

Amended under the Slip Rule CPR 40.12 dated 16th October 2023 & approved by Mrs Justice Heather Williams DBE

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

CLAIM NO. QB-2022-001098

**Before the Honourable Mrs Justice Heather Williams DBE
On 16th October 2023**



B E T W E E N:

- (1) ESSO PETROLEUM COMPANY, LIMITED
(2) EXXONMOBIL CHEMICAL LIMITED**

Claimants

-and-

(1) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR REMAIN (WITHOUT THE CONSENT OF THE FIRST CLAIMANT) UPON ANY OF THE FOLLOWING SITES ("THE SITES")

- (A) THE OIL REFINERY AND JETTY AT THE PETROCHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45 1TH (AS SHOWN FOR IDENTIFICATION EDGED RED AND GREEN BUT EXCLUDING THOSE AREAS EDGED BLUE ON THE ATTACHED 'FAWLEY PLAN')
- (B) HYTHE OIL TERMINAL, NEW ROAD, HARDLEY SO45 3NR (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'HYTHE PLAN')
- (C) AVONMOUTH OIL TERMINAL, ST ANDREWS ROAD, BRISTOL BS11 9BN (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'AVONMOUTH PLAN')
- (D) BIRMINGHAM OIL TERMINAL, WOOD LANE, BIRMINGHAM B24 8DN (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'BIRMINGHAM PLAN')
- (E) PURFLEET OIL TERMINAL, LONDON ROAD, PURFLEET, ESSEX RM19 1RS (AS SHOWN FOR IDENTIFICATION EDGED RED AND BROWN ON THE ATTACHED 'PURFLEET PLAN')
- (F) WEST LONDON OIL TERMINAL, BEDFONT ROAD, STANWELL, MIDDLESEX TW19 7LZ (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'WEST LONDON PLAN')
- (G) HARTLAND PARK LOGISTICS HUB, IVELY ROAD, FARNBOROUGH (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'HARTLAND PARK PLAN')
- (H) ALTON COMPOUND, PUMPING STATION, A31, HOLLYBOURNE (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'ALTON COMPOUND PLAN')

(2) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR REMAIN (WITHOUT THE CONSENT OF THE FIRST CLAIMANT OR THE SECOND CLAIMANT) UPON THE CHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45 1TH (AS SHOWN FOR IDENTIFICATION EDGED PURPLE ON THE ATTACHED 'FAWLEY PLAN')

(3) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE ‘EXTINCTION REBELLION’ CAMPAIGN OR THE ‘JUST STOP OIL’ CAMPAIGN, ENTER ONTO ANY OF THE CLAIMANTS’ PROPERTY AND OBSTRUCT ANY OF THE VEHICULAR ENTRANCES OR EXITS TO ANY OF THE SITES (WHERE “SITES” FOR THIS PURPOSE DOES NOT INCLUDE THE AREA EDGED BROWN ON THE PURFLEET PLAN)

(4) PAUL BARNES

(5) DIANA HEKT

Defendants

ORDER

RECITALS

FOLLOWING the order of Linden J dated 18 July 2023 (as amended on 21 July 2023) (the “**Order**”)

UPON the application of the Claimants dated 13 October 2023

AND UPON reading the first Witness Statement of Holly Stebbing dated 13 October 2023

AND UPON the notice of change of solicitors dated 2 October 2023 and effected by Norton Rose Fulbright LLP on the Defendants (the “**Notice**”)

AND UPON the Court considering this application without notice to the Defendants pursuant to CPR 6.27 and 6.15(3)(b).

