



**HM Courts
& Tribunals
Service**

Eversheds Sutherland (International) LLP
1 Callaghan Square
Cardiff
CF10 5BT
DX 33016 CARDIFF

**HM Courts & Tribunals Service
The County Court at Scarborough
Scarborough Justice Centre
The Law Courts
Northway
Scarborough
YO12 7AE**

DX 65140 SCARBOROUGH 2

**T 01723 505000
F 01264 785001**

www.gov.uk

Your ref: CADDYL/209964.000140

Dear Sir

13 March 2017

Re: Case Number: 4PA41550 Bank Of Scotland Plc v Paul Michael

I enclose a copy of a draft order from the hearing on the 9th March 2017 and in particular the bracketed bold items in paragraphs 3 and 5.

His Honour Judge Raeside QC has directed that both parties advise the court whether these items are agreed and the terms of agreement. If they are not agreed then written submissions should be made to the court no later than 4:30pm on Friday 17th March 2017. The Judge will then make a decision on these outstanding matters.

Yours faithfully,

Mr Bobby Brown
Chancery Section
Ext 2461

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION

Claim No 4PA41550

LEEDS DISTRICT REGISTRY

HIS HONOUR JUDGE RAESIDE QC

9th March 2017

BETWEEN:

BANK OF SCOTLAND PLC

Claimant

and

(1) PAUL MICHAELS

(2) CHARLOTTE MICHAELS

Defendants

DRAFT ORDER

UPON the trial of the Claim and Counterclaim

AND UPON hearing Counsel for the Claimant and the Defendants in person

IT IS ORDERED that:

1. This action shall be transferred from the County Court to the Chancery Division of the High Court.
2. The Defendants do give the Claimant possession of the property known as Low Newbiggin House, Aislaby, Whitby, YO21 1TQ registered at HM Land Registry under Title Number NYK256562 by 4pm on 6th April 2017.
3. The Defendants do pay to the Claimant the sum of £1,261,074.81. [provision of a date to be agreed or ordered].

4. Any application to the trial judge for permission to appeal under CPR r.52.3(2)(a) shall be made on notice to all parties not more than seven days after the approval by HHJ Mark Raeside QC of a transcript of his ex tempore judgment, and for the purposes of such an application this hearing stands adjourned pursuant to Practice Direction 52A paragraph 4.1(a)
5. **[Provision for costs to be agreed or ordered].**