule 6.33(2)(b)(iii) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the defendant being a party to an agreement confering jurisdiction to which article 23 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."
	In proceedings to which rule 6.33(1)(b)(i) applies, the statement is—
	"I state that the [High Court of England and Wales][County County has power under the Civil Jurisdiction and Judgments Act 1982 to hear this claim, that the defendant is domiciled in [the United Kingdom] [a Convention territory of a Contracting State (as defined in section 1(3) of the Act)] and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State."
Statement of	Truth
* (I-belleve)-(T	he Claimant believes) that the facts stated in this notice are true.
•	therised-by-the-elalmant-to-sign-this-statement.
Full name TIM	
Name of claim	ant's sollcitor's firm MAITLAND WALKER LLP
signed *(Glaimant) (L itt	position or office held DIRECTOR (if signing on behalf of firm or company)
*delete as appr	opriate

Service	out	of the Jurisdiction	Name of court (11414 COURT OF EDUCENS RENCE REMAINERACIAL Claim no.	1 Olm StoW
Name of clal	imant	STIRLING MORTIMER GLOBAL PR	OPERTY FUND PCC LIMITED	
Name of defe	endant	TOM SHEEHY		
Where rule 6.	34 app	lies this form must be completed ar	nd filed at court with the claim form.	
by this form permission Where a cla	n, the c (rule 6 aim fon	m for service on a defendant out of laim form may only be served once .34(2)). m is served without particulars of cl efendant on replying to the claim fo	this form is filed with the court or h aim, it must be accompanied by a	f the court gives
Please flok or jurisdiction wit	hout the In pro "I sta has p define Kinge court	e following boxes as your statement permission of the court. Also delended to ceedings to which rule 6.32(1)(b)(ate that the {High Court of England a power under the {Civil Jurischetion-ated in CPR rule 6.31(d))}-to hear this clem}-{a Member State}-and that nose of any other part of the United Kiroceedings to which rule 6.32(1)(b)(aten)	te anything in square brackets that i) or 6.33(2)(b)(i) applies, the state and Wales] { nd Judgmente Act 1982] [Judgmer s claim, that the defendant is domic proceedings are pending between ngdom or any other Member State.	i does not apply.
· <u> </u>	"I stat has p	te that the [High Court of England a ower under the Civil Jurisdiction an graph 11 of Schedule 4 to that Act a ng between the partles in the court	ind Wales] [id Judgments Act 1982, the claim b pplies, to hear this claim and that r	no proceedings are
	In pro	ceedings to which rule 6.32(1)(b)(i	ili) applies, the statement is —	
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	lu bto	ceedings to which rule 6.32(2) or 6	3.33(3) applies, the statement is —	
	has th	e that the (High Court of England an se power to hear this claim under [st nunity instrument]	d Wales] [ate the provisions of the relevant e	County Court) nactment or
	proced Kinada	satislies the requirements of [CPR edings are pending between the par om, in any other Convention territory Civil Jurisdiction and Judgments Ac	ties in the courts of any other part of y of any Contracting State (as defin	of the United led in section 1(3)

	in proceedings to which rule 6.33(1)(b)(ii) applies, the statement is —
, <u>,</u>	"I state that the [High Court of England and Wales] [County County County Space under the Civil Jurisdiction and Judgments Act 1982, the claim being one to which article 16 of Schedule 1 or article 16 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State (as defined in section 1(3) of that Act)."
	In proceedings to which rule 6.33(1)(b)(iii) applies, the statement is —
1]	"I state that the [High Court of England and Wales] [County Court has power under the Civil Jurisdiction and Judgments Act 1982, the defendant being a party of an agreement conferring jurisdiction to which article 17 of Schedule 1 or article 17 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or in any other Convention territory of any Contracting State (as defined in section 1(3) of that Act)."
	In proceedings to which rule 6.33(2)(b)(ii) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the claim being one to which article 22 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."
	In proceedings to which rule 6.33(2)(b)(iii) applies, the statement is —
.•	"I state that the [High Court of England and Wales] [County Court has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the defendant being a party to an agreement conferring jurisdiction to which article 23 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."
	In proceedings to which rule 6.33(1)(b)(i) applies, the statement is—
······ ("I state that the [High Court of England and Wales][has power under the Civil Jurisdiction and Judgments Act 1982 to hear this claim, that the defendant is domicifed in [the United Kingdom] [a Convention territory of a Contracting State (as defined in section 1(3) of the Act)] and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State."
Statement of	Truth
* (belie ve) (Ti	he Claimant believes}-that the facts stated in this notice are true. thorised by-the-statmant to sign-this statement
Full name <u>TIN</u>	MOTHY CLINK
Name of claim	nant's solicitor's firm MAITLAND WALKER LLP
signed _\\ (Claimant) (Li tie	position or office held <u>DIRECTOR</u> getlen-friend) (Glaimant's selicitor) (if signing on behalf of firm or company)
*delete as appr	

