

B E T W E E N:

MAHIM KHAN

APPLICANT/CLAIMANT

AND

ALKIVIADES DAVID (also known as ALKI DAVID)

RESPONDENT/DEFENDANT

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SUPPLEMENTARY BUNDLE FOR THIRD PARTY DEBT ORDER HEARING ON 24 FEBRUARY 2026  
AT 10:30AM BEFORE SENIOR MASTER COOK

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From: Ajay Fournillier  
Sent: 07 January 2026 19:49  
To: civilappeals.cmsB@justice.gov.uk  
Cc: legal@swissx.com; 'alki@filmon.com'; Alki David; Rebecca Hume; Boniswa Dzere  
Subject: 2026.01.07 - Letter HK to Civil Appeals Office.pdf [FSI-FSI.FID5103707]  
Attachments: 2026.01.07 - Letter HK to Civil Appeals Office.pdf; Enclosure 1 - Emails from AD at 1658 and 1713.pdf; Enclosure 2 - (Contempt Judgment) Mahim Khan v Alkiviades David 2025 EWHC 3041 (KB).pdf; Enclosure 3 - 2026.01.06 - Letter HK to Civil Appeals Office.pdf; Enclosure 4 - Enc to letter to Civil Appeals Office dated 06.01.2026 - (Emails from AD) [paginated].pdf

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Dear Civil Appeals Office

Please see attached letter and enclosures referred to therein which we have filed by way of CE file on behalf of the Respondent, Mahim Khan.

We should be grateful if you would acknowledge receipt of this email.

Please kindly note that the Appellant, Mr David, is copied to this email for completeness.

Yours faithfully

**Howard Kennedy LLP**

**Ajay Fournillier**

Associate | Howard Kennedy LLP

t: +44 (0)20 3755 5639

ajay.fournillier@howardkenedy.com

[Stay in touch](#)

Civil Appeals Office  
Room E307, Royal Courts of Justice  
Strand  
London  
WC2A 2LL

Our ref 061514.00004  
Doc ref 66901354.2

**By CE File and by email**

E: civilappeals.cmsB@justice.gov.uk

Dear Civil Appeals Office

7 January 2026

**Alkiviades David ("Appellant") v Mahim Khan ("Respondent")  
CA-2025-002562**

1. We refer to the above appeal in which we act for Mahim Khan, the Respondent. For completeness, the Appellant is copied to this correspondence using his three email addresses provided for service in the proceedings brought against the Appellant by the Respondent in case number KB-2025-001991.
2. This letter is intended to supplement our letter filed with the court yesterday, 6 January 2026, by CE File (at 15:53) and email (at 16:08), a copy of which is enclosed for ease of reference together with its enclosure ("**6 January Letter**").
3. **SUBSEQUENT CORRESPONDENCE WITH THE APPELLANT**
  - 3.1 The Appellant provided two responses to our email filing the same day with the Civil Appeals Office in copy, timed at 16:58 and 17:13 ("**First Email**" and "**Second Email**", respectively). Copies of the emails are enclosed:
    - 3.1.1 **First Email:** The Appellant purports to have filed his Notice of Appeal in an email dated 16 October 2025. "*Copies of my Notice of Appeal and related correspondence were emailed to the Court with the Respondent's solicitors copied from 16 October 2025 onwards*" (see PDF page 1 of Enclosure 1).
    - 3.1.2 **Second Email:** The Appellant states that in his email to the court dated 23 December 2025 to which we were copied that his Skeleton Argument had been filed and that he had asked the court if any further steps were required. "*I have located contemporaneous correspondence dated 23 December 2025, addressed to the Civil Appeals Office and copied to the Respondent's solicitors (Howard Kennedy LLP), in*



*which the appeal number (CA-2025-002562) was expressly stated, I confirmed that my Skeleton Argument had been prepared and lodged, and I invited the Court to inform me if any further procedural steps were required. That correspondence demonstrates that the Respondent's solicitors had actual notice of the appeal, the appeal number, and the status of the Skeleton Argument at that time" (see PDF page 3 of Enclosure 1).*

4. **NON-COMPLIANCE OF DIRECTIONS BY THE APPELLANT**

4.1 As to the First Email, our understanding is that the Appellant is referring to his email on 16 October 2025 timed at 16:21 hours, which in the body of the email purports to include his Notice of Appeal. We confirm that this email is referred to at paragraph 3.6 of our 6 January Letter, and a copy of the same is included at pages 1 to 3 of the enclosure to our 6 January Letter.

4.2 In addition to what we say at paragraph 3.6 of our 6 January Letter:

4.2.1 The purported Notice of Appeal is not in the prescribed form, namely an Appellant's Notice (Form N161).

4.2.2 Whilst the purported Notice of Appeal sets out six grounds of appeal (*see pages 1-2 of the enclosure to our 6 January Letter*), the grounds relied upon do not comply with the requirements set out in paragraph 5(1) of Practice Direction 52C, which provides that:

*"5(1) The grounds of appeal must identify as concisely as possible the respects in which the judgment of the court below is –*

*(a) wrong; or*

*(b) unjust because of a serious procedural or other irregularity,*

*as required by rule 52.21(3)."*

4.2.3 The grounds of appeal set out in the Appellant's email of 16 October 2025 timed at 16:21 do not refer to any aspect of the judgment handed down by Mrs Justice Stacey on 16 October 2025 in which the Appellant was found to be in contempt of court ("**Contempt Judgment**"), by setting out the parts which are wrong or unjust because of a serious procedural or other irregularity. We enclose a copy of the Contempt Judgment with this letter as a standalone PDF (*at Enclosure 2*) in case a copy has not already been provided by the Appellant to the court

4.3 As to the Second Email, we confirm that we have not been copied to any correspondence to the court dated 23 December 2025. We believe the Appellant may be referring to his email to the court dated 24 December 2025 and timed at 02:21, in which he states that his Skeleton Argument was filed on 23 December 2025, which we deal with at paragraphs 3.6 and 3.6.2 of the 6 January Letter. A copy of that email is enclosed with the 6 January Letter at page 23. In addition, despite the 6 January Letter making clear that the Respondent has not been served with the Skeleton Argument, rather than serving it now (albeit late), the Appellant has chosen not to do so.

5. **THE RESPONDENT'S POSITION**

5.1 For the reasons set out above, the Respondent's position as set out in the 6 January Letter remains the same.

5.2 Without prejudice to that position, if the Court is minded to take the view that the Appellant's email of 16 October 2025 and timed at 16:21 (which sets out in the body of the email a purported Notice of Appeal and his grounds of appeal) amounts to service of an Appellant's Notice (which is not accepted) the Respondent does not consider any of the six grounds of appeal to meet the requirements of CPR Rule 52.21(3) and paragraph 5.1 of Practice Direction 52C, for the reasons explained above, and invites the Court to strike them out of its own volition for being non-compliant with the rules and an abuse of process.

6. **NEXT STEPS**

6.1 We would be grateful if this correspondence and all enclosures could be placed before the Court of Appeal for urgent consideration, bearing in mind the appeal purports to date back to 16 October 2025, and recorded on the court file.

6.2 We would be grateful if you could acknowledge safe receipt to the following email addresses:

Rebecca.Hume@howardkennedy.com;  
Ajay.Fournillier@howardkennedy.com; and  
Boniswa.Dzere@howardkennedy.com.

6.3 We look forward to hearing from you.

Yours faithfully



Howard Kennedy LLP  
T: +44 (0)20 3755 5639  
M: +44 (0)7384 259 689  
ajay.fournillier@howardkennedy.com

- Encs:**
1. First Email and Second Email;
  2. Contempt Judgment;
  3. 6 January Letter; and
  4. Enclosures to 6 January Letter.

## Ajay Fournillier

---

**From:** Alki David <filmonpersonal@gmail.com>  
**Sent:** 06 January 2026 16:58  
**To:** Ajay Fournillier  
**Cc:** civilappeals.cmsB@justice.gov.uk; legal@swissx.com; Rebecca Hume; Boniswa Dzere  
**Subject:** Re: Filing - CA-2025-002562 - Alki David (Appellant) v Mahim Khan (Respondent) - our ref: 061514.00004 [FSI-FSI.FID5103707]

**Subject:** CA-2025-002562 – Consolidated procedural clarification (for record)

Dear Civil Appeals Office,

For completeness and to assist the Court, I provide the following consolidated procedural clarification.

I am a **disabled litigant in person**. I asked the Court whether the steps I had taken completed the appeal record, including service, and I was **told that they did**. I was **not informed** that any further or alternative service step was required, and I acted in **good-faith reliance** on that guidance.

Copies of my Notice of Appeal and related correspondence were **emailed to the Court with the Respondent's solicitors copied** from **16 October 2025** onwards. **Evidence already before the Court** shows that service was attempted on more than one occasion and **ultimately effected**, and that the Respondents had **actual notice**. The Court has not yet been expressly alerted to that material in the context of recent correspondence raising service issues.

By way of chronology, **Howard Kennedy LLP were first named and served** in related proceedings in **Antigua and Barbuda**. **No response or appearance** has been entered there, and I am **awaiting the Antigua court's determination**, with a **judgment date of 16 January**. This is noted solely for context; I do not invite this Court to determine any Antigua issue.

Finally, related matters are **under review by the SRA** and have also been **referred to the NCA**. The Court has requested updates regarding the SRA position, and I have **repeatedly complied** by providing them.

This clarification is provided only to ensure the **procedural record is complete**. If the Court considers any further step necessary to regularise the record, I am ready to comply immediately.

Kind regards,

**Alkiviades David**

Appellant (Litigant in Person)

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On Tue, Jan 6, 2026 at 8:08 AM Ajay Fournillier <[Ajay.Fournillier@howardkennedy.com](mailto:Ajay.Fournillier@howardkennedy.com)> wrote:

Dear Civil Appeals Office


Please see attached letter and enclosure which we have filed this afternoon by way of CE file on behalf of the Respondent, Mahim Khan.

We should be grateful if you would acknowledge receipt of this email.

Please kindly note that the Appellant, Mr David, is copied to this email for completeness.

Yours faithfully

**Howard Kennedy LLP**

**Ajay Fournillier**  
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Howard Kennedy/Howard Kennedy Corporate Services LLP will not change bank details during the course of this matter. If during the course of this matter you receive an email or telephone call purporting to be from us informing you that our bank details have changed, it is likely to be an attempted fraud. Please contact us

## Ajay Fournillier

---

**From:** Alki David <filmonpersonal@gmail.com>  
**Sent:** 06 January 2026 17:13  
**To:** Ajay Fournillier  
**Cc:** civilappeals.cmsB@justice.gov.uk; legal@swissx.com; Rebecca Hume; Boniswa Dzere  
**Subject:** Re: Filing - CA-2025-002562 - Alki David (Appellant) v Mahim Khan (Respondent) - our ref: 061514.00004 [FSI-FSI.FID5103707]

Dear Civil Appeals Office,

Further to my email sent earlier today, I write to provide two brief factual clarifications for the record.

First, I have located contemporaneous correspondence dated **23 December 2025**, addressed to the Civil Appeals Office and **copied to the Respondent's solicitors (Howard Kennedy LLP)**, in which the **appeal number (CA-2025-002562)** was expressly stated, I confirmed that my **Skeleton Argument had been prepared and lodged**, and I **invited the Court to inform me** if any further procedural steps were required. That correspondence demonstrates that the Respondent's solicitors had **actual notice** of the appeal, the appeal number, and the status of the Skeleton Argument at that time.

Second, I am a **disabled litigant in person**. At the relevant time, I **asked the Court whether the steps I had taken completed the appeal record**, including service. I was **told that they did**, and I was **not informed** that any additional or alternative form of service was required. I therefore acted in **good faith and reasonable reliance** on the Court's guidance.

This update is provided **solely to ensure the procedural record is complete and accurate**, and not by way of submission on the merits. If the Court considers that any further step is required following this clarification, I remain ready to comply immediately.

Yours faithfully,

Alkiviades David  
Appellant (Litigant in Person)

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**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**

Royal Courts of Justice  
Strand  
London WC2A 2LL

Thursday, 16 October 2025

BEFORE:  
**MRS JUSTICE STACEY DBE**

BETWEEN:

-----  
**MAHIM KHAN**

Claimant

- and -

**ALKIVIADES DAVID**

Defendant

-----  
**MS H STONEFROST** (instructed by Howard Kennedy LLP) appeared on behalf of the  
Claimant  
**MR A DAVID** appeared in person

-----  
**JUDGMENT**  
(Approved)

-----  
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**MRS JUSTICE STACEY DBE:**

1. This matter comes before the court on the claimant's contempt application against the defendant for the breach of two court orders. The case was previously listed for 9 October 2025 before me when I adjourned the application for today's date since although the defendant had confirmed receipt of the notice of hearing by email, there was no order in force permitting alternative service by email.
2. On 9 October 2025 I granted the claimant's application for substituted service to the three email addresses that had been provided by the defendant which he had previously requested be used to effect service on him. I also ordered that the steps already taken to bring the notice of the hearing to the defendant's attention by the alternative method of service at or to the three email addresses provided by him, was good service under Civil Procedure Rule 16.15(2). In other words, the order had retrospective effect to validate the earlier service by email and I was satisfied that that amounted to good service.
3. The claimant is seeking to enforce in England and Wales a judgment and an order made in proceedings brought by the claimant against the defendant and a number of his companies which was made in the United States of America under Californian law in a judgment debt dated 21 January 2020. I am aware that Mr David disputes the validity of that judgment but it nonetheless remains that the judgment is in force and has not been successfully appealed in that jurisdiction.
4. On 9 May 2025, the claimant filed a without notice application seeking a freezing order over Mr David's bank accounts and an order appointing receivers over his property at 4 Wilton Place, SW1 in London ("the Property"). On 15 May 2025 the claimant issued a claim form for the purpose of enforcing the debt owed by Mr David to her in this jurisdiction. On 26 June 2025 Calver J made a without notice freezing injunction in respect of the bank accounts ("the First Freezing Order"). This order required Mr David to disclose to Ms Khan's solicitors Howard Kennedy LLP including by way of affidavit, information and details relating to his finances. Specifically, clause 9 provided as follows:

"9. (1) Unless paragraph (2) applies, the Respondent must by 1:00pm on Monday 30 June 2025 and to the best of his ability:

- (a) Inform the applicant's solicitors of all his assets in England and Wales exceeding £20,000 in value, whether in his own name or not and whether solely or jointly owned, giving the value, location and details of all such assets.
- (b) Exhibit bank statements for each of the bank accounts listed in paragraph 7 above, as well as any other bank accounts in his name or to which he has access in England and Wales from 1 January 2024 to the date on which this order is served on him and, to the extent that that is not apparent from those statements, the name of the account holders of those bank accounts.
- (c) Provide brief details of the source of funds for each of the accounts listed in paragraph 7. "

5. The order required Mr David to provide this information in the form of an affidavit within 10 days of being served with the First Freezing Order to the best of his ability (clause 10). The First Freezing Order was served by hand at each of the defendant's three London addresses known to the claimant. Mr David was not personally present at any of those addresses at the time insofar as the claimant was aware but the orders were handed to staff, personnel or through the letterbox onto the doormat at each of those properties. Hard copies were also served by first class post.
6. In each case, service of the First Freezing Order was accompanied by a letter from Howard Kennedy date 27 June 2025 which explained the claim, the orders and the need for Mr David to comply with the terms of the First Freezing Order. The letter also referred to the penal notice and recommended that Mr David take independent legal advice. The penal notice was on the front page in bold and capital letters.
7. Mr David replied on 1 July 2025 and in his communications provided two email addresses, a UK mobile telephone number and included an address which was that of the Property, which was also one of the service addresses. The defendant or someone calling on his behalf from his mobile phone also left a voicemail message with Howard Kennedy.
8. At the "on notice return date" on 3 July 2025, (meaning the date on which the application was returning to court), this time with notice having been given to the defendant so that he too could participate and attend, unlike at the without notice

hearing, Mr David did not personally appear. Solicitors attended at his request, but they were not formally instructed by him to represent him, so could therefore not accept service of any proceedings or documents.

