



Claim Number PT-2023-001126

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURT OF ENGLAND AND WALES
PROPERTY, TRUST AND PROBATE LIST (Ch.D)

PT-2023-001126

IN THE MATTER OF HARTLEY PENSIONS LIMITED (REGISTERED NUMBER
09469576)

22 January 2024

Before the Honourable Mr Justice Richards

B E T W E E N:

(1) HARTLEY PENSIONS LIMITED (IN ADMINISTRATION)
(2) PETER KUBIK AND BRIAN JOHNSON
(as Joint Administrators of the First Applicant)

Claimants / Applicants

- and -

(1) IAN WILLIAMS
(2) DAVID GRIFFITHS
(3) IRENE COE
(4) JOHN ALEXANDER WARD
(5) MARC NASH

Defendants /

Original Proposed Representative Respondents

ORDER

UPON THE PART 8 CLAIM made by Hartley Pensions Limited (in administration) (“**HPL**”), Peter Kubik (as Joint Administrator of the First Applicant) and Brian Johnson (as Joint Administrator of the First Applicant) (together, the “**Applicants**”),

AND UPON HEARING Adam Al-Attar for the Applicants; George Rowell for the original proposed Representative Respondents; Kate Rogers for the new proposed Representative

Respondents; and Peter Arden KC for RL360 Insurance Company Limited and Ardan International Limited,

AND UPON READING the Part 8 Claim and the evidence filed,

AND UPON ADOPTING the defined terms in the Part 8 Claim,

IT IS ORDERED THAT:

1. The following applications shall be listed for a one-day hearing on an expedited basis in a three-day window between 5 and 7 February 2024:
 - (1) the Claimants' application dated 22 December 2023 for the appointment of the original proposed representative respondents (and associated relief);
 - (2) the Claimants' application dated 18 January 2024 for the appointment of the new proposed representative respondents (and associated relief);
 - (3) the original proposed representative respondents' application dated 5 January 2024 for additional time to file evidence (should they be appointed representative respondents);
 - (4) Any application by RL360 Insurance Company Limited and/or Ardan International Limited (a) for permission to be joined to the Part 8 Claim or (b) for permission to issue the application referred to in (a) and for that application and the application referred to in (a) to be dealt with on a rolled-up basis.
2. Any evidence in answer to the above applications shall be filed and served by 4pm on the date three clear days in advance of the hearing fixed under paragraph 1.
3. Skeleton arguments in reference to the above applications are to be filed and exchanged by 4pm on the date one clear day in advance of the hearing fixed under paragraph 1.
4. The Part 8 Claim will remain set down for a hearing with a time estimate of 2 days floating in a three-day window commencing on 29 February 2024, with ½ a day's judicial reading time in addition.
5. Pursuant to CPR 64.4(1)(a), the following trustee companies of the SIPPs shall be joined as respondents to the Part 8 Claim:

- (1) Hartley Pensions Trustees Limited with Company No: 09962237 (active);
- (2) GAM Trustees Limited with Company no: 02696375 (active);
- (3) Guardian Pension Trustees Limited with Company No: 05374675 (active);
- (4) Berkeley, Burke Trustee Company Limited with Company no: 01382326 (active);
- (5) Berkeley Durant Limited with Company No: 12198650 (active);
- (6) Guinness Mahon Trust Corporation Limited with Company no: 00224158 (in creditors voluntary liquidation); and
- (7) The SIPP Trustee Company Limited with Company no: 06516900 (in members voluntary liquidation).

6. Costs reserved.