Service out of the Jurisdiction		Name of cour	Name of court HIGH COURT OF JUSTICE OPER'S REVIEW DIVISION COMMERCIAL COURT	
		Clalm no.		
Name of clain	nant STIRLING MORTIMER GLOBAL	PROPERTY FUND	PGC LIMITED	
Name of defe	ndant NIALL FLEMING			
Where rule 6.3	14 applies this form must be completed	l and filed at court	with the claim form.	
by this form permission (alm form for service on a defendant ou , the claim form may only be served of (rule 6.34(2)). Iim form is served without particulars o s for defendant on replying to the claim	nce this form is file of claim, it must be	accompanied by a copy of Form	
lease tick on risdiction with	e of the following boxes as your stater out the permission of the court. Also d	lelete anything in s	square brackets that does not apply.	
	In proceedings to which rule 6.32(1)	(b)(i) or 6.33(2)(b)	(I) applies, the statement is —	
ſΔi	defined in CPR rule 6.31(d))) to hear	n-and-Judgments this claim, that the no proceedings ar	—Geunty-Geurt) Act-1982]-[Judgments Regulation (as a defendant is domiciled in the United- e pending between the parties in the ther Member State."	
	In proceedings to which rule 6.32(1)(b)(ii) applies, the	statement Is —	
·; ·-	"I state that the [High Court of Englar has power under the Civil Jurisdictor paragraph 11 of Schedule 4 to that Ai pending between the parties in the co	r and Judgments A ct applies, to hear	County Court) act 1982, the claim being one to which this claim and that no proceedings are part of the United Kingdom."	
	In proceedings to which rule 6.32(1)(b)(iii) applies, the	statement is —	
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	In proceedings to which rule 6.32(2)	or 6.33(3) applies,	the statement is —	
	"I state that the [High Court of England has the power to hear this claim under Community Instrument)	f and Wales] [r [state the provision	County Court) ons of the relevant enactment or	
	which satisfies the requirements of [C] proceedings are pending between the Kingdom, in any other Convention terror the Civil Jurisdiction and Judgments	partles in the cour itory of any Contra	ts of any other part of the United octing State (as defined in section 1(3)	

	In proceedings to which rule 6.33(1)(b)(ii) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the claim being one to which article 16 of Schedule 1 or article 16 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State (as defined in section 1(3) of that Act)."
	In proceedings to which rule 6.33(1)(b)(iii) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the defendant being a party to an agreement conferring jurisdiction to which article 17 of Schedule 1 or article 17 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or in any other Convention territory of any Contracting State (as defined in section 1(3) of that Act)."
	In proceedings to which rule 6.33(2)(b)(ii) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the claim being one to which article 22 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State,"
	In proceedings to which rule 6.33(2)(b)(iii) applies, the statement is
	"I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6,31(d)), the defendant being a party to an agreement conferring jurisdiction to which article 23 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."
	In proceedings to which rule 6,33(1)(b)(i) applies, the statement is—
	"I state that the [High Court of England and Wales][has power under the Civil Jurisdiction and Judgments Act 1982 to hear this claim, that the defendant is domiciled in [the United Kingdom] [a Convention territory of a Contracting State (as defined in section 1(3) of the Act)] and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State,"
Statement of	Truth
	ne Claimant believes)-that the facts stated in this notice are true. therised by-the-claimant-to-sign-this statement.
Full name TIM	NOTHY CLINK
Name of claim	ant's solicitor's firm MAITLAND WALKER LLP
signed 1	position or office held <u>DIRECTOR</u> gation-friend) (Glaimant's-solicitor) (if signing on behalf of firm or company)
*delete as appro	