IT IS ORDERED THAT:

1. Service of the Notice on the First, Second and Third Defendants in the same manner as prescribed at paragraph 17 of the Order shall stand as good service and accordingly, pursuant to CPR 6.15 and 6.27, retrospective permission is granted to the Claimants to serve the Notice on the First, Second and Third Defendants in such alternative manner. Pursuant to CPR 6.15(3) and 6.27, the Notice shall be deemed to be served on the First, Second and Third Defendants on the latest date on which all of the methods of service referred to in paragraph 17 of the Order were completed.
2. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), permission is granted to the Claimants to serve this order, its associated documents and any further documents in this claim by way of alternative method, such method as prescribed at paragraph 17 of the Order. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), the order shall be deemed to be

served on the First, Second and Third Defendants on the latest date on which all of the methods of service referred to in paragraph 17 of the Order were completed.

3. The Order shall be varied at follows:

At paragraph 6:

6. *The Defendants may apply to vary or discharge this Order at any time upon giving not less than 3 clear days' notice to the Claimant's solicitors, Norton Rose Fulbright LLP, by emailing ExxonMobil.Service@nortonrosefulbright.com. Any evidence to be relied upon in support of such an application must be communicated in writing to the Claimants' solicitors at least 2 clear days before the hearing.*

At paragraph 14:

14. *Pursuant to CPR 6.15 and 6.27 and 81.4(2)(c) and (d), service of this Order shall be effected on the First, Second and Third Defendants as follows:*

14.1 *fixing copies thereof in clear transparent sealed containers at a minimum number of 2 locations on the perimeter of each of the Sites together with a notice which states (a) that a copy of the Order may be obtained from the Claimants' solicitors, Norton Rose Fulbright LLP, 3 More London Riverside, London SE1 2AQ (Ref: Holly Stebbing, tel: 020 7283 6000) email: ExxonMobil.Service@nortonrosefulbright.com; and (b) that a copy of the Order may be viewed at the website referred to in Paragraph 14.2 of this Order;*

14.2 *posting the Order on the following website: <https://www.exxonmobil.co.uk/Company/Overview/UK-operations>;*

14.3 *fixing a minimum of four large warning notices in the forms annexed to this Order in conspicuous places around the perimeters of the Sites. Such notices must be a minimum of A2 size; and*

14.4 *sending an email to each of the following email addresses: (i) with the information that a copy of the Order may be viewed at the website referred to in Paragraph 14.2 of this Order; and/or (ii) enclosing a copy of this Order (whether by Mimecast link or otherwise):*

(a) xr-legal@riseup.net

(b) enquiries@extinctionrebellion.uk

(c) juststopoilpress@protonmail.com

At paragraph 17:

17. Pursuant to CPR 6.15 and 6.27 and 81.4(2)(c) and (d), service of any other documents in these proceedings by the Claimants (the “Further Documents”) shall be effected on the First, Second and Third Defendants as follows:

17.1 fixing copies thereof in clear transparent sealed containers at a minimum number of 2 locations on the perimeter of each of the Sites together with a notice which states (a) that copies of the Further Documents may be obtained from the Claimants’ solicitors, Norton Rose Fulbright LLP, 3 More London Riverside, London SE1 2AQ (Ref: Holly Stebbing, tel: 020 7283 6000) email: ExxonMobil.Service@nortonrosefulbright.com; and (b) that copies of the Further Documents may be viewed at the website referred to in Paragraph 17.2 of this Order;

17.2 posting the Further Documents on the following website: <https://www.exxonmobil.co.uk/Company/Overview/UK-operations>; and

17.3 sending an email to each of the following email addresses: (i) with the information that copies of the Further Documents may be viewed at the website referred to in Paragraph 17.2 of this Order; and/or (ii) enclosing copies of the Further Documents (whether by Mimecast link or otherwise):

(a) xr-legal@riseup.net

(b) enquiries@extinctionrebellion.uk

(c) juststopoilpress@protonmail.com

4. Pursuant to CPR 23.10, the First, Second and Third Defendants shall have the right to apply to have this order set aside or varied in accordance with the amended paragraph 6 of the Order. Any such application must be made within 7 days of this order.

5. There shall be no order as to costs.

16th October 2023