9. Paragraphs 9 and 10 of the First Freezing Order was continued by Freedman J in the same terms as first granted in the same terms as previously set out above. Freedman J expressly set out and repeated paragraphs 9 and 10 of the First Freezing Order, in his order of 3 July 2025 (“the Second Freezing Order”) with the same paragraph numbers. The Second Freezing Order also made clear that there was no variation or discharge and that the terms of the First Freezing Order remained in full effect and force (paragraph 8).
10. A receivership order was also obtained for the Property, the details of which are not relevant for the purposes of the issues before me today. The receivership order also had a penal notice. There was service of the Second Freezing Order by the same method as the First Freezing Order and it was also served at the email addresses provided by the defendant. The claimant's position is that there has been no compliance by the defendant with paragraphs 9 and 10 of the First Freezing Order or the Second Freezing Order and seek a finding that Mr David is in contempt of court and for on a future occasion, a committal hearing to take place.
11. The contempt application was issued on 23 July 2025 with a return date of just 2 days later on 25 July 2025. This was heard by Cotter J and on that occasion, Mr David attended in Court 11 in person. The hearing lasted from 10.30 am to 3.30 pm and I have been provided with a transcript of the full hearing. Cotter J adjourned the contempt application hearing and made a number of orders (“the Cotter J Order”). Those relevant to this application are paragraphs 1, 2 and 11. Paragraph 1 provides that:

“1. The contempt application shall be adjourned to a case management conference referred to at paragraph 11 below, provided that the respondent [Mr David] must:

- (a) Provide the information ordered at paragraph 9 of the Freezing Orders [defined as the First and Second Freezing Orders] to the

applicant's solicitors [Howard Kennedy LLP] by no later than 4 pm on 28 July 2025; and

(b) Swear and serve on the applicant's solicitors an affidavit setting out the information provided pursuant to paragraph 9 of the Freezing Orders to the best of his ability by no later than 4 pm on 1 August 2025."

12. Paragraph 2 then provides that:

"In the event that the respondent fails to provide the information ordered at paragraphs 1(a) and or 1(b) by the dates set out in those paragraphs, the applicant [that is a reference to Ms Khan] shall have liberty to apply to the court to list the contempt application to be heard on an urgent basis prior to the hearing of the case management conference referred to at paragraph 11."

13. Paragraph 11 states that the claim shall be reserved for case management by Cotter J and the case management conference to be listed on a date to be fixed with a time estimate of one day.

14. It is common ground that the defendant did not comply with strict the terms of the order on the dates required by paragraph 1 of the Cotter J Order and the defendant applied for the matter to be re-listed on an urgent basis in accordance with paragraph 2 of that order. It was given a return date of 9 October 2025 which takes us to the date when I first heard this application.

15. It is therefore evident from that chronology that I have set out, that there is no impropriety in Cotter J not hearing the contempt application and there is nothing wrong with the case management conference not having already taken place because as is made clear in those paragraphs 1, 2 and 11, the case management conference and Cotter J's case management and reservation of the matter to himself falls away in the light of the noncompliance by Mr David of paragraph 1(a) and 1(b) of the Cotter J Order.

16. Mr David states that he has provided the information in correspondence but no affidavit has been sworn and filed in these proceedings and no bank account details

have been provided beyond a screenshot from a mobile phone of one Revolut bank account which had in it at that time £54,000.

17. The defendant resists the contempt application. He initially disputed valid service and in any event considers that he is not in breach as he has provided the information sought, but if he is in breach it is only in the most technical of ways because he has sought to be transparent and open at all times in his proceedings with the defendant. He has not raised a lack of ability to comply and he has not raised any unintentionality in non-compliance. He has raised a number of other points in correspondence. The first I have already dealt with: the alleged procedural impropriety of this application not being heard by Cotter J. For the reasons explained in the Cotter J Order, there is nothing improper about this application going ahead without a case management conference first having been heard, or the application being heard by a judge other than Cotter J. The case management conference was contingent on the defendant having complied with paragraphs 9 and 10 of the First and Second Freezing Orders which he did not do.
18. Secondly, he raises concerns about his disability, the Equality Act 2010 and the Equal Treatment Bench Book and draws attention to the fact that Cotter J accepted that he was disabled and that reasonable adjustments may need to be made. I have confirmed with Mr David this afternoon that he has understood and been able to follow proceedings and participate as fully as possible and I have complied with Civil Procedure Rule 3.1(a) in treating him as a vulnerable litigant out of an abundance of caution. If I could perhaps reassure Mr David that describing him as vulnerable is not meant in any sense in a patronising or disrespectful way but to make sure that he is provided with all procedural protection as a litigant in person with the disability that he has set out in some of the correspondence.
19. The third concern that Mr David has raised is the role of the claimant's solicitors and the fact that he says that they have been involved in litigation in a number of other cases against him and he considers them to be part of a wider conspiracy to undermine and belittle him since he has played the role of something of a whistleblower about malpractices in Hollywood. I have considered carefully his submissions but the issues before me are narrow and do not concern any wider allegations that Mr David might

have. This case before me is very simply about whether or not Mr David knew about the First Freezing Order and the Second Freezing Order, could comply with them, whether he deliberately failed to comply with them and whether I can be sure that he is in contempt of the order. Whether or not there is a conspiracy by powerful people in Hollywood to discredit him is not relevant to the issues I have to decide.

20. A further matter has been raised of fabricated evidence against him in other of the cases against him. Those other cases are outside the scope of this application. I have looked with a very keen at all the evidence filed in relation to the application before me and there is nothing in any of that which would give any suggestion that any of it has been fabricated in the sense of made up or fraudulent and no evidence has been filed by Mr David in support of that allegation.
21. In recent correspondence, other matters have been raised by Mr David. Firstly, he refers to a role he has in Antigua and Barbuda with ambassadorial status but no evidence has been served that would support that assertion.
22. Mr David has emphasised the unfairness and the injustice to him that has resulted from the various judgments that have been made against him. are also outside the scope of the matters before me. But my role is not to act as an appellate court in those matters but to consider the judgment debt. If there has been any injustice in arriving at any of the judgments, the appeal procedure in those jurisdictions is the route to challenge them. It has been explained by Mr David in a recent email that he lives in an animal sanctuary which is responsible for rescuing some 200 animals that rely on him and the sanctuary itself relies on his philanthropy to continue and that the animal welfare will be jeopardised by his continued loss of funds. It was interesting to read of his laudable involvement but they are not relevant to the issues before me to determine.
23. There is a further strand of concern raised by Mr David which is the role of Cotter J and his High Court Judge's clerk, again which bear no relation to the issues for determination before me.
24. As I explained during the course of the hearing to Mr David I have to be sure to the criminal standard that the claimant has proved to me that he is in breach of paragraphs

9 and 10 of the First Freezing Order and the Second Freezing Order, that the failure is deliberate, and that he has the ability to perform the mandatory order. The evidence which I have had before me consisted of the extensive documentation and correspondence, affidavits from Ajay Fournillier filed on 23 July, 29 July and 29 September (he is a solicitor for the claimant), Bonizwa Dzere 2 July 2025 (a paralegal), the affidavit of Russell Sargent 2 July 2025 (process server) and the affidavit of Paul Cottee process server 23 July 2025 and 13 August 2025. The defendant was advised of his rights and that he was under no obligation to give any evidence and given the warning against self incrimination. He did not give evidence per se but I received all the information he gave in his submissions and I read the documents he had provided.

25. I find as a fact that the defendant was properly served with the contempt application just outside court 11 in the corridor in the Royal Courts of Justice on the day of the Cotter J hearing on 25 July 2025 at 15.21pm and that he was fully aware of the contents of both the First and Second Freezing Orders including paragraphs 9 and 10. The facts are that the bundle containing the contempt application was given to Mr David physically, just outside court 11, three doors down from the court we are in this afternoon. He briefly took hold of that file before putting it down. Mr David was told the file contained the contempt application which had been discussed in court only shortly before the documents had been handed to him and the contents of the freezing orders was already well known to him. Mr Fournillier, solicitor for the claimant thus served him personally. The fact that Mr David put the file down and chose not to take it with him as he left the court does not invalidate service. In the circumstances, it is clear that personal service of the contempt application on Mr David has been effected in this case. He received it; he was aware of it.
26. I am also satisfied from reading the transcript of the Cotter J hearing, that he understood it and that it was carefully explained to him, not only in the letters from Howard Kennedy but also by Cotter J during the course of that hearing. I am also satisfied to the criminal standard that there has been no formal compliance with the court order, no affidavit has been served, no bank details have been provided beyond the Revolut screenshot and none of Mr David's assets have been explained.

27. Mr David told me today that he had tried to serve an affidavit at court, but having read the court file on CE file there is no evidence of this. Even if there had been an attempt it has not been successfully served and lodged and Howard Kennedy have not have a copy either. He has also said that many of the bank accounts referred to in the Freezing Orders were closed long before 1 January 2024 and it was only the Revolut account that remained open, but he has not provided an affidavit as required to say that. He had said that he would provide information to the court in the correct format on 25 July 2025 but he has failed to do so. Today during the course of this hearing, I gave Mr David an opportunity to ask for time in order to comply with the order and he did not take me up on that offer. He has therefore had very many opportunities to comply with the order about which he knows all about and not done so.
28. In terms of the Equality Act 2010 and the disability strand. I note that he has referred to having had a brain injury but no medical evidence has been served. Cotter J found that he has capacity. I also have been impressed with the defendant's ability to engage and fully understand the issues being discussed in court and to put his points across. At times he became agitated, but was also able to remain composed at other times. In accordance with the Equal Treatment Bench Book, the reasonable adjustments sought by him have been provided and Mr David has confirmed that no further accommodation was needed for him to effectively participate in these proceedings.
29. In conclusion therefore, the service outside court of the contempt application amounts to good personal service, see *Gorbachev v Guriev* [2019] EWHC 2684 (Comm) at paragraph 27 and *Field v Del Vecchio* [2022] EWHC 1118 (Ch) at paragraphs 14 and 15. The legal test in the *Gorbachev* case was cited and followed in the *Field* case which states:

"(iv) In what has been described as a 'concession to practicality', if the person upon whom service is being attempted will not accept the document, service can be effected either by handing the document to the person ... or by telling the person what the document contains and leaving the document ... with or near the person ...

(v) Knowledge of what the documents contain for this purpose is acquired by it being brought to the intended recipient's attention 'that it is a legal document which requires his attention in connection with proceedings' ...

(vi) 'The focus is on the knowledge of the recipient, not the process by which it is acquired.'

Mr David was told about it. He briefly took hold of the file before choosing to put it down, leaving it outside court.

30. I am satisfied that Mr David knew and understood the contents of both the First and Second Freezing Order and the requirements of paragraphs 9 and 10 in both orders. It is apparent from the correspondence and the transcript of the hearing of 25 July 2025 that he was able to represent himself and participate in the proceedings. I find that he was able to comply and chose not to do so. There has been a deliberate failure to comply for which no acceptable explanation has been provided.
31. I conclude that the matters that Mr David has tried to have raised today, whether deliberately or not, such as the Hollywood conspiracy against him and the other legal claims he faces, distract and obfuscate. He has had legal advice in the background for example Edwin Coe who attended at the return hearing before Freedman J. I will adjourn this matter for a committal hearing.

**Epiq Europe Ltd** hereby certify that the above is an accurate and complete record of the proceedings or part thereof.

Lower Ground, 46 Chancery Lane, London WC2A 1JE

Email: [civil@epiqglobal.co.uk](mailto:civil@epiqglobal.co.uk)

Civil Appeals Office  
Room E307, Royal Courts of Justice  
Strand  
London  
WC2A 2LL

Our ref 061514.00004  
Doc ref 66894284.1

**By CE File and by email:**  
E: civilappeals.cmsB@justice.gov.uk

Dear Civil Appeals Office

6 January 2026

**Alkiviades David ("Appellant") v Mahim Khan ("Respondent")**  
**CA-2025-002562**

1. We refer to the above appeal in which we act for Mahim Khan, the Respondent. For completeness, the Appellant is copied to this correspondence using his three email addresses provided for service in the proceedings brought against the Appellant by the Respondent in case number KB-2025-001991.
2. We refer to the Court's email to the Appellant dated 17 December 2025 and timed at 16:38 hours to which we were copied ("**17 December Email**"). The 17 December Email enclosed, amongst other things, a letter from the Civil Appeals Office dated the same ("**17 December Letter**"). Both the email and letter set out a number of directions which the Appellant was required to comply with by 31 December 2025, which includes but is not limited to, serving the appellant's notice and a copy of your letter and serving an index to the core bundle and any supplementary bundle on the Respondent.

3. **NON-COMPLIANCE OF DIRECTIONS BY THE APPLICANT**

*Appellant's Notice and appeal bundle*

- 3.1 We confirm that, as at the date of this letter, the Applicant has not been served with **any** of the documents which the Applicant was required to serve in accordance with the directions set out in the 17 December Letter, namely:

- 3.1.1 A copy of the Appellant's Notice and a copy of the 17 December Letter (*required pursuant to paragraph 1 if not done so already*). We have received a copy of the 17 December Letter from the Court of Appeal Office because we were copied into the email sending the 17 December Letter with enclosures to the Appellant; and



- 3.1.2 the index to the core bundle and any supplementary bundle by 31 December 2025 (*required pursuant to paragraph 5*).
- 3.2 As to paragraph 3.1.2 above, we confirm that the Appellant has not engaged with this firm with regards to the appeal bundle.