Service	out of the Jurisdiction	Name of court HIGH COURT OF JURICE GUEEN'S REMOTH DIVISION
		Claim no.
Name of clair	mant STIRLING MORTIMER GLOBAL PF	ROPERTY FUND PCC LIMITED
Name of defe	endant GO2CAPEVERDE LIMITED	
Where rule 6,3	34 applies this form must be completed ar	nd filed at court with the claim form.
by this form,	alm form for service on a defendant out of , the claim form may only be served once (rule 6.34(2)).	the jurisdiction under rule 6.34 is not accompanied this form is filed with the court or if the court gives
Where a cla N1D - Notes	lm form is served without particulars of cl s for defendant on replying to the claim fo	aim, it must be accompanied by a copy of Form rm out of the jurisdiction.
Please tick one jurisdiction with	e of the following boxes as your statemen out the permission of the court. Also dele	it of why the claim form can be served out of the le anything in square brackets that does not apply.
	In proceedings to which rule 6.32(1)(b)(i) or 6.33(2)(b)(i) applies, the statement is —
	defined in CPR rule 6,31(d))]-to hear this	nd-Judgmente-Act-1982]-Judgments Regulation (as claim, that the defendant is domiciled in the United proceedings are pending between the parties in the
	In proceedings to which rule 6.32(1)(b)(i	i) applies, the statement is —
	paragraph 11 of Schedule 4 to that Act ap	nd Wales] [County Court] d Judgments Act 1982, the claim being one to which oplies, to hear this claim and that no proceedings are of any other part of the United Kingdom."
1	in proceedings to which rule 6.32(1)(b)(ii	i) applies, the statement is —
† 6 t	an agreement conferring jurisdiction to wi to hear this claim and that no proceedings any other part of the United Kingdom."	d Wales] [County Court] I Judgments Act 1982, the defendant being a party to alch paragraph 12 of Schedule 4 to that Act applies, are pending between the parties in the courts of
	n proceedings to which rule 6,32(2) or 6,	33(3) applies, the statement is—
``	i state that the (High Court of England and as the power to hear this claim under [sta Community instrument]	Wales] [County Court] te the provisions of the relevant enactment or
pı K	roceedings are pending between the parti	ale 6,32(2)) (CPR rule 6,33(3)) and that no les in the courts of any other part of the United of any Contracting State (as defined in section 1(3) 1982) of in any other Member Stale."

	in proceedings to which rule 6.33(1)(b)(ii) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the claim being one to which article 16 of Schedule 1 or article 16 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State (as defined in section 1(3) of that Act)."
	In proceedings to which rule 6.33(1)(b)(III) applies, the statement is —
	"I state that the [High Court of England and Wales] [County Court] has power under the Civil Jurisdiction and Judgments Act 1982, the defendant being a party to an agreement conferring Jurisdiction to which article 17 of Schedule 1 or article 17 of Schedule 3C to that Act applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or in any other Convention territory of any Contracting State (as defined in section 1(3) of that Act)."
	In proceedings to which rule 6.33(2)(b)(II) applies, the statement is —
. 1.	"I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the claim being one to which article 22 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."
	In proceedings to which rule 6.33(2)(b)(iii) applies, the statement is —
i <u>j</u>	"I state that the [High Court of England and Wales] [County Court] has power under the Judgments Regulation (as defined in CPR rule 6.31(d)), the defendant being a party to an agreement conferring jurisdiction to which article 23 of that Regulation applies, to hear this claim and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Member State."
10 (2000)	In proceedings to which rule 6.33(1)(b)(l) applies, the statement is—
	"I state that the [High Court of England and Wales][has power under the Civil Jurisdiction and Judgments Act 1982 to hear this claim, that the defendant is domiciled in [the United Kingdom] [a Convention territory of a Confracting State (as defined in section 1(3) of the Act)] and that no proceedings are pending between the parties in the courts of any other part of the United Kingdom or any other Convention territory of any Contracting State."
Statement	of Truth
ł	The Claimant believes)-that the facts stated in this notice are true.
* I am duly a	uthorised by the claimant to sign this statement.
	TIMOTHY CLINK
Name of clai	imant's solicitor's firm MAITLAND WALKER UP
signed(\) *{Claimant)-{L	position or office held DIRECTOR (If signing on behalf of firm or company)
*delete as ap	propriale

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