

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

**Claim No:KB-2024-BHM-000107**

**The Honourable Mr Justice Ritchie**

**Friday 7 June 2024**

**B E T W E E N:**

**THE UNIVERSITY OF NOTTINGHAM**

**Claimant**

**-and-**

**(1)**

**(2) MX JOEL BUTTERWORTH**

**(also known as RIVER BUTTERWORTH (they/them))**

**~~(3) MR SAMEH ESMAILZADAH~~**

**~~(4) MR JOHN ELDRIDGE~~**

**~~(5) MS ARADHYA NEGI~~**

**(6) "Non students" PERSONS UNKNOWN, BEING PERSONS ENTERING OR REMAINING IN OCCUPATION OF LAND BY CAMPING ON THE JUBILEE CAMPUS AT THE UNIVERSITY OF NOTTINGHAM WHO ARE NOT CURRENTLY STUDENTS, STAFF OR EMPLOYEES OF THE CLAIMANT OR WHO UPON BEING ASKED WHETHER THEY CAN SHOW THAT THEY ARE STUDENTS, STAFF OR EMPLOYEES OF THE CLAIMANT, FAIL TO DO SO**

**(7) "Students" PERSONS UNKNOWN, BEING PERSONS ENTERING OR REMAINING IN OCCUPATION OF LAND BY CAMPING ON THE JUBILEE CAMPUS AT THE UNIVERSITY OF NOTTINGHAM WITHOUT THE CLAIMANT'S LICENCE OR CONSENT WHO ARE CURRENTLY STUDENTS, STAFF OR EMPLOYEES OF THE CLAIMANT AND WHO UPON BEING ASKED WHETHER THEY CAN SHOW THAT THEY ARE STUDENTS, STAFF OR EMPLOYEES DO SO**

**Defendants**

---

**DRAFT ORDER (1)**

---

**BEFORE** the Honourable Mr Justice Ritchie sitting at the Birmingham Civil Justice Centre, Birmingham on [...]

**UPON READING** the Application Notice of the Claimant dated 6 June 2024

**AND UPON** the Court having made an Order dated 17 May 2024 in this Claim and an Order dated 22 May 2024 (as amended under the slip rule on 24 May 2024)

**AND UPON HEARING** [Leading and Junior Counsel for the Claimant, (...)] and [Counsel for the First Defendant] and [...]

**IT IS ORDERED THAT:**

1. Pursuant to CPR 19.4(1), the Claimant has permission to amend the description of the Fifth Defendants and the description of the Sixth Defendants to the Claim Form and the Particulars of Claim, to read as follows:

- “(5) PERSONS UNKNOWN, BEING PERSONS IN AN ENCAMPMENT OCCUPATION OF LAND ON THE JUBILEE CAMPUS AT THE UNIVERSITY OF NOTTINGHAM WHO ARE NOT CURRENTLY STUDENTS, STAFF OR EMPLOYEES OF THE CLAIMANT*
- (6) PERSONS UNKNOWN, BEING PERSONS IN AN ENCAMPMENT OCCUPATION OF LAND ON THE JUBILEE CAMPUS AT THE UNIVERSITY OF NOTTINGHAM WHO ARE CURRENTLY STUDENTS, STAFF OR EMPLOYEES OF THE CLAIMANT”*

2. Permission to dispense with re-service of the Claim Form and Particulars of Claim, with the effect that the amendments in paragraph (1) above shall be of immediate effect.
3. The Court file shall be amended so that the title to the proceedings includes the Fifth and Sixth Defendants as described in paragraph 1 of this Order.
4. Pursuant to CPR 6.27:
  - 4.1 The Claimant has permission to serve: (a) this Order and (b) any witness statements and (c) all bundles for hearings and (d) all other documents which need to be served, on the Fifth and Sixth Defendants by the following method:
    - (a) Placing three stakes in the land which being camped on at Jubilee Campus in places where they are clearly visible and attaching to each stake copies of the documents in a sealed transparent envelope addressed to ‘the occupiers’; and
    - (b) Publishing a copy of the documents on the Claimant’s website.

- 4.2 Service shall be deemed to have been effected on the Fifth Defendant at 4pm on the date by which service by the methods referred to in paragraph 7.1(b) has been completed.
- 4.3 Service shall be deemed to have been effected on the Sixth Defendant at 4pm on the date by which service by the methods referred to in paragraph 7.1(b) has been completed.
5. Any party affected by this Order may apply to have this Order set aside, varied or stayed. Any such application must be made within 24 hours of service of the Order on that party. Any person applying to set-aside, vary or stay this Order must provide their full name, address and an email address for service, and must apply to be joined as a named Defendant to the proceedings at the same time.
6. There be no order for costs

### **Communication with the Court**

All communications to the Court about this Order (which should quote the case number) should be sent to:

Birmingham District Registry, Birmingham Civil Justice Centre

Priory Courts, 33 Bull Street, Birmingham B4 6DS

E: [kb.birmingham@justice.gov.uk](mailto:kb.birmingham@justice.gov.uk)

T: 0121 681 4441

F: 01264 785 131

DX: 701987 Birmingham 7

### **The Claimant's solicitors and their contact details are:**

Shakespeare Martineau LLP

No. 1 Colmore Square Birmingham B4 6AA

E: [Danielle.Lomg@shma.co.uk](mailto:Danielle.Lomg@shma.co.uk)

T:0121 631 5218

DX721090 Birmingham 43

Ref: SHMA0ACTIVE.FID9282793

**SERVICE OF THIS ORDER**

The Court has provided a sealed copy of this Order to the Claimant by its solicitors:

Shakespeare Martineau LLP

No. 1 Colmore Square Birmingham B4 6AA

A copy of the sealed Order will be sent by the Claimant to the Defendants in accordance with the terms of the Order above.