Other directions and Skeleton Argument

- 3.3 In connection with the other directions comprised in the 17 December Letter we have not been copied to any correspondence from the Appellant to the Civil Appeals Office. Consequently, we do not know whether those directions have been complied with.
- 3.4 By way of example, we do not know whether by 31 December 2025 the Appellant filed with the Civil Appeals office a certificate of service and lodged a core bundle of documents (*required pursuant to paragraphs 2 and 4 of the 17 December Letter, respectively*).
- 3.5 Paragraph 6 of the 17 December Letter confirms that the Appellant was required to lodge two copies of his skeleton argument by 16 December 2025 and refers to paragraph 4 below<sup>1</sup> which sets out the requirements for the skeleton argument<sup>2</sup>. We note that the directions in the 17 December Email invite the Respondent to file submissions (if any) under paragraph 19 of CPR Practice Direction 52C, to the application with 14 days of receiving the Appellant's skeleton argument or grounds of appeal, whichever is later.
- 3.6 As at the date of this letter, the Respondent has not been served with the notice of appeal, grounds of appeal or the Appellant's skeleton argument. We first became aware of the appeal when we received an email which was addressed to this firm as well as the Court of Appeal dated 16 October 2025 timed at 16:21 which purports to include a notice of appeal within the body of the email itself. We have also been copied into a number of emails to the Court of Appeal. A copy of the email dated 16 October 2025 together with copies of other emails which appear to relate to the Appellant's appeal are enclosed with this letter for your information. Those emails include an email which states that the Appellant purportedly filed a skeleton argument on 23 December 2025:
- 3.6.1 Email dated 26 October 2025 and timed at 16:57 hours: This email purports to be a skeleton argument since the subject is titled "*Re: SKELETON ARGUMENT & SUMMARY OF GROUNDS FOR APPEAL*". There is no skeleton argument or summary of grounds attached to the email, nor does the body of the email contain the same. The email is in any event superseded by the email referred to below (see *pages 21 - 22 of the enclosed emails*).
- 3.6.2 Email dated 24 December 2025 and timed at 02:21 hours: The email states "*For completeness, I confirm that the Appellant's Skeleton Argument in CA-2025-002562 was filed on 23 December 2025. The Appellant's Notice (Form N161) has already been filed and sealed. This email is sent for confirmation only. Parties are copied*" (our underlining) (see *page 23 of the enclosed emails*).

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<sup>1</sup> See 17 December Letter, page 3, paragraph 4.

<sup>2</sup> We assume "16 December 2025" is a typographical error and was intended to refer to "17 December 2025", being the date of the 17 December Letter.

3.7 The second email from the Appellant states that a skeleton argument was filed on 23 December 2024, one week after the filing deadline of 16 December 2025. The Respondent has not been copied to any emails to the court filing the same.

4. **THE RESPONDENT'S POSITION**

4.1 In circumstances where the Respondent has not been served with Appellant's Notice (setting out the grounds of appeal) or the Appellant's Skeleton Argument, the Respondent considers the Appellant's appeal to be out of time.

4.2 Absent receipt of the Appellant's Notice and/or Skeleton Argument, the Respondent is unable to understand the grounds of appeal and is therefore unable (if so advised) to respond to the Notice of Appeal by filing submissions pursuant to paragraph 19 of CPR Practice Direction 52C.

4.3 Accordingly, the Respondent invites the court to dismiss the Respondent's appeal.

5. **NEXT STEPS**

5.1 We kindly request that this correspondence be placed before the Court of Appeal for urgent consideration given the appeal purports to date back to 16 October 2025 and recorded on the court file.

5.2 We should be grateful if you would acknowledge receipt to the following email addresses: Rebecca.Hume@howardkennedy.com; Ajay.Fournillier@howardkennedy.com; and Boniswa.Dzere@howardkennedy.com.

5.3 Please do let us know if we can assist the court further. We look forward to hearing from you.

Yours faithfully



Howard Kennedy LLP  
T: +44 (0)20 3755 5639  
M: +44 (0)7384 259 689  
ajay.fournillier@howardkennedy.com

**Encs:** As above.

## Ajay Fournillier

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**From:** Alki David <filmonpersonal@gmail.com>  
**Sent:** 16 October 2025 16:21  
**To:** civilappeals.registry@justice.gov.uk; KB Judges Listing Office; Power, Benjamin | He/His; Morgan, June Judge Cotter; legalaffairs@ab.gov.ag; Ajay Fournillier; Rebecca Hume; Boniswa Dzere; kb.enquiries@justice.gov.uk; Earley, Phil  
**Subject:** IN THE COURT OF APPEAL (CIVIL DIVISION)  
**Attachments:** EXHIBIT H - A D MEDICAL NOTE\_021123 - final-1.pdf

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**To:** [civilappeals.registry@justice.gov.uk](mailto:civilappeals.registry@justice.gov.uk)  
**Cc (optional):** [Respondent's solicitor email]  
**Subject:** Mahim Khan v Alkiviades David – KB-2025-001991 – Notice of Appeal (16 Oct 2025)

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Dear Registrar,

I write as a self-represented litigant to file my **Notice of Appeal and Grounds of Appeal** in *Mahim Khan v Alkiviades David (KB-2025-001991)*.  
Because I am filing from Antigua & Barbuda, I am embedding the complete text of the appeal in this email rather than attaching a document.

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## NOTICE OF APPEAL

### Decision Appealed

Appeal from the Order of *The Honourable Mrs Justice Stacey* dated **16 October 2025**, which  
(a) reduced the Respondent's costs claim from £160 000 to £80 000; and  
(b) listed a future hearing to consider alleged contempt by the Appellant.

### Overarching Context

The proceedings below form part of a broader pattern of suppression in which the Appellant's evidence—over 400 verified exhibits—was ignored or mis-characterised while misleading statements by opposing counsel went uncorrected. This pattern has silenced material claims and undermined confidence in the administration of justice.

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### Grounds of Appeal

#### 1. **Judicial Failure to Address Material Evidence and Acceptance of False Testimony**

The judgment is unsafe and unsustainable in law, having been reached on an incomplete record corrupted by false witness statements. The Appellant was entitled to have his evidence examined with the same care and diligence that the Court affords to represented parties. By

failing to engage with those documents, the Court breached *Fage UK Ltd v Chobani UK Ltd* [2014] EWCA Civ 5, *Eagil Trust v Pigott-Brown* [1985] 3 All ER 119, and Article 6 ECHR.

2. **Misconduct and Mockery of Disability**

Opposing counsel, Ms Rebecca Hume, mocked the Appellant’s disability, suggesting he had “failed to provide supporting evidence” despite hundreds of exhibits before the Court—conduct that was discriminatory and contrary to the Equality Act 2010 and Article 6 ECHR.

3. **Improper Attempt to Remove Self-Representation**

Ms Hume attempted to bar the Appellant from appearing *pro se*; the Judge rightly refused, but the attempt itself shows obstruction of access to justice.

4. **Contradiction in Respondent’s Costs Claim**

The Respondent’s team called the 400 exhibits “vexatious” yet charged for reviewing them. The Judge asked, “If it was vexatious, why charge for it?” The £80 000 order is therefore irrational under CPR 44.3–44.4.

5. **Jurisdictional Overlap and Abuse of Process**

The same issues are before the Eastern Caribbean Supreme Court (Antigua & Barbuda) and in **parallel appellate proceedings in California** involving identical assets and actors. Ignoring those cases risks conflicting judgments contrary to the principle of comity (*Dicey, Morris & Collins*, 15th ed., Rule 36\*).

6. **Inability to Pay and Disproportionate Financial Burden**

The Judge failed to consider the Appellant’s disability and financial hardship. The £80 000 order is punitive and unpayable, breaching CPR 44.3–44.4, *Halsey v Milton Keynes* [2004] EWCA Civ 576, and Article 6 ECHR.

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## Relief Sought

1. Set aside or reduce the £80 000 costs order to a nominal sum;
2. Stay or vacate the scheduled contempt hearing;
3. Record findings of procedural unfairness, discrimination, and systematic disregard of material evidence; and
4. Award costs of this appeal and such further relief as the Court deems just.

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## Supporting Documents / Exhibits

Exhibits are supplied below in this email thread for ease of reference. They include the High Court Order of 16 Oct 2025, transcript extracts, medical and financial certifications, and certified Antigua and California court filings.

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## Statement of Good Faith

The Appellant affirms that this email constitutes his full Notice and Grounds of Appeal and that all information is true to the best of his knowledge and belief. He seeks equal consideration of his evidence and procedural fairness in accordance with Article 6 ECHR.

Yours faithfully,  
**Alkiviades David**  
(Appellant / Pro Se)  
Antigua & Barbuda  
[legal@swissx.com](mailto:legal@swissx.com)  
16 October 2025

## Ajay Fournillier

---

**From:** Alki David <filmonpersonal@gmail.com>  
**Sent:** 22 October 2025 13:27  
**To:** Earley, Phil; Morgan, June Judge Cotter; Civil Appeals - Registry; international.justice@cps.gov.uk; Rebecca Hume; Ajay Fournillier; Boniswa Dzere; KB Judges Listing Office; legalaffairs@ab.gov.ag; Curtis Weldon; MDD\_BaltimoreClerk@mdd.uscourts.gov; MDD\_GreenbeltClerk@mdd.uscourts.gov; Jenique Joseph  
**Cc:** James Bohm; Ceci Preciado; Cynthia Lopez; Antonia Leseth  
**Subject:** Request for Final Order and Update on Appeal – Alkiviades Andrew David v Mahim Khan & Howard Kennedy LLP

**To:**  
Mr. Philip Early  
Clerk to Mrs Justice Stacey  
High Court of Justice, King’s Bench Division  
Royal Courts of Justice  
Strand, London WC2A 2LL

**Date:** 21 October 2025

**Subject:** Request for Final Order and Update on Appeal – *Alkiviades Andrew David v Mahim Khan & Howard Kennedy LLP*  
(*Appeal No. KB-2025-001991*)

Dear Mr Early,

I write to request, for the record, that a **final sealed order** in the above matter be provided to **both parties** — myself as the Appellant, and the Respondents, Mahim Khan and Howard Kennedy LLP.

This request follows correspondence from the Civil Appeals Office confirming that my appeal is progressing. For clarity and procedural fairness, I respectfully ask that a certified copy of the final order issued by **Mrs Justice Stacey** be circulated to all parties so that the record remains consistent across the parallel jurisdictions now involved.

The **Antigua & Barbuda proceedings (High Court Case No. ANUHCV 2025/0149)** — of which **Mr Justice Cotter and Mrs Justice Stacey are both aware** — remain active, with a **Final Order Hearing scheduled for 29 October 2025 at 9:00 AM** before the Eastern Caribbean Supreme Court. These proceedings are directly interrelated with the issues under appeal, including the handling of verified evidence and the **400 emails previously categorised as “vexatious” by Rebecca Hume**. Those communications have since been authenticated and filed as evidence in both Antigua and the United States.

I also wish to restate my respect for Mrs Justice Stacey and for the integrity of the Court. Her explanation that she was procedurally constrained underscored the seriousness of the situation rather than any lack of concern. In light of the international implications and parallel filings, I trust that the matter will receive appropriate review by the **Crown Prosecution Service (CPS), MI5, and Parliament**, in addition to the **U.S. Department of Justice**, the **Office of Congressman Curt Weldon**, and the competent authorities within **Antigua & Barbuda**, including the **Office of the Prime**

**Minister Hon. Gaston Browne, the Office of the Attorney General Hon. Steadroy “Cutie” Benjamin, and the Office of Justice Rene Williams.**

In addition, copies of this correspondence will be provided to **Sir Barry Paul Cotter** (King’s Bench Division) and **Bohm & Wildish LLP**, who remain apprised of related procedural and evidentiary developments.

Please confirm when the **sealed final order** becomes available for release, and kindly ensure that copies are dispatched to:

- The Appellant (myself)
- The Respondents, Mahim Khan & Howard Kennedy LLP
- The **Crown Prosecution Service (CPS)**
- **MI5** (for record)
- **Parliamentary Oversight Committees**
- The **U.S. Department of Justice**
- The **Office of Congressman Curt Weldon**
- The **Office of the Prime Minister, Hon. Gaston Browne** (Antigua & Barbuda)
- The **Office of the Attorney General, Hon. Steadroy Benjamin** (Antigua & Barbuda)
- The **Office of Justice Rene Williams** (Antigua & Barbuda)
- The **Registrar, Eastern Caribbean Supreme Court** (Antigua & Barbuda)
- **Sir Barry Paul Cotter**, High Court (King’s Bench Division)
- **Bohm & Wildish LLP**

Thank you for your assistance and professionalism. Please also convey my appreciation to Mrs Justice Stacey for her fairness and diligence in maintaining the procedural pathway that now allows these matters to be properly reviewed.

Yours sincerely,

**Alkiviades Andrew David**

Appellant (in person)

SwissX Island, Antigua & Barbuda

**+44 7879 440604**

**legal@swissx.com**

[related press coverage http://www.Shockya.com](http://www.Shockya.com)

**From:** Alki David <filmonpersonal@gmail.com>  
**Sent:** 24 October 2025 11:25  
**To:** Civil Appeals - CMSB; Earley, Phil; Morgan, June Judge Cotter; Ajay Fournillier; Boniswa Dzere; Rebecca Hume; Ceci Preciado; Cynthia Lopez; James Bohm  
**Subject:** Subject: Notice of Procedural Irregularities and Application for Record Correction – KB-2025-001991

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# NOTICE OF PROCEDURAL IRREGULARITIES AND APPLICATION FOR RECORD CORRECTION

**Case:** KB-2025-001991      **Court:** High Court of Justice, King’s Bench Division

**To:** Civil Appeals Office – for inclusion in the appeal record  
**Cc:** Howard Kennedy LLP (for information) | Phil Earley, Justice Clerk

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## 1. Background and Purpose

1. This notice is filed by **Alkiviades A. David**, acting **pro se** and appearing with the knowledge and support of the **Government and Attorney General of Antigua and Barbuda**, in his capacity as **Ambassador-at-Large and Green Economy Diplomat**.
  2. Its purpose is to identify procedural irregularities that, in my submission, have affected fairness in these proceedings and to request that the appeal record be corrected to include omitted or mis-categorised evidence.
- 

## 2. Matters Requiring Correction

### (a) Suppressed Material

3. Approximately 400 emails, affidavits, and supporting documents previously marked “vexatious” form part of the factual matrix of this case. I request that these materials be preserved and reviewed by the Court under CPR r.52.11.

### (b) Disability Accommodations

4. As a recognised disabled litigant, I ask that the Court confirm reasonable adjustments under the **Equality Act 2010** and Part 1 of the **Civil Procedure Rules r.1.1(2)(a)** to ensure equal participation.

### (c) Record of Physical Incident

5. A physical incident involving opposing counsel occurred on 16 October 2025 before Mr Justice

Cotter. The event was recorded by court security officers No. 10 and No. 26 and has been reported to police. I ask that a note of this incident be appended to the procedural record.

**(d) Cross-Border Context**

6. These proceedings overlap factually with related litigation in the United States valued at approximately USD 900 million. Certain questions and tactics in both jurisdictions are identical; preservation of the complete record is necessary to avoid inconsistent findings.

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**3. Legal Basis**

7. Under **CPR r.52.21 and r.52.30**, the Court has authority to consider further evidence where it is in the interests of justice.
  8. Under **CPR r.39.9 and r.5.4C**, the Court may direct that omitted or mis-filed material be added to the record.
  9. Under the **Equality Act 2010 s.29**, the Court must make reasonable adjustments for disabled participants.
- 

**4. Requested Directions**

I respectfully request that the Court:

1. Order that the 400 documents previously deemed “vexatious” be re-catalogued as evidence pending review.
  2. Acknowledge and record the 16 October 2025 incident for completeness.
  3. Confirm that service on Howard Kennedy LLP is proper, given their continuing material relevance to cross-border proceedings.
  4. Direct that reasonable disability accommodations be applied throughout these proceedings.
  5. Permit filing of supplemental exhibits listed in Annex A (summary index attached).
- 

**5. Representation, Public-Interest Standing and Diplomatic Context**

10. I have been recognised as a **citizen of public interest** (see note by Sir Barry Paul Cotter) and act as a **Green-Economy Ambassador for the Government of Antigua and Barbuda**.
  11. The matters raised are of both personal and sovereign importance, reflecting the Government’s independent interest in ensuring transparency and fair treatment of its diplomatic representatives.
- 

**6. Statement of Truth**

I believe that the facts stated in this notice are true.

