

**IN THE HIGH COURT OF JUSTICE**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**BUSINESS LIST (ChD)**

**Before: HHJ PARFITT sitting as a Deputy Judge of the Chancery**

**Division**

**8<sup>th</sup> July 2020**

**Claim No: BL-2020-00856**

**BETWEEN:**

**LENDY LTD (IN ADMINISTRATION)**

**Claimant**

**-and-**

**(1) LIAM BROOKE  
(2) TIM GORDON  
(3) LP ALHAMBRA LIMITED  
(4) RFP HOLDINGS LIMITED**

**Defendants**

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**CONSENT ORDER**

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**UPON READING** the proprietary and worldwide freezing injunction granted by Mr Justice Zacaroli on 2 June 2020, as amended under CPR r40.12 on 4 June 2020 and as subsequently varied by correspondence (“**the Zacaroli Order**”)

**AND UPON** the application of the Claimant dated 4 June 2020 for the continuation of the Zacaroli Order (“**the Application**”)



**AND UPON** this claim (BL-2020-000856) being commenced by way of Part 7 claim form issued on 3 June 2020 ("**the Claim**")

**WHEREAS** the parties agreed to the listing of the return date for a date in the period 8-9 July 2020

**AND WHEREAS** the First and Second Defendants accept that, for the purpose of the Zacaroli Order and the Application, the Claimant has a good arguable case on the merits and can demonstrate a real risk of dissipation of assets against them

**AND WHEREAS** the parties agree that the Defendants retain their right (upon the expiry of the stay referred to below): (i) to argue that the Claimant breached its duty of full and frank disclosure in obtaining the Zacaroli Order; (ii) to apply to vary or discharge the Zacaroli Order as continued below on existing grounds, rather than changed circumstances (other than such admissions as they have made in the preceding recital); and (iii) to apply to fortify the Claimant's cross-undertaking.

**IT IS ORDERED BY CONSENT THAT:**

1. The return date hearing listed for a date in the period 8-9 July 2020 be vacated.
2. The Zacaroli Order be continued until trial or further Order of the Court.
3. The Claim be stayed until 4pm on Wednesday 30 September 2020.
4. For the avoidance of doubt, the stay in paragraph 3 hereof shall not restrict or prevent the Claimant from taking steps to enforce compliance with the Zacaroli Order or seeking any other interim relief should that be deemed necessary.
5. Any party has the right to apply to lift or vary the stay. Save for good reason, any such application should be on 28 days' notice.
6. Costs reserved.

