



IN THE HIGH COURT OF JUSTICE Claim No. CL-2016-000195

BUSINESS AND PROPERTY COURTS

OF ENGLAND AND WALES

COMMERCIAL COURT (QBD)

CL-2016-000195

Before: Mrs Justice Cockerill

Friday 20 December 2019

B E T W E E N :

**(1) MR. AYOUB-FARID MICHEL SAAB
(2) MR. FADI MICHEL SAAB**

Claimants

- and -

**(1) DANGATE CONSULTING LTD.
(2) BARRINGTON LONDON LIMITED
(3) MR. NIGEL BROWN
(4) MR. ALEC LEIGHTON**

Defendants

ORDER

PENAL NOTICE

IF YOU, NIGEL BROWN OR ALEC LEIGHTON, DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE FINED OR HAVE YOUR ASSETS SEIZED.

IF YOU, DANGATE CONSULTING LTD OR BARRINGTON LONDON LIMITED, DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE FINED OR HAVE YOUR ASSETS SEIZED.

IF YOU, DANGATE CONSULTING LTD, DISOBEY THIS ORDER, NIGEL BROWN AS THE DIRECTOR AND OFFICER OF DANGATE CONSULTING LTD MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE HIS ASSETS SEIZED.

IF YOU, BARRINGTON LONDON LIMITED, DISOBEY THIS ORDER, NIGEL BROWN AS A DIRECTOR AND OFFICER OF

BARRINGTON LONDON LIMITED MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE HIS ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE RESPONDENT TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

UPON the trial of this action on Monday 1 April 2019 to Wednesday 4 April 2019 and Monday 8 April 2019 to Tuesday 9 April 2019;

UPON Mrs Justice Cockerill's judgment in this matter dated 20 June 2019, [2019] EWHC 1558 (Comm) (the "**Judgment**");

UPON Mrs Justice Cockerill's order following Judgment dated 25 July 2019 (the "**Order**");

UPON the affidavit served on behalf of the First, Second and Third Defendants dated 20 August 2019 (the "**Brown Affidavit**") and the affidavit served on behalf of the Fourth Defendant dated 20 August 2019 (the "**Leighton Affidavit**"), collectively "the **Affidavits**";

UPON the delivery up of documents pursuant to paragraph 3 of the Order (the "**Delivered Up Documents**");

UPON the Claimants' application dated 4 October 2019;

AND UPON hearing leading Counsel for the Claimants and leading Counsel for the Defendants

IT IS ORDERED THAT:

1. The Defendants are each in breach of paragraphs 3 - 5 of the Order and are in contempt of Court:
 - 1.1. The Brown Affidavit and Leighton Affidavit each failed to provide the requisite level of detail with respect to their unlawful disclosures of confidential information and documents to third parties.
 - 1.2. The Defendants failed to exhibit to their Affidavits copies of all communications evidencing each and

every disclosure of confidential information to a third party.

2. Upon a request in writing, including by e-mail, by one or more of the Defendants to the Claimants' Solicitors, Quinn Emanuel Urquhart & Sullivan UK LLP, the latter shall allow the Defendants access to their offices in London to view any and all hard copy documents delivered to the Claimants pursuant to the Order. Such access shall only be permitted on business days, at times to be agreed and on the Defendants providing 24 hours' notice.
3. The Defendants shall have 28 days from the date of this Order to purge their contempt of Court by complying with the Order.
4. Within 14 days of the date of this Order, the Defendants are jointly and severally liable to pay the Claimants' costs of this application, assessed summarily in the sum of £72,500.