---

**Respectfully submitted,**

**Alkiviades A. David**

Ambassador-at-Large & Green Economy Diplomat, Government of Antigua & Barbuda  
Founder & CEO, SwissX and Anakando Media Group

 [legal@swissx.com](mailto:legal@swissx.com)

+44 7879 440604

**Digitally signed:** *Alkiviades A. David – Disabled Litigant Acting Pro Se*

[www.ANAKANDO.com](http://www.ANAKANDO.com)

Alki David  
Founder & CEO Anakando Ltd.

Anakando Media Group <http://www.ANAKANDO.com>

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The information contained in this message may be privileged. If you have received this communication in error, please notify me immediately by replying to the message and deleting it from your computer. Thanks!

On Wed, 22 Oct 2025, 10:11 am Civil Appeals - CMSB, <[civilappeals.cmsB@justice.gov.uk](mailto:civilappeals.cmsB@justice.gov.uk)> wrote:

Thank you for your email.

Legal Representatives

Please note that from Monday 14th February 2022 it is now mandatory for professional users to submit all documents (e.g. bundles, skeleton arguments, application notices etc.) via E-Filing.

General correspondence may be sent by email.

CE-File <https://efile.cefile-app.com/login?referer=%2F>

CE-File Information & Support <https://www.gov.uk/guidance/ce-file-system-information-and-support-advice>

This is pursuant to Practice Direction 51O of the CPR and the Practice Note which supplements it.

For Unrepresented Parties only

URGENT applications should be submitted to the court via email to this address: [civilappeals.urgentwork@justice.gov.uk](mailto:civilappeals.urgentwork@justice.gov.uk) between 9am and 4.15 pm

What may be deemed as urgent:

Cases where in the interests of justice a substantive decision is required within 7 days. The types of work listed below fall into this category

- Child cases
- Committal appeals
- Applications for stay of removal
- Evictions

- Cases (including ancillary applications) with a hearing listed in the Court of Appeal within the next month
- Applications for an urgent stay of execution
- Covid-19 related cases e.g., medical guidance regarding priority patients

NON-URGENT applications should be emailed to: [civilappeals.registry@justice.gov.uk](mailto:civilappeals.registry@justice.gov.uk)

This auto response is confirmation that your email has been received, and you will not receive a separate acknowledgement. Staff will follow the internal processes that have been established to process your application as quickly as possible.

All appellant's notices will be accepted in the first instance on the basis that they may be rejected at a later date for want of jurisdiction.

Fresh applications for permission to appeal must include:

- a completed appellant's notice (form N161)
- grounds of appeal on a separate sheet
- The appropriate court fee via your PBA account, a completed Help with Fees form (EX160) or by contacting the RCJ Fees Office on 0203 936 8957 or by emailing [RCJfeespayments@justice.gov.uk](mailto:RCJfeespayments@justice.gov.uk) between the hours of 10:00am and 16:00pm, Monday to Friday (except bank holidays)
- a copy of the sealed order being appealed.

- A transcript of judgment should also be provided if available (or should be ordered immediately)

The public counter at E307 (Registry) remains closed, however a drop box facility is available at the main entrance into the Royal Courts of Justice.

Once the appellant's notice is issued, all queries should be emailed to the appropriate

following addresses:

[Civilappeals.cmsa@justice.gov.uk](mailto:Civilappeals.cmsa@justice.gov.uk)

[Civilappeals.cmsb@justice.gov.uk](mailto:Civilappeals.cmsb@justice.gov.uk)

[Civilappeals.cmssc@justice.gov.uk](mailto:Civilappeals.cmssc@justice.gov.uk)

[Civilappeals.listing@justice.gov.uk](mailto:Civilappeals.listing@justice.gov.uk)

The court will issue orders electronically in the first instance.

You can find contact details for other courts in other jurisdictions at the Courts & Tribunals Finder.

For information on how HMCTS uses personal data about you please see:  
<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

## Customer feedback

The Court of Appeal – Civil Division accepts online complaints through the HMCTS online complaint form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/complaints-procedure>

The online customer feedback system has been designed to help customers make an administrative complaint through the HM Courts & Tribunals Service process. It will also help us to learn from customer feedback to feed into possible improvements to the way we work.

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This is an automated Delivery Response. Please do NOT reply to this email, it will NOT be viewed.

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This e-mail and any attachments is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail. Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail. This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. Monitoring / blocking software may be used, and e-mail content may be read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.

## Ajay Fournillier

---

**From:** Alki David <filmonpersonal@gmail.com>  
**Sent:** 24 October 2025 11:33  
**To:** Civil Appeals - CMSB; Earley, Phil; Morgan, June Judge Cotter; Ajay Fournillier; Boniswa Dzere; Rebecca Hume; Ceci Preciado; Cynthia Lopez; James Bohm  
**Subject:** Re: Subject: Notice of Procedural Irregularities and Application for Record Correction – KB-2025-001991

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### Correction to Notice of Procedural Irregularities (KB-2025-001991)

Dear Civil Appeals Office,

Please note one correction to paragraph 5 of my *Notice of Procedural Irregularities and Application for Record Correction* filed on [date].

The physical incident involving opposing counsel occurred on **25 July 2025**, not 16 October 2025 as originally stated.

All other details remain the same.

Kind regards,

**Alkiviades A. David**

Ambassador-at-Large & Green-Economy Diplomat

 [legal@swissx.com](mailto:legal@swissx.com)

+44 7879 440604

---

### Revised paragraph 5 (for the record)

#### (c) Record of Physical Incident

5. A physical incident involving opposing counsel occurred on **25 July 2025** before Mr Justice Cotter. The event was recorded by court security officers No. 10 and No. 26 and has been reported to police. I ask that a note of this incident be appended to the procedural record.

---

On Fri, 24 Oct 2025, 6:25 am Alki David, <[filmonpersonal@gmail.com](mailto:filmonpersonal@gmail.com)> wrote:

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# NOTICE OF PROCEDURAL IRREGULARITIES AND APPLICATION FOR RECORD CORRECTION

**Case:** KB-2025-001991      **Court:** High Court of Justice, King’s Bench Division

**To:** Civil Appeals Office – for inclusion in the appeal record

**Cc:** Howard Kennedy LLP (for information) | Phil Earley, Justice Clerk

---

## 1. Background and Purpose

1. This notice is filed by **Alkiviades A. David**, acting **pro se** and appearing with the knowledge and support of the **Government and Attorney General of Antigua and Barbuda**, in his capacity as **Ambassador-at-Large and Green Economy Diplomat**.
  2. Its purpose is to identify procedural irregularities that, in my submission, have affected fairness in these proceedings and to request that the appeal record be corrected to include omitted or mis-categorised evidence.
- 

## 2. Matters Requiring Correction

### (a) Suppressed Material

3. Approximately 400 emails, affidavits, and supporting documents previously marked “vexatious” form part of the factual matrix of this case. I request that these materials be preserved and reviewed by the Court under CPR r.52.11.

### (b) Disability Accommodations

4. As a recognised disabled litigant, I ask that the Court confirm reasonable adjustments under the **Equality Act 2010** and Part 1 of the **Civil Procedure Rules r.1.1(2)(a)** to ensure equal participation.

### (c) Record of Physical Incident

5. A physical incident involving opposing counsel occurred on 16 October 2025 before Mr Justice Cotter. The event was recorded by court security officers No. 10 and No. 26 and has been reported to police. I ask that a note of this incident be appended to the procedural record.

### (d) Cross-Border Context

6. These proceedings overlap factually with related litigation in the United States valued at approximately USD 900 million. Certain questions and tactics in both jurisdictions are identical; preservation of the complete record is necessary to avoid inconsistent findings.

---

## 3. Legal Basis

7. Under **CPR r.52.21 and r.52.30**, the Court has authority to consider further evidence where it is in the interests of justice.

8. Under **CPR r.39.9 and r.5.4C**, the Court may direct that omitted or mis-filed material be added to the record.
  9. Under the **Equality Act 2010 s.29**, the Court must make reasonable adjustments for disabled participants.
- 

#### 4. Requested Directions

I respectfully request that the Court:

1. Order that the 400 documents previously deemed “vexatious” be re-catalogued as evidence pending review.
  2. Acknowledge and record the 16 October 2025 incident for completeness.
  3. Confirm that service on Howard Kennedy LLP is proper, given their continuing material relevance to cross-border proceedings.
  4. Direct that reasonable disability accommodations be applied throughout these proceedings.
  5. Permit filing of supplemental exhibits listed in Annex A (summary index attached).
- 

#### 5. Representation, Public-Interest Standing and Diplomatic Context

10. I have been recognised as a **citizen of public interest** (see note by Sir Barry Paul Cotter) and act as a **Green-Economy Ambassador for the Government of Antigua and Barbuda**.
  11. The matters raised are of both personal and sovereign importance, reflecting the Government’s independent interest in ensuring transparency and fair treatment of its diplomatic representatives.
- 

#### 6. Statement of Truth

I believe that the facts stated in this notice are true.

---

**Respectfully submitted,**  
**Alkiviades A. David**

Ambassador-at-Large & Green Economy Diplomat, Government of Antigua & Barbuda  
Founder & CEO, SwissX and Anakando Media Group

 [legal@swissx.com](mailto:legal@swissx.com)

+44 7879 440604

**Digitally signed:** *Alkiviades A. David – Disabled Litigant Acting Pro Se*

[www.ANAKANDO.com](http://www.ANAKANDO.com)

Alki David  
Founder & CEO Anakando Ltd.

Anakando Media Group <http://www.ANAKANDO.com>

some of our great sites & services

<http://www.FilmOn.com>  
<http://www.HologramUSA.com>  
<http://www.ETV.com>  
<http://www.MondoTunes.com>  
<http://www.BattleCam.com>  
<http://www.TVmix.com>  
<http://www.Shockya.com>

The information contained in this message may be privileged. If you have received this communication in error, please notify me immediately by replying to the message and deleting it from your computer. Thanks!

On Wed, 22 Oct 2025, 10:11 am Civil Appeals - CMSB, <[civilappeals.cmsB@justice.gov.uk](mailto:civilappeals.cmsB@justice.gov.uk)> wrote:

Thank you for your email.

Legal Representatives

Please note that from Monday 14th February 2022 it is now mandatory for professional users to submit all documents (e.g. bundles, skeleton arguments, application notices etc.) via E-Filing.

General correspondence may be sent by email.

CE-File <https://efile.cefile-app.com/login?referer=%2F>

CE-File Information & Support <https://www.gov.uk/guidance/ce-file-system-information-and-support-advice>

This is pursuant to Practice Direction 51O of the CPR and the Practice Note which supplements it.

For Unrepresented Parties only

URGENT applications should be submitted to the court via email to this address:  
[civilappeals.urgentwork@justice.gov.uk](mailto:civilappeals.urgentwork@justice.gov.uk) between 9am and 4.15 pm

What may be deemed as urgent:

Cases where in the interests of justice a substantive decision is required within 7 days. The types of work listed below fall into this category

- Child cases
- Committal appeals
- Applications for stay of removal
- Evictions
- Cases (including ancillary applications) with a hearing listed in the Court of Appeal within the next month
- Applications for an urgent stay of execution
- Covid-19 related cases e.g., medical guidance regarding priority patients

NON-URGENT applications should be emailed to: [civilappeals.registry@justice.gov.uk](mailto:civilappeals.registry@justice.gov.uk)

This auto response is confirmation that your email has been received, and you will not receive a separate acknowledgement. Staff will follow the internal processes that have been established to process your application as quickly as possible.

All appellant's notices will be accepted in the first instance on the basis that they may be rejected at a later date for want of jurisdiction.

Fresh applications for permission to appeal must include:

- a completed appellant's notice (form N161)
- grounds of appeal on a separate sheet
- The appropriate court fee via your PBA account, a completed Help with Fees form (EX160) or by contacting the RCJ Fees Office on 0203 936 8957 or by emailing [RCJfeespayers@justice.gov.uk](mailto:RCJfeespayers@justice.gov.uk) between the hours of 10:00am and 16:00pm, Monday to Friday (except bank holidays)
- a copy of the sealed order being appealed.
- A transcript of judgment should also be provided if available (or should be ordered immediately)

The public counter at E307 (Registry) remains closed, however a drop box facility is available at the main entrance into the Royal Courts of Justice.

Once the appellant's notice is issued, all queries should be emailed to the appropriate

following addresses:

[Civilappeals.cmsa@justice.gov.uk](mailto:Civilappeals.cmsa@justice.gov.uk)

[Civilappeals.cmsb@justice.gov.uk](mailto:Civilappeals.cmsb@justice.gov.uk)

[Civilappeals.cmssc@justice.gov.uk](mailto:Civilappeals.cmssc@justice.gov.uk)

[Civilappeals.listing@justice.gov.uk](mailto:Civilappeals.listing@justice.gov.uk)

The court will issue orders electronically in the first instance.

You can find contact details for other courts in other jurisdictions at the Courts & Tribunals Finder.

For information on how HMCTS uses personal data about you please see:

<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Customer feedback

The Court of Appeal – Civil Division accepts online complaints through the HMCTS online complaint form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/complaints-procedure>

The online customer feedback system has been designed to help customers make an administrative complaint through the HM Courts & Tribunals Service process. It will also help us to learn from customer feedback to feed into possible improvements to the way we work.

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This is an automated Delivery Response. Please do NOT reply to this email, it will NOT be viewed.

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## Ajay Fournillier

---

**From:** Alki David <filmonpersonal@gmail.com>  
**Sent:** 26 October 2025 16:57  
**To:** Civil Appeals - Registry; Earley, Phil; Power, Benjamin | He/His; Morgan, June Judge Cotter; queens.bench@justice.gov.uk; Ajay Fournillier; Rebecca Hume; Boniswa Dzere; Jessica Green; civilappeals.cmsa@justice.gov.uk  
**Cc:** James Bohm; Ceci Preciado; Cynthia Lopez; gallred@amglaw.com; Gary@dordicklaw.com; dustin@dordicklaw.com; Report@sra.org.uk; international.justice@cps.gov.uk; scott.dumpleton@met.police.uk; Caleb.Pinkham@met.police.uk; Curtis Weldon; Alan Dershowitz; MDD\_BaltimoreClerk@mdd.uscourts.gov; MDD\_GreenbeltClerk@mdd.uscourts.gov; Jenique Joseph; legalaffairs@ab.gov.ag; Kent Legal  
**Subject:** Re: SKELETON ARGUMENT & SUMMARY OF GROUNDS FOR APPEAL  
**Attachments:** Screenshot 2025-10-26 at 09-46-08 patel bondi - Google Search.png

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**To:** [civilappeals.registry@justice.gov.uk](mailto:civilappeals.registry@justice.gov.uk)

**Subject:** Public-Interest Reference – Shockya Publication Reflecting Filed Evidence (Case No. KB-2025-001991)

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Dear Registrar,

I write as the Appellant, appearing pro se, in **Case No. KB-2025-001991**.

