

**AMENDED ORDER
IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

Claim No.: QB-2020-001013

Master Sullivan

03.11.2020

BETWEEN

1. Samuel Collingwood Smith

- and -

1. Esther Baker, 2. Dr Jacqui Dillon



QB-2020-001013

ORDER

UPON the Claimant's application dated 8 July 2020 to strike out the Defendant's defence and counterclaim

AND UPON written judgment having been handed down on 20 October 2020

AND UPON hearing the Claimant and the Defendant in person by telephone on 3 November 2020

IT IS ORDERED that:-

1. The last 3 sentences of paragraph 14 of the defence, commencing "Similar comments" is struck out.
2. The first sentence of paragraph 41 of the counterclaim is struck out.
3. Paragraphs 52(vii), 64 and 65 of the counterclaim are struck out.
4. The Defendant do file and serve an amended defence and counterclaim by 4.30pm on 27 November 2020.
5. The Claimant do by 4.30pm on 29 December 2020 either:
 - (i) apply to restore his application for strike out by emailing Master Sullivan directly, copying in the defendant; or
 - (ii) file and serve a reply to the amended defence and defence to the amended counterclaim.

6. If a reply and defence to counterclaim is filed and served in accordance with 2(ii) above, the Defendant do file and serve a reply to the defence to the amended counterclaim by 4.30pm on 27 January 2021.
7. List for a case management conference on the first open date after 17 February 2021 by telephone. Time estimate 1.5 hours.
8. The parties do serve any documents on each other by email.
9. Permission to appeal refused. The Claimant may make a further application to a Judge of the High Court for permission to appeal within 21 days of the date of this order.
10. The Defendant do pay the Claimant's costs of the application summarily assessed in the sum of £1,226.80 within 14 days.