For the Court's information, the independent investigative outlet [Shockya.com](https://www.shockya.com) published on **26 October 2025** an article titled "*Kash Patel, Pam Bondi & Alki David: From FBI Files to the \$10 Billion Sovereign Judgment.*"

**Link:** <https://www.shockya.com/news/2025/10/26/210854/>

This publication directly reflects and corroborates the material contained within the **400 emails** already cited in my **Skeleton Argument** and lower-court record. The article is based entirely on those documents, which have now entered the public domain.

The piece has attracted significant public interest — it currently appears **as the top Google News result** for "*Patel Bondi*," ahead of *MSNBC*, *The New York Times*, and *Politico*, demonstrating both authenticity and broad reach. No party has disputed or challenged the report.

I respectfully request that the Court take note of this correspondence as contextual information confirming that the evidence in question is now **publicly corroborated and accessible**. I further ask that the **complete 400-email set** be located within the appeal bundle and reviewed, given its bearing on procedural fairness and the integrity of these proceedings.

This correspondence is provided **for the Registrar's administrative attention only** and **not as a submission on the merits**.

Kind regards,  
**Aliviades A. David**  
Appellant – Case No. KB-2025-001991

## Ajay Fournillier

---

**From:** Alki David <filmonpersonal@gmail.com>  
**Sent:** 24 December 2025 02:21  
**To:** Civil Appeals - CMSB; Earley, Phil; KB Judges Listing Office; Civil Appeals - Registry; Kirsty Price; legalaffairs@ab.gov.ag; Jenique Joseph  
**Cc:** legal@SWISSX.com; Boniswa Dzere; Rebecca Hume; ajay.fournmiller@howardkennedy.com; Jessica Green  
**Subject:** Re: CA-2025-002562 - David v Kahn

*Dear Civil Appeals Office,*

*For completeness, I confirm that the Appellant's Skeleton Argument in CA-2025-002562 was filed on 23 December 2025. The Appellant's Notice (Form N161) has already been filed and sealed. This email is sent for confirmation only. Parties are copied.*

*Kind regards,  
Alkiviades David  
Appellant (Litigant in Person)*

On Mon, Dec 15, 2025 at 8:24 AM Alki David <[filmonpersonal@gmail.com](mailto:filmonpersonal@gmail.com)> wrote:

Dear Sir/Madam,

I confirm I am **ready to proceed immediately**.

The short extension sought is **completed** and was required solely to ensure procedural regularity. For completeness, I note that I am a **disabled litigant**, and that there is also an **ongoing NCA investigation** relevant to the wider factual context. Neither point is relied upon to seek delay.

I am prepared to move forward without further time being sought.

Yours faithfully,

Alki David

The information contained in this message may be privileged. If you have received this communication in error, please notify me immediately by replying to the message and deleting it from your computer. Thanks!

On Mon, Dec 15, 2025 at 7:11 AM Civil Appeals - CMSB <[civilappeals.cmsB@justice.gov.uk](mailto:civilappeals.cmsB@justice.gov.uk)> wrote:

Dear Sir/Madam,

The Court of appeal will tick section 10 part b of your appellants notice seeking extension of time on your behalf.

Please confirm which part of section 11 constitutes your reasons in support of the extension of time application, as we cant locate them.

You can provide your extension of time reasons within an email.

Kind Regards,

Keith De Bordes


---

Administrative Officer

Court of Appeal | Civil Division | Royal Courts of Justice | Strand | London WC2A 2LL

Telephone: 0207 947 7828

[gov.uk/hmcts](https://www.gov.uk/hmcts)

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From: Revolut Court Orders <courttorders@revolut.com>  
Sent: 20 January 2026 12:58  
To: Ajay Fournillier  
Subject: Re: SERVICE - KB-2025-001991 - M. Khan v A. David - our ref: 061514.00004 [FSI-FSI.FID4999494]  
Attachments: AD-account\_data.pdf.zip

---

Dear Team,

Thank you for your email.

Please find the attached the requested details. The document is encrypted and the password will be sent in the following email.

Please don't hesitate to contact us if you need any other information.

Kind regards,  
Revolut

E-mail: [courttorders@revolut.com](mailto:courttorders@revolut.com)

Website: <http://www.revolut.com>

AD-account\_data.pdf.zip

[https://revolut.zendesk.com/attachments/token/7Xm8cxNBXw4HAb6EcBiLEBoAi/?name=AD-account\\_data.pdf.zip](https://revolut.zendesk.com/attachments/token/7Xm8cxNBXw4HAb6EcBiLEBoAi/?name=AD-account_data.pdf.zip)

## Account Confirmation

### Account Holder

First Name	Alkiviades
Last Name	David
Date of birth	23/05/1968
Phone	+447879440604
Email	alki@filmon.com
Address	4 Wilton place, SW1X8RH, London
Account Status	Active
Account Opening Date	17/01/2024
Wallet Reference Number	71898558

### Account Details

BIC / Sort Code	REVOGB21
IBAN / Account Number	GB36 REVO 0099 7029 6077 08
BIC / Sort Code	042909
IBAN / Account Number	67824110

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From: Ajay Fournillier  
Sent: 14 January 2026 17:28  
To: seniormaster.cook@ejudiciary.net; Capanni, Ilaria | She/Hers  
Cc: 'alki@filmon.com'; Alki David; legal@swissx.com; Rebecca Hume; Boniswa Dzere  
Subject: Letter to Judge - Hearing on 19/01/2026 (via Teams) - Third Party Debt Order - KB-2025-001991 - Mahim Khan v Alkiviades David - our ref: 061514.00004 [FSI-FSI.FID4952873]  
Attachments: 2026.01.14 - Letter HK to Court (FAO Senior Master Cook).pdf; 2025.11.27 - KB-2025-001991 - Interim Third Party Debt Order- Senior Master Cook (REC 22.12.25).pdf; Letter from Civil Appeals Office to Mr David dated 17.12.25.pdf; 2026.01.07 - Letter HK to Civil Appeals Office.pdf [FSI-FSI.FID5103707].msg; 2026.01.14 - draft Order (re adjournment).docx

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Dear Judge

We refer to the above matter in respect of which we act for the Claimant, Mahim Khan.

Please kindly find attached a letter for your attention together with the enclosures referred to therein. The attachments to this email are in the order in which they are referred to in the letter.

The Defendant is copied to this email for completeness.

Yours faithfully

**Howard Kennedy LLP**

**Ajay Fournillier**

Associate | Howard Kennedy LLP

t: +44 (0)20 3755 5639

ajay.fournillier@howardkennedy.com

[Stay in touch](#) 

FAO: Senior Master Cook  
King's Bench Division  
Enforcement Section  
Royal Courts of Justice  
Strand  
London  
WC2A 2LL

Our ref 061514.00004  
Doc ref 66940729.3

**By Email Only**

E: seniormaster.cook@ejudiciary.net and  
Ilaria.Capanni@justice.gov.uk

Dear Judge

14 January 2026

**Mahim Khan v Alkiviades David (also known as Alki David)**  
**Claim No. KB-2025-001991**  
**Hearing (via Teams) on 19 January 2025 at 10:30am ("Hearing")**  
**Application for Third Party Debt Order ("Application")**

We act for the Claimant in the above proceedings, Mahim Khan.

We refer to the above Hearing listed before you on 19 January 2025 to determine whether the Interim Final Order dated 27 November 2025<sup>1</sup> ("**Interim Order**") is to be made final (copy enclosed).

Appeal

We write to advise you that the Defendant, Mr David, has filed an appeal with the Court of Appeal purporting to appeal the order for contempt made against him by Mrs Justice Stacey on 16 October 2025 ("**Appeal**"), being the same order which is the subject of the Claimant's Application and referred to at paragraph "a)" of the Interim Order.

Whilst the Appeal appears to have been filed on 16 October 2025, the Defendant has not yet served the Claimant with the a sealed copy of Notice of Appeal and the grounds of appeal or serve the index to the core bundle and any supplementary bundle and his skeleton argument by the dates prescribed in the letter from the Civil Appeals Office to Mr David dated 17 December 2025 which was copied to this firm (copy enclosed).

---

<sup>1</sup> Sealed 22 December 2025.



On 6 and 7 January 2026, we wrote to the Civil Appeals Office dealing with the above points and requested that our letters be placed before the Court of Appeal for urgent consideration, requesting that the Appeal be dismissed on the papers by reason of the Defendant's non-compliance with the court's directions and his purported grounds of appeal not meeting the requirements of CPR Rule 52.21(3). Our letters and enclosures were filed by CE file and by email ("**January Letters**"). The filings by CE file have been accepted and we have received read receipts to our emails, but we have not received any response from the Civil Appeals Office to date. Our email to the Civil Appeals Office dated 7 January is attached for reference, which encloses the January Letters. Kindly be advised that we have not enclosed our two separate emails to the court to avoid duplication of documents enclosed with this correspondence.

No order has been made by the Court of Appeal staying enforcement of the costs order in the contempt order dated 16 October 2025, which is the subject of enforcement by the Third Party Debt Order over the Revolut account.

#### Request for adjournment of Hearing

In circumstances where it seems unlikely that the Court of Appeal will make any directions before the Hearing, it appears to us that it may be appropriate for the Hearing to be adjourned for a short period to enable the Court of Appeal to make a decision regarding whether the appeal should be dismissed.

In addition, the Defendant has not confirmed to us whether he intends to attend the Hearing, whilst the Third Party Bank, Revolut Ltd, has confirm that it does not object to the Application nor does it intend to appear at the Hearing. Further and against that backdrop, an adjournment would avoid the Claimant unnecessarily incurring the costs of attending the Hearing at which you *may* in any event be inclined the adjourn the Hearing for the reasons explained.

An adjournment will also provide us with some time to seek from the Defendant clarification as to his income and expenditure. We are mindful that this may become relevant should the Defendant wish to attend any adjourned Hearing and contest the making of a final order on the grounds of financial hardship pursuant to CPR Rule 72.2, notwithstanding the Defendant having failed to provide this information or make any application previously in the underlying proceedings when requested to do so in response to the freezing order made against him dated 26 June 2025 (and subsequent continuation orders) and citing financial hardship. Further, an adjournment will assist with relieving valuable court resources.

Therefore, we respectfully invite you to consider our request for an adjournment on the papers, namely to:

1. Adjourn the Hearing to be listed on the first available date after one month; and
2. Reserve costs.

We are hopeful that an adjournment of one month will provide sufficient time for the Court of Appeal to respond to our January Letters, without any further adjournment being required. We will of course update your clerk (with you copied) as necessary. Should it be of assistance to you, we enclose a draft Order in the terms stated above.

In the meantime, we have today, in accordance with the Notice of Hearing dated 22 December 2025, filed the hardcopy hearing bundle, electronic bundle and list of attendees.

We have copied the Defendant to this correspondence.

Please do let us know if we can be of further assistance.

We look forward to hearing from you.

Yours faithfully



Howard Kennedy LLP

T: +44 (0)20 3755 5639

M: +44 (0)7384 259 689

ajay.fournillier@howardkennedy.com

- Encs:**
1. Interim Third Party Debt Order dated 27 November 2025 (*1<sup>st</sup> attachment*)
  2. Letter from Civil Appeals Office to Mr David dated (*2<sup>nd</sup> attachment*)
  3. 7 January 2026 email and letters filed with the Civil Appeals Office (*3<sup>rd</sup> attachment – which also encloses a copy our 6 January 2026 letter*); and
  4. Draft Order (*4<sup>th</sup> attachment*).

**Before: Senior Master Cook**

**Date: [ ] January 2026**

**B E T W E E N :-**

**MAHIM KHAN**

**Claimant**

**- and -**

**ALKIVIADES DAVID**  
**(also known as Alki David)**

**Defendant**

---

***DRAFT ORDER***

---

**UPON** the application by the Claimant for a Third Party Debt Order filed on 5 November 2025 ("Application") and the Interim Third Party Debt Order dated 27 November 2025 ("Interim Order")

**AND UPON** the hearing of the Application having been listed for a remote hearing (via MS Teams) on 19 January 2026 at 10:30am to determine whether the Interim Order be made final, pursuant to the Notice of Hearing dated 22 December 2025

**AND UPON** the Third Party Bank, Revolut Ltd, having confirmed that it does not object to the Application and that it does not intend to appear at the hearing on 19 January 2026

**AND UPON** the court having considered the papers on the court file and the Claimant's letter dated 13 January 2025 requesting an adjournment

**IT IS ORDERED THAT:**

1. The hearing listed on 19 January 2026 at 10:30am be vacated and adjourned to the first available date after 19 February 2026.
2. Costs reserved.
3. A sealed copy of this Order shall be served by the Claimant on the Defendant and Revolut

**Service of Order**

The Court has provided a sealed copy of this Order to the serving party: Howard Kennedy LLP, No. 1 London Bridge, London, SE1 9BG: Rebecca.Hume@howardkennedy.com; Ajay.Fournillier@howardkennedy.com and Boniswa.Dzere@howardkennedy.com.

From: Alki David <filmonpersonal@gmail.com>  
Sent: 14 January 2026 22:22  
To: Civil Appeals - Registry; Civil Appeals - CMSB  
Cc: seniormaster.cook@ejudiciary.net; Capanni, Ilaria | She/Hers; legal@swissx.com; Rebecca Hume; Boniswa Dzere; Ajay Fournillier  
Subject: Re: Letter to Judge - Hearing on 19/01/2026 (via Teams) - Third Party Debt Order - KB-2025-001991 - Mahim Khan v Alkiviades David - our ref: 061514.00004 [FSI-FSI.FID4952873]

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**To:** The Court  
**Re:** *Mahim Khan v Alkiviades David*  
**Claim No:** KB-2025-001991  
**Related Appeal:** CA-2025-002562

January 14th 2026

**Dear Sir / Madam,**

I write in relation to the Interim Third Party Debt Order and the hearing currently listed for **19 January**, and to place further relevant procedural matters on the record.

---

### **1. Position on the 19 January Hearing**

For the avoidance of doubt, **I do not consent to the cancellation or vacating of the hearing listed for 19 January**. The hearing has **not been cancelled**, and I attend for a **limited and proper purpose only**: namely, to preserve the **interim** position and to ensure that **no final enforcement order is made** pending determination of the appeal and related proceedings.

Any adjournment or alteration to the listing should be **by order of the Court**, on notice, and **without prejudice** to the appeal.

---

### **2. Appeal Status and Disability Accommodation**

The appeal has been **properly filed, entered, and acknowledged** under reference **CA-2025-002562**. All required steps have been taken, and **no finding of non-compliance has been made by the Court of Appeal**.

The preparation and filing of the appeal papers were undertaken **in coordination with the Court**, with appropriate procedural assistance and adjustments provided **in recognition of my disability**, so as to ensure fair and effective access to the appellate process. Any suggestion that the appeal is defective or improperly filed is therefore incorrect.

---

### **3. Parallel Proceedings in Antigua & Barbuda – Hearing on 16 January**

There are parallel proceedings in **Antigua & Barbuda** involving the same parties and overlapping subject matter. A hearing is listed on **16 January**, at which the court will determine the consequences of **joint default** by **Howard Kennedy LLP and 69 other defendants**, all of whom were duly served and failed to respond within the required time.

Those proceedings are live, on the record, and concern the **same procedural conduct and evidential issues** that underpin the judgment now relied upon for enforcement in these proceedings.

I do not ask this Court to determine the merits of the Antigua proceedings. I raise them because, as a matter of **comity and procedural fairness**, it would be unsafe to finalise irreversible enforcement measures while a competent court is imminently determining the consequences of default by the same parties.

---

#### 4. Avoidance of Service, Default, and Procedural Fairness

The claimant's side sought to **avoid service** in the Antigua proceedings, a matter already raised before this Court and now on the record. Default subsequently occurred. Silence and non-engagement in parallel proceedings, coupled with continued pressure for accelerated enforcement elsewhere, are **not neutral procedural acts** and are relevant to the Court's equitable discretion.

---

#### 5. Disputed Evidential Record and Appeal Issues

Serious issues concerning **abuse of process, evidential integrity, and denial of due process** are **properly before the appeal court**, where I seek determination of misconduct and procedural unfairness. Those issues include reliance on evidence now under formal challenge and review in other competent proceedings.

I do **not** invite this Court to determine those matters. I respectfully submit that, pending their determination on appeal, it would be **procedurally unsafe** to convert an interim enforcement measure into a final and irreversible order.

---

#### 6. In-Court Costs Escalation

In proceedings before **Mrs Justice Stacey**, the claimant's representatives advanced costs figures that **escalated in open court from approximately £80,000 to approximately £160,000**. That escalation was **expressly questioned by the judge herself**. The enforcement now sought relies upon figures that were **judicially challenged at the time**, which is relevant to proportionality and fairness.

---

#### 7. Disability, Hardship, and Proportionality

I am a **disabled litigant**. The funds restrained are **essential living funds**, not discretionary assets. The prolonged restraint and escalation of enforcement pressure have caused **severe hardship**. In these circumstances, and given the unresolved appellate and parallel proceedings, final enforcement would risk becoming **punitive rather than equitable**.

---

#### 8. Regulatory and Supervisory Context

The claimant's solicitors are the subject of **ongoing regulatory and investigative review** by competent authorities in relation to matters that **directly concern me and the handling of evidence and process in connected proceedings**. No findings are asserted. The relevance is **context**, reinforcing that this enforcement application cannot properly be treated as routine or uncontroversial.

---

## 9. Scope of the 19 January Hearing

My attendance on 19 January is therefore **strictly limited** to maintaining the interim position and ensuring that **no final Third Party Debt Order is made** pending:

- the **appeal**, where misconduct and abuse of process are to be determined; and
  - the outcome of the **16 January Antigua hearing** concerning joint default.
- 

I trust this letter clearly sets out my position.

**Yours faithfully,**  
**Alkiviades David**

Litigant in person

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On Wed, Jan 14, 2026 at 9:28 AM Ajay Fournillier <[Ajay.Fournillier@howardkennedy.com](mailto:Ajay.Fournillier@howardkennedy.com)> wrote:

Dear Judge

We refer to the above matter in respect of which we act for the Claimant, Mahim Khan.

Please kindly find attached a letter for your attention together with the enclosures referred to therein. The attachments to this email are in the order in which they are referred to in the letter.

The Defendant is copied to this email for completeness.

Yours faithfully

## Howard Kennedy LLP

### Ajay Fournillier

Associate | Howard Kennedy LLP

t: +44 (0)20 3755 5639

[ajay.fournillier@howardkennedy.com](mailto:ajay.fournillier@howardkennedy.com)

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---

From: Alki David <filmonpersonal@gmail.com>  
Sent: 15 January 2026 01:19  
To: Boniswa Dzere; Civil Appeals - Registry; Civil Appeals - CMSB  
Cc: Capanni, Iliara | She/Hers; SeniorMaster.Cook@ejudiciary.net; Rebecca Hume; Ajay Fournillier; legal@SWISSX.com  
Re: KB-2025-001991 Mahim Khan v Alkiviades David (also known as Alki David) - Hearing Bundle  
Subject: for Third Party Debt Order hearing on 19 January 2026 - Our Ref: RH15/061514.00004 [FSI-FSI.FID4952874]

---

Dear Senior Master Cook,

I write in response to the Claimant's email of earlier today confirming the filing of the hearing bundle, certificates of service, and the List of Remote Attendees in relation to the hearing listed for 19 January 2026.

For the avoidance of doubt, I confirm that I **do intend to attend** the hearing on 19 January. My attendance is for a **limited and proper purpose only**: to preserve the interim position and to ensure that no final or irreversible enforcement order is made while the appeal and related proceedings remain live.

I place on the record that I only later appreciated that, earlier the same day, the Claimant's solicitors had fully complied with the hearing directions and proceeded on the basis that the 19 January hearing was going ahead. Against that background, a subsequent paper request to vacate the hearing created procedural confusion and pressure for me as a **cognitively disabled litigant in person**. I raise this not to allege impropriety, but to explain why I was concerned to ensure that no step was taken without a hearing and without clarity as to the procedural position.

There are **parallel proceedings** listed for hearing on **16 January** in Antigua & Barbuda involving the same parties and overlapping procedural conduct. I do not invite this Court to determine any issue arising there. I raise the existence of that hearing solely because, as a matter of procedural safety and comity, it would be **unsafe to convert an interim enforcement measure into a final one** while another competent court is imminently seized of related matters.

For context only, and without asserting any findings or inviting the Court to engage with it, I note that the Claimant's solicitors are aware that their conduct in related matters is subject to **external regulatory and supervisory attention**. This is not advanced as an argument, but as background reinforcing why this enforcement application should not be treated as routine while appeals and parallel proceedings are live.

Accordingly, my position remains as follows:

1. I **do not consent** to the hearing listed for 19 January being vacated on the papers.
2. Any adjournment or alteration should be **by order of the Court**, on notice.
3. My attendance on 19 January is strictly limited to maintaining the **interim** position and ensuring that no **final** Third Party Debt Order is made pending the appeal and the outcome of the 16 January hearing.

I am grateful to the Court for its consideration.

Yours faithfully,

Alkiviades David  
Defendant (Litigant in Person)

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On Wed, Jan 14, 2026 at 8:00 AM Boniswa Dzere <[Boniswa.Dzere@howardkennedy.com](mailto:Boniswa.Dzere@howardkennedy.com)> wrote:

Dear Ms Capanni

We act for the Claimant in the above proceedings, Mahim Khan.

Further to the Notice of Hearing dated 22 December 2025 and the directions set out in the court's email dated the same, please kindly find enclosed the List of Remote Attendees. Please note our comment in relation to the Defendant at point 5 of the document which confirms that the Defendant has not confirmed whether he intends to attend the hearing and that we are therefore providing his email addresses out of an abundance of caution.

We confirm that the certificates of service were filed by email (sent to you) and by CE file on 9 January 2025. The hardcopy bundle is being lodged with the court today and the electronic version is attached, which we have also filed by CE file.

We have copied the Judge to this correspondence as required by the directions set out in the Notice of Hearing.

Please kindly note that we intend to file a letter with the court shortly which we will send to the Judge with you in copy.

We should be grateful if you would kindly acknowledge receipt.

Yours faithfully

**Howard Kennedy LLP**

**Boniswa Dzere**

Paralegal | Howard Kennedy LLP

t: +44 (0)20 3755 5766

[boniswa.dzere@howardkennedy.com](mailto:boniswa.dzere@howardkennedy.com)

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From: EVES, JONATHAN | He/His <JONATHAN.EVES@justice.gov.uk>  
Sent: 19 January 2026 10:44  
To: JamilMustafa@southsquare.com; Rebecca Hume; Ajay Fournillier; Boniswa Dzere;  
legal@swissx.com; filmonpersonal@gmail.com; alki@filmon.com  
Subject: KB-2025-001991 Khan v David (also known as Alki David)

---

Dear All

Apologies for the Teams link not working.

I have just sent out a new one, so please click on the new link to join or click on the link below to join.

<https://teams.microsoft.com/meet/3917500571321?p=fxKEYCQ8DYPxZuED9B>

Yours sincerely

**Jonathan Eves**

Clerk to Master Sullivan

KB Masters' Listing Section

HMCTS. Royal Courts of Justice, Strand, London. WC2A 2LL

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From: Alki David <filmonpersonal@gmail.com>  
Sent: 19 January 2026 15:55  
To: Cook, Senior Master David  
Cc: Ajay Fournillier; Capanni, Ilaria | She/Hers; Jamil Mustafa; Boniswa Dzere; Rebecca Hume; legal@SWISSX.com  
Subject: Re: Hearing Link - hearing 10:30am this morning - [FSI-FSI.FID4952873]

---

**Subject:** Mahim Khan v David – Hearing 19 January 2026

Dear Senior Master Cook

I wish to thank you sincerely for your patience and for the orderly way in which the matter was handled this morning.

I would respectfully ask the Court to note that the hearing took place at approximately 6:30 a.m. my time and that I had not received the Teams link in the usual 24-hour advance period. When the link was eventually circulated it appeared corrupted, which unfortunately contributed to my difficulty in joining promptly.

I also wish to explain, by way of context rather than excuse, that I live with a cognitive disability which at times affects sequencing and immediate decision-making under pressure. As a litigant who has experienced prolonged adversarial proceedings over several years, my instinctive posture has often been to resist first rather than process calmly in real time. I regret that this may have presented as disorganization today.

Please accept my apology if my presentation caused any inconvenience to the Court. I remain grateful for your understanding and for the fairness shown in allowing the matter to proceed without prejudice.

Respectfully,

Alkiviades David  
Defendant in Person

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On Mon, Jan 19, 2026 at 3:32 AM Cook, Senior Master David <[seniormaster.cook@ejudiciary.net](mailto:seniormaster.cook@ejudiciary.net)> wrote:

Dear Mr David,

As I made clear at the start of the hearing this morning the original hearing invitation did not contain an appropriate link. Once this was noticed a replacement link was sent out. Given that the only issue before me this morning was whether the application for a Third Party Debt Order should be adjourned for a period of one month pending your application to the Court of Appeal, I do not accept that you have been unfairly prejudiced. Indeed, I noted from your own written position statement that were asking for a court ordered adjournment because you were not prepared to agree such an adjournment with the solicitors for the judgment creditor. I quote from your e-mail to the Court of 14 January 2026:

### **“1. Position on the 19 January Hearing**

For the avoidance of doubt, **I do not consent to the cancellation or vacating of the hearing listed for 19 January**. The hearing has **not been cancelled**, and I attend for a **limited and proper purpose only**: namely, to preserve the **interim** position and to ensure that **no final enforcement order is made** pending determination of the appeal and related proceedings.

Any adjournment or alteration to the listing should be **by order of the Court**, on notice, and **without prejudice** to the appeal.”

Given that is the effect of the order made by me today it is difficult to understand the nature of any prejudice you claim to have suffered.

Yours sincerely,

**David Cook**

Senior Master of the King's Bench Division

**PA: Mohamud Ahmed**

Tel. 0207 947 6911 [Ahmed.Mohamud@justice.gov.uk](mailto:Ahmed.Mohamud@justice.gov.uk)

**Listing Clerk – Ilaria Capanni**

KB Masters' Listing Section | HMCTS | Royal Courts of Justice | Strand, London | WC2A 2LL  
**Phone:** 0203 936 8957

**E-mail:** [Ilaria.Capanni@justice.gov.uk](mailto:Ilaria.Capanni@justice.gov.uk)

---

**From:** Alki David <[filmonpersonal@gmail.com](mailto:filmonpersonal@gmail.com)>

**Sent:** 19 January 2026 11:18

**To:** Ajay Fournillier <[Ajay.Fournillier@howardkennedy.com](mailto:Ajay.Fournillier@howardkennedy.com)>

**Cc:** Cook, Senior Master David <[seniormaster.cook@ejudiciary.net](mailto:seniormaster.cook@ejudiciary.net)>; Capanni, Ilaria | She/Hers <[ilaria.capanni@justice.gov.uk](mailto:ilaria.capanni@justice.gov.uk)>; Jamil Mustafa <[jamilmustafa@southsquare.com](mailto:jamilmustafa@southsquare.com)>; Boniswa Dzere <[Boniswa.Dzere@howardkennedy.com](mailto:Boniswa.Dzere@howardkennedy.com)>; Rebecca Hume <[Rebecca.Hume@howardkennedy.com](mailto:Rebecca.Hume@howardkennedy.com)>; legal@SWISSX.com

**Subject:** Re: Hearing Link - hearing 10:30am this morning - [FSI-FSI.FID4952873]

Email

---

Subject

Disabled Litigant – Failure of Reasonable Adjustments and Hearing Access  
Disabled Litigant – Failure of Reasonable Adjustments and Hearing Access

---

Dear Senior Master Cook,

I write further to formally record a serious concern regarding the Court's duty to provide reasonable adjustments under the Equality Act 2010 during the recent remote hearing.

I am a disabled litigant in person. My disability affects cognitive processing, stress tolerance, and my ability to manage technical disruption without assistance. For that reason, reliable and clear access to the remote hearing was not merely administrative, but a required reasonable adjustment to allow effective participation.

The Teams link provided for the hearing did not function properly, resulting in confusion and disruption at a critical stage of proceedings. This created immediate disadvantage to me as the only unrepresented and disabled party, and materially impaired my ability to participate fully and fairly.

I respectfully note that:

- The Court has an anticipatory duty to ensure reasonable adjustments are effective in practice, not merely offered in form.
- Technical failure affecting a disabled litigant's access directly engages procedural fairness.
- The difficulty occurred in circumstances where I had already alerted the Court to exceptional pressures affecting my ability to safely manage procedural barriers.

I therefore formally record that the reasonable adjustments required for my disability were not met in this hearing, and that this failure had a direct impact on my ability to be heard.

This correspondence is provided respectfully to preserve my position and to ensure the matter is properly noted on the record.

Yours faithfully,  
Alki David  
Litigant in Person

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On Mon, Jan 19, 2026 at 2:31 AM Ajay Fournillier <[Ajay.Fournillier@howardkennedy.com](mailto:Ajay.Fournillier@howardkennedy.com)> wrote:

Dear Judge

We act for the Claimant in the above matter.

Please be advised that the Claimant's legal team and counsel are yet to receive the MS Teams link in respect of this morning's hearing.

We did receive the attached invitation but have now noticed that it does not include a hearing link and suspect this may also be the case for the Defendant, who we have copied to this email.

We should be grateful if you or Ms Capanni would kindly circulate updated hearing links.

Yours faithfully

**Howard Kennedy LLP**

**Ajay Fournillier**

Associate | Howard Kennedy LLP

t: +44 (0)20 3755 5639

[ajay.fournillier@howardkennedy.com](mailto:ajay.fournillier@howardkennedy.com)

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From: Cook, Senior Master David <seniormaster.cook@ejudiciary.net>  
Sent: 19 January 2026 11:32  
To: alki@filmon.com; Ajay Fournillier  
Cc: Capanni, Ilaria | She/Hers; Jamil Mustafa; Boniswa Dzere; Rebecca Hume; legal@SWISSX.com  
Subject: RE: Hearing Link - hearing 10:30am this morning - [FSI-FSI.FID4952873]

---

Dear Mr David,

As I made clear at the start of the hearing this morning the original hearing invitation did not contain an appropriate link. Once this was noticed a replacement link was sent out. Given that the only issue before me this morning was whether the application for a Third Party Debr Order should be adjourned for a period of one month pending your application to the Court of Appeal, I do not accept that you have been unfairly prejudiced. Indeed, I noted from your own written position statement that were asking for a court ordered adjournment because you were not prepared to agree such an adjournment with the solicitors for the judgment creditor. I quote from your e-mail to the Court of 14 January 2026:

### **“1. Position on the 19 January Hearing**

For the avoidance of doubt, **I do not consent to the cancellation or vacating of the hearing listed for 19 January**. The hearing has **not been cancelled**, and I attend for a **limited and proper purpose only**: namely, to preserve the **interim** position and to ensure that **no final enforcement order is made** pending determination of the appeal and related proceedings.

Any adjournment or alteration to the listing should be **by order of the Court**, on notice, and **without prejudice** to the appeal.”

Given that is the effect of the order made by me today it is difficult to understand the nature of any prejudice you claim to have suffered.

Yours sincerely,

#### **David Cook**

Senior Master of the King’s Bench Division

**PA: Mohamud Ahmed**

Tel. 0207 947 6911 [Ahmed.Mohamud@justice.gov.uk](mailto:Ahmed.Mohamud@justice.gov.uk)

**Listing Clerk – Ilaria Capanni**

KB Masters’ Listing Section | HMCTS | Royal Courts of Justice | Strand, London | WC2A 2LL

**Phone:** 0203 936 8957

**E-mail:** [Ilaria.Capanni@justice.gov.uk](mailto:Ilaria.Capanni@justice.gov.uk)

---

**From:** Alki David  
**Sent:** 19 January 2026 11:18  
**To:** Ajay Fournillier  
**Cc:** Cook, Senior Master David ; Capanni, Ilaria | She/Hers ; Jamil Mustafa ; Boniswa Dzere ; Rebecca Hume ; legal@SWISSX.com  
**Subject:** Re: Hearing Link - hearing 10:30am this morning - [FSI-FSI.FID4952873]

Email

---

Subject

Dear Senior Master Cook,

I write further to formally record a serious concern regarding the Court's duty to provide reasonable adjustments under the Equality Act 2010 during the recent remote hearing.

I am a disabled litigant in person. My disability affects cognitive processing, stress tolerance, and my ability to manage technical disruption without assistance. For that reason, reliable and clear access to the remote hearing was not merely administrative, but a required reasonable adjustment to allow effective participation.

The Teams link provided for the hearing did not function properly, resulting in confusion and disruption at a critical stage of proceedings. This created immediate disadvantage to me as the only unrepresented and disabled party, and materially impaired my ability to participate fully and fairly.

I respectfully note that:

- The Court has an anticipatory duty to ensure reasonable adjustments are effective in practice, not merely offered in form.
- Technical failure affecting a disabled litigant's access directly engages procedural fairness.
- The difficulty occurred in circumstances where I had already alerted the Court to exceptional pressures affecting my ability to safely manage procedural barriers.

I therefore formally record that the reasonable adjustments required for my disability were not met in this hearing, and that this failure had a direct impact on my ability to be heard.

This correspondence is provided respectfully to preserve my position and to ensure the matter is properly noted on the record.

Yours faithfully,  
Alki David  
Litigant in Person

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Dear Judge

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We did receive the attached invitation but have now noticed that it does not include a hearing link and suspect this may also be the case for the Defendant, who we have copied to this email.

We should be grateful if you or Ms Capanni would kindly circulate updated hearing links.

Yours faithfully  
**Howard Kennedy LLP**

**Ajay Fournillier**  
Associate | Howard Kennedy LLP  
t: +44 (0)20 3755 5639  
[ajay.fournillier@howardkennedy.com](mailto:ajay.fournillier@howardkennedy.com)  
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From: Ajay Fournillier  
Sent: 14 January 2026 17:45  
To: 'alki@filmon.com'; Alki David; legal@swissx.com  
Cc: Rebecca Hume; Boniswa Dzere  
Subject: Hearing on 19/01/2025 (via MS Teams) at 10:30am - Application for Third Party Debt Order - KB-2025-001991 - Mahim Khan v Alkiviades David - our ref: 061514.00004 [FSI-FSI.FID4981609]  
Attachments: Letter to Judge - Hearing on 19\_01\_2026 (via Teams) - Third Party Debt Order - KB-2025-001991 - Mahim Khan v Alkiviades David - our ref 061514.00004 [FSI-FSI.FID4952873].msg

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Dear Mr David

You will have seen our letter to the judge to which you were copied (attached).

We invite you to consent to the proposed adjournment of the hearing listed on 19 January 2026 on the terms set out in the draft Order enclosed with our letter. We should be grateful to receive your confirmation by no later than 2pm (UK time) tomorrow.

We look forward to hearing from you.

Yours faithfully

**Howard Kennedy LLP**

**Ajay Fournillier**

Associate | Howard Kennedy LLP

t: +44 (0)20 3755 5639

ajay.fournillier@howardkennedy.com

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From: Ajay Fournillier  
Sent: 19 January 2026 14:03  
To: Alki David; 'alki@filmon.com'; 'legal@SWISSX.com'  
Cc: Rebecca Hume; Boniswa Dzere  
Subject: SERVICE - Adjournalment Order - TPDO - Mahim Khan v Alki David - our ref: 061514.00004 [FSI-FSI.FID4981609]  
Attachments: 2026.01.19 - KB-2025-001991 - TPDO - Adjournalment Order of Senior Master Cook.pdf

---

Dear Mr David

Further to the hearing of this morning, we enclose, by way of service upon you, the sealed Order of Senior Master Cook dated today.

Yours faithfully

**Howard Kennedy LLP**

**Ajay Fournillier**

Associate | Howard Kennedy LLP

t: +44 (0)20 3755 5639

ajay.fournillier@howardkennedy.com

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**Before Senior Master Cook**



**BETWEEN**

Mahim Khan

KB-2025-001991

**Claimant**

**- and -**

Alkiviades David  
(also known as Alki David)

**Defendant**

---

**ORDER**

---

**UPON** the application by the Claimant for a Third Party Debt Order filed on 5 November 2025 ("Application") and the Interim Third Party Debt Order dated 27 November 2025 ("Interim Order")

**AND UPON** the hearing of the Application having been listed for a remote hearing (via MS Teams) on 19 January 2026 at 10:30am to determine whether the Interim Order be made final, pursuant to the Notice of Hearing dated 22 December 2025

**AND UPON** the Third Party Bank, Revolut Ltd, having confirmed that it does not object to the Application and that it does not intend to appear at the hearing on 19 January 2026

**AND UPON** reading the evidence filed

**AND UPON** hearing Jamil Mustafa, Counsel for the Claimant, and the Defendant, appearing in person

**IT IS ORDERED THAT:-**

1. The hearing listed for 19 January 2026 at 10:30 a.m. be adjourned to the first available date after 19 February 2026.
2. Costs reserved.
3. A sealed copy of this Order shall be served by the Claimant on the Defendant and Revolut

**Dated this 19<sup>th</sup> day of January 2026**

**SERVICE OF THE ORDER**

The Court has sent sealed copies of this order to:

Howard Kennedy LLP  
No. 1 London Bridge  
London  
SE1 9BG

From: Boniswa Dzere  
Sent: 18 February 2026 14:13  
To: Alki David; alki@filmon.com; legal@SWISSX.com  
Cc: Rebecca Hume; Ajay Fournillier  
Subject: KB-2025-001991 - Adjourned Hearing - Mahim Khan v Alkiviades David - our ref: 061514.00004  
[FSI-FSI.FID4981609]  
Attachments: 2026.02.18 Letter to Alkiviades David re adjournment.pdf

---

Dear Mr David

Please see the letter attached.

Yours faithfully

**Howard Kennedy LLP**

**Boniswa Dzere**

Paralegal | Howard Kennedy LLP

t: +44 (0)20 3755 5766

boniswa.dzere@howardkennedy.com

[Stay in touch](#) 

# HOWARD KENNEDY

Mr Alkiviades David  
4 Wilton Place  
London  
SW1X 8RH

Our ref 061514.00004

**By Email Only**

E: [filmonpersonal@gmail.com](mailto:filmonpersonal@gmail.com); [legal@swissx.com](mailto:legal@swissx.com) and  
[alki@filmon.com](mailto:alki@filmon.com)

Dear Mr David,

18 February 2026

**Mahim Khan v Alkiviades David (also known as Alki David)**  
**Claim No. KB-2025-001991 ("Proceedings")**  
**Adjourned Hearing (via Teams) on 24 February 2026 at 10:30am**  
**Third Party Debt Order**

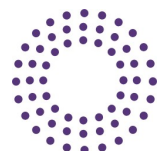
1. We refer to the above hearing listed before Senior Master Cook on 24 February 2026. We write to request your consent to an adjournment of this Third Party Debt Order hearing.
2. As you are aware, the previous hearing on 19 January 2026 was adjourned to 24 February 2026, to allow for your appeal to be considered. To date the Court of Appeal, has not decided on your appeal. As a result, the parties are in the same position as at the previous hearing.
3. We therefore propose requesting for the hearing on 24 February 2026 to be adjourned for a further 28 days, until **23 March 2025**, to allow the Court of Appeal to reach a decision.
4. We propose for costs to be reserved. This means that the decision about costs will be deferred until the court hears the Claimant's application for Third Party Debt Order which will be after your appeal is determined by the Court of Appeal.
5. In the absence of your consent, our client will prepare a statement of costs and seek their costs of attending this hearing to seek an adjournment.
6. Please confirm by email if you consent to this adjournment and we will inform the court.
7. We would be grateful if you could reply to this letter no later than 2pm on 19 February 2026.

We look forward to hearing from you.

---

No. 1 London Bridge | T: +44(0)20 3755 6000 | www.howardkennedy.com  
London SE1 9BG | F: +44(0)20 3650 7000

Howard Kennedy LLP (registered in England and Wales OC361417) is authorised and regulated by the Solicitors Regulation Authority (number 557188). Our registered office is at No. 1 London Bridge London SE1 9BG.



Yours faithfully

*Howard Kennedy LLP.*

Howard Kennedy LLP

From: Civil Appeals - CMSB <civilappeals.cmsB@justice.gov.uk>  
Sent: 17 December 2025 16:38  
To: 'legal@SWISSX.com'  
Cc: Boniswa Dzere  
Subject: Priority : CA-2025-002562 - David v Kahn  
Attachments: concatenated-documents (1).pdf; 3.COAS - Civil Appeal Office Signpost Slip - March 2024 (003).docx; 204 How to Prepare Bundle.pdf

---

Dear Sirs,

**Applicant**

Please see attached letter.

The Transcript of judgment was ordered at public expense. Please confirm if this is ready?

Please clarify if the hearing has been listed yet.

Please clarify the urgency if any within 7 days.

**Respondent**

Please note that you are invited to file your submissions (if any) under para 19 of CPR PD 52C, to the application within 14 days of receiving the applicant's skeleton argument or grounds of appeal, whichever is later.

Manpreet Singh  
Case Manager  
Court of Appeal, Civil Division | Royal Courts of Justice | Strand | London WC2A 2LL  
Telephone: 07745 737086  
[gov.uk/hmcts](http://gov.uk/hmcts)

 HM Courts & Tribunals Service  
[Here is how HMCTS uses personal data about you](#)

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This e-mail and any attachments is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail. Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail. This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. Monitoring / blocking software may be used, and e-mail content may be read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.



**CIVIL APPEALS OFFICE**

Room E307, Royal Courts of Justice

Strand, London WC2A 2LL

DX 44456 STRAND

**Telephone** 020 7947 6139

**Fax** 020 7947 6736

RNID Typetalk 18001 (Text) 18002 (Voice)

(Helplines for the deaf and hard of hearing)

<http://www.civilappeals.gov.uk>

Alkiviades David  
4 WILTON PLACE  
LONDON SW1X 8RH

DATE: 17-12-2025

OUR REF: CA-2025-002562

Linked Case References: [[Dixon Vs Allgood Main  
Case Number]]

Dear Sir/Madam,

Re: David v Kahn

The appellant's notice you filed on 16-12-2025 in this case seeking Permission to appeal, stay of execution and extension of time from the order of The Hon. Mrs Justice Stacey dated 15-10-2025, has now been entered in the Court's records and given the full reference number CA-2025-002562. Please quote this reference in all future correspondence. In order to comply with CPR 39.8 any communication with the court on matters of substance or procedure must be copied to the other party, or parties, or their representatives, and must state on its face that it is being copied to that other person or persons. Any written communication which does not comply will be returned to the sender without being considered by the court. A party is not required to disclose or copy a communication where it is purely routine, uncontentious and administrative or where there is a compelling reason for not doing so which is clearly stated in the communication.

**1. What you must do next:**

- 1. If you have not already done so, serve a copy of the appellant's notice and a copy of this letter on all other parties.**
- 2. The certificate of service must be completed and returned to this office by 31 Dec 2025 (see paragraph 5 below).**
- 3. The enclosed party details form must be completed and returned to this office within four days of receipt (see paragraph 2 below).**
- 4. The core bundle of documents should be lodged at the Civil Appeals Office by 31 December 2025 . Do not serve a copy of the bundle on any other party (see paragraph 3 below). If an extension of time is required, see paragraph 7 below.**
- 5. You must serve the index to the core bundle and any supplementary bundle on the respondent(s) by 31 December 2025.**
- 6. Two copies of the skeleton argument should have been lodged in the Civil Appeals Office by 16-12-2025 (see paragraph 4 below). If an extension of time is required, see paragraph 7 below.**

7. If you do not already have the transcript of judgment, the transcript should be ordered **without delay**. For information on how to order the transcript of judgment refer to the leaflet 'How to Prepare an Appeal Bundle for the Court of Appeal'. Obtaining the transcript of judgment can take some time and it may significantly delay matters if the transcript of judgment is not ordered immediately.

**What the respondent should do next:** A respondent is not required to take any action at the permission stage, unless directed to do so by the Court. In all cases, however, the respondent is permitted, and is encouraged, to file a brief written statement setting out any reasons why permission should be refused in whole or in part. The respondent should do so within 14 days of service of the appellant's notice or skeleton argument if later. Any written statement filed with the court should be served on all other parties. It should be noted, however, that there will normally be no order for the recovery of costs of a respondent's written statement. See CPR PD 52C, paragraphs 19 and 20.

**2. Party Details:** You are reminded that you are required to inform the Court immediately of any change in representation or alteration in the address, telephone number or other details you supply.

**3. Bundle of Documents:** Applicants must lodge a core bundle containing only those documents listed in the relevant core bundle index, a copy of which is attached. The core bundle contains the key documents required by the court. If other documents are necessary for the court to determine the application, it is your responsibility to include them in a supplementary bundle. A core bundle should be lodged in the Civil Appeals Office in accordance with CPR PD 52C paragraph 14 by 31 December 2025. The enclosed leaflet *How to Prepare an Appeal Bundle for the Court of Appeal* explains what you should do. If an extension of time is required, see paragraph 7 below.

**Filing your Bundle:**

If possible you should file your bundle electronically using the E-Filing service. Guidance on using the E-Filing service can be found at <https://www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals>. Bundles filed electronically must be formatted as one PDF document with bookmarks as appropriate for each document and with section headings within the document, unless its size exceeds 50 megabytes, in which case it can be divided into up to 10 documents of that size, each bearing bookmarks as appropriate (see paragraphs 10.3 and 14.1 Practice Direction 51O). If you are unable to file your bundle electronically paper format bundles should be sent or taken to the Civil Appeals Office Registry, Room E307, 3<sup>rd</sup> Floor East Block, Royal Courts of Justice. The office is open Monday to Friday, 10.00am to 4.30pm. Bundles should be sent by recorded delivery so that receipt can be tracked. **If you choose to file a paper format bundle you should note that the Court may order that an electronic version of the bundle be filed in addition to the paper format version (paragraph 14.2 Practice Direction 51O).**

**General Bundle Guidance:** Do not serve the bundle on any other party unless you are directed to do so by this court.

All parties filing bundles with the Court must retain a copy of the bundle:

- (a) for their own use in the proceedings; and
- (b) as an essential back up should the court bundle(s) be accidentally misplaced, damaged or destroyed; and
- (c) for the purposes of any onward appeal.

The parties should ensure that paper format bundles filed with the Court do not contain original material such as original documents, photographs, recording media etc. If it is necessary to use original material, copies should still be included in the court bundles and the originals should be

brought to any hearing. Parties must ensure they retrieve any original material handed up to the judge before leaving court. Any original material placed in the court bundle will be destroyed with the court bundle at the conclusion of proceedings (see paragraph 27(4) and (5) of Practice Direction 52C).

**4. Skeleton Argument:** A litigant in person may choose not to file a skeleton argument. If a skeleton argument is not filed by 12-01-2026 it will be assumed that you do not wish to rely on a skeleton argument and you may not be given a further opportunity to file one. Two copies should be lodged with the Court. If an extension of time is required, see paragraph 7 below. A copy should be served on the respondent(s) by 12-01-2026.

Your attention is drawn to CPR PD 52C paragraph 31(1) which provides that a skeleton argument must not normally exceed 25 pages (excluding front and back sheets) and be printed on A4 paper in not less than 12 point font and 1.5 line spacing. It should be labelled the “applicant’s PTA skeleton argument”. Further requirements as to the content of skeleton arguments can be found at CPR PD 52A paragraph 5. Please note that any skeleton argument which fails to comply with CPR PD 52C paragraph 31.1 will be returned by the Civil Appeals Office. If re-filed out of time it must be accompanied by a formal application under Part 2.3 seeking permission to rely on it.

If possible documents should be filed electronically via the E-Filing service. If it is not possible to file a document electronically paper format documents should be sent to or taken to the Civil Appeals Office Registry, Room E307, 3rd Floor East Block, Royal Courts of Justice. The office is open Monday to Friday, 10am to 4.30pm.

**5. Certificate of Service:** The Certificate of Service must be completed and returned to this office by 31 Dec 2025.

**6. Default:** If you do not comply with the requirements set out in this letter without good reason, the case is likely to be dismissed with costs. Unrepresented litigants are advised that help with their application may be available from the Citizens Advice Bureau at the Royal Courts of Justice.

**7. Extensions of Time:** The deadlines in this letter are set by the Civil Procedure Rules (CPR PD 52C). If you have already missed relevant deadlines, you should immediately request an extension of time by email, and copy in the respondent (see CPR 39.8(4)). If you anticipate that you will be unable to comply with any of the relevant time limits you should write before the extension of time has expired and copy in the respondent (see CPR 39.8(4)). In any request for an extension of time, you should set out in full your reasons for failing to meet the deadline and set out the length of the extension sought. You will then be informed whether or not an extension has been granted. Failure to meet any of the time limits without good reason will result in the matter being referred to the Dismissal List.

**8. Determination of Application:** When we have received all of the documents we need to comply with the Court’s requirements, the papers will be referred to the Court. Applications for permission to appeal will be determined on paper without an oral hearing unless the judge directs that an oral hearing is required. A copy of any Order made will be sent by post to you and to the respondent.

**9. Disposal of Bundles:** If permission to appeal is granted your bundle of documents will be retained for use at the appeal hearing and you will be advised of any additional requirements. If permission to appeal is refused paper format bundles will be destroyed in accordance with paragraph 27 (15) of Practice Direction 52C, which supplements Civil Procedure Rules Part 52. Therefore it is essential that the bundle does not contain original documents. Electronic bundles will be retained for a period of two months from the refusal of permission to appeal after which time they may be deleted (see paragraph 14.5 Practice Direction 51O).

Yours faithfully,

Manpreet Singh  
Case Progression Manager - Section A2  
civilappeals.cmsb@justice.gov.uk

Enc: Forms **235 240A 204** How to Prepare an Appeal Bundle for the Court of Appeal  
EX107 and EX107GN  
Core Bundle Index

In accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018 that came into effect from 25th May 2018 if you would like to know more about how HMCTS handles your personal data please visit our website at [www.gov.uk/hmcts](http://www.gov.uk/hmcts). If you require a hard copy of the privacy notice please contact the court.

**With effect from 1<sup>st</sup> February 2018 the Case Progression Section will only answer the phones between the hours of 10am – 12pm and 2pm – 4pm.**

**PLEASE NOTE THAT YOU SHOULD USE THE TELEPHONE NUMBER LOCATED ON THE FRONT PAGE OF THIS LETTER FOR ANY FUTURE ENQUIRIES**

**PARTY DETAILS**

**CIVIL APPEALS OFFICE**  
 REGISTRY  
 Room E307  
 Royal Courts of Justice  
 Strand, London WC2A 2LL

DX 44456 STRAND

PLEASE COMPLETE THIS FORM AND RETURN IT TO THE CIVIL APPEALS OFFICE REGISTRY  
 BY POST OR DX WITHIN 4 DAYS OF RECEIPT  
**PLEASE DO NOT RETURN THIS FORM BY FAX OR EMAIL UNLESS REQUESTED TO DO SO BY THE COURT**

Court of Appeal Reference: **CA-2025-002562**

Title: David v Kahn

APPELLANT		RESPONDENT	
<b>NAME</b>		<b>NAME</b>	
Address (if in person)		Address (if in person)	
Tel.No. (if in person)		Tel.No. (if in person)	
e-mail address		e-mail address	
<b>SOLICITORS</b>		<b>SOLICITORS</b>	
DX		DX	
Address		Address	
Tel.No.	Fax No.	Tel.No.	Fax No.
e-mail address		e-mail address	
Reference		Reference	
<b>LONDON AGENTS</b>		<b>LONDON AGENTS</b>	
DX		DX	
Address		Address	
Tel.No.		Tel.No.	
e-mail address		e-mail address	
Reference		Reference	
<b>ADVOCATE Junior</b>		<b>ADVOCATE Junior</b>	
DX	Tel.No.	DX	Tel.No.
e-mail address		e-mail address	
<b>Leading</b>		<b>Leading</b>	
DX	Tel.No.	DX	Tel.No.
e-mail address		e-mail address	

**Any Appellant's Legal Aid Certificate which is relevant and not already submitted must be attached to this Form**

**YOU MUST NOTIFY THIS OFFICE IMMEDIATELY IF ANY OF THESE DETAILS CHANGE**

IF THERE ARE OTHER APPELLANTS/RESPONDENTS WHO WILL BE SEPARATELY REPRESENTED PLEASE PROVIDE FULL DETAILS ON ADDITIONAL SHEETS

## CERTIFICATE OF SERVICE

**CIVIL APPEALS OFFICE**  
REGISTRY  
Room E307  
Royal Courts of Justice  
Strand, London WC2A 2LL

DX 44456 STRAND

Court of Appeal Reference: **CA-2025-002562**

David v Kahn

THE COMPLETED CERTIFICATE OF SERVICE MUST BE RETURNED TO THE CIVIL APPEALS OFFICE  
by **31 Dec 2025**

**PLEASE DO NOT RETURN THIS FORM BY FAX UNLESS REQUESTED TO DO SO BY THE COURT**

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I/WE, solicitor(s)\* for the applicant(s), HEREBY CERTIFY that a copy of the appellant's notice and the letter dated 17-12-2025 from the Civil Appeals Office were served on all respondents to the application

on \_\_\_\_\_

**Statement of Truth:** I believe that the facts stated in the certificate(s) of service contained within this document are true.

*This form should be signed by the Solicitor with the conduct of the case for the Applicant(s),  
or by the Applicant if acting in person*

Signed

Date

---

Name

Telephone

---

*(in block capitals)*

Firm

DX

---

*(in block capitals)*

---

\* If you are acting in person, please delete as appropriate

Court of Appeal Ref: **CA-2025-002562**

Title: ***David v Kahn***

## **CORE BUNDLE INDEX**

### **Pages Document**

1. Sealed Appellant's Notice and grounds of appeal
2. Skeleton argument
3. Chronology of relevant events
4. Sealed order under appeal
5. Transcript of judgment
6. N460 - reasons for allowing or refusing permission to appeal to the Court of Appeal (if applicable)
7. Claim Form including Particulars of Claim
8. Defence
9. Relevant contractual clauses

Use for: First appeals from the High Court King's Bench Division or Chancery Division or Technology and Construction Court (A1/A2/A3)



RCJ advice

**advocate**



## Court of Appeal Scheme (COAS)

### Do you need help with your application for Permission to Appeal?

If you are a Litigant in Person and have submitted your Appellant's Notice to the Court of Appeal, you may be eligible for help from the COAS scheme.

Under the COAS scheme, a volunteer lawyer will:

- Assess the merits of your application and consider your prospects of success

If your application has merit then the volunteer lawyer may:

- Draft a skeleton argument to support your application
- Represent you if you are required to attend an oral hearing for your application for permission to appeal
- Represent you if you participate in mediation once permission to appeal has been granted

To apply for help, please send all of the following documents to [COAS@rcjadvise.org.uk](mailto:COAS@rcjadvise.org.uk) or post them to RCJ Advice (COAS), Royal Courts of Justice, The Strand, London WC2A 2LL:

- A copy of your Sealed Appellant's Notice and grounds of appeal
- A copy of the Order you wish to appeal
- A copy of the Transcript of Judgment

*COAS is a free service for Litigants in Person who cannot afford legal advice and representation. We reserve the right to request a financial assessment before helping you. For more information about RCJ Advice services, visit our website at [www.rcjadvise.org.uk](http://www.rcjadvise.org.uk)*



RCJ advice

advocate



## The Court of Appeal Scheme (“COAS”) Do you need help with your application for Permission to Appeal?

If you are a Litigant in Person and have submitted your Appellant’s Notice to the **Civil Division** of the Court of Appeal, you may be eligible for help from the Court of Appeal Scheme (“COAS”), run by Advocate in collaboration with the Court of Appeal. Unfortunately, COAS cannot assist with cases in the Family Court.

Under the scheme, a barrister volunteering under the auspices of Advocate will:

- Assess the merits of your application and consider your prospects of success before your case goes to a reviewing judge.

If your application has merit, then the volunteer lawyer may:

- Draft a skeleton argument to support your application; and/or
- Represent you if you are required to attend an oral hearing for your application for permission to appeal; and/or represent you if you participate in mediation once permission to appeal has been granted.

To apply for help please provide the following documents to Advocate at [coas@weareadvocate.org.uk](mailto:coas@weareadvocate.org.uk) or you can post them to Advocate (COAS) at 2nd Floor Lincoln House, 296-302 High Holborn, London WC1V 7JH:

- A copy of your Core Bundle
- A copy of your Sealed Appellant’s Notice and Grounds of Appeal
- A copy of the Order you wish to appeal
- A copy of the Transcript of Judgment
- A copy of previous hearing bundles, if available

*COAS is a free service for Litigants in Person who cannot afford legal advice and representation. We reserve the right to request a financial assessment before assisting. For further information please contact us at [coas@weareadvocate.org.uk](mailto:coas@weareadvocate.org.uk).*



## How to Prepare an Appeal Bundle for the Court of Appeal

This leaflet explains what you need to do in order to comply with Part 52 of the Civil Procedure Rules and the Practice Direction which supplements that Part.

### Why must I prepare an appeal bundle?

To help the Judge to understand what your case is about. You must put your documents together in a standard way so that the judge can find what he needs quickly and easily.

### What do I have to do?

If you are applying for permission to appeal, you will have to provide a core bundle within 14 days of filing your appellant's notice. It is very important that you keep one copy of the core bundle for your own use.

If permission is not required or if permission has been granted you will need to provide further copies for the Court and the respondent(s). You will be provided with further information in this case. Each bundle must be exactly the same so that everyone in court is looking at identical bundles.

As soon as you have decided you want to appeal, you must immediately take steps to obtain the judgment of the decision you are appealing. (See page 2, How do I get a copy of the judgement? and page 4, How do I order transcripts?)

### How do I prepare a core bundle for permission to appeal?

The following rules must be followed in every case. These rules and requirements are important. If your bundle does not comply with them, it will delay the progress of your case and may lead to your appellant's notice being dismissed for failure to comply.

The Civil Appeals Office will send you a core bundle index similar to the one at Annex 2 at the end of this leaflet. The index lists all the documents you must include in your bundle for permission to appeal. Core bundle indices for all types of cases can be found on the Civil Appeals Office website at <http://www.justice.gov.uk/courts/rcj-rolls-building/court-of-appeal/civil-division/core-bundle-indices>

You should collate all the documents listed in the relevant core bundle index and place them in a ring binder folder in the same order as they are listed in the index. Page numbers should be added to the bottom right hand corner of every page in the bundle. The index should be placed at the front and the relevant page numbers for each document contained in the bundle should be added to the index.

### **Do not place original documents in the bundle.**

Where you are unable to file all the necessary documents, you must say which documents have not been included and why they are not currently available. You must provide an estimate of when the missing document(s) can be filed and request an extension of time for filing them.

## **What do I do if I want to rely on additional documents?**

If there are additional documents not listed in the relevant core bundle index which are necessary for the court to read in order to determine the application for permission to appeal, you may file a supplementary bundle. It must contain no more than 350 pages unless the court gives permission. Any application for permission to rely on a supplementary bundle of more than 350 pages must be made by application notice with a fee of £528.

You must ONLY include documents in the bundle which were before the court or tribunal which made the decision you want to appeal. If you wish to rely on evidence that was not before the lower court, you must seek the court's permission. Any application to rely on fresh evidence must be made by application notice with a fee of £528.

Transcripts of the evidence are very rarely needed at the permission to appeal stage.

Documents in the bundle should not be marked or written on. The documents must look exactly the same as the ones which the judge in the lower court had. If you wish to comment on any document you should do so separately.

## **Format of appeal bundles**

There are special rules about the format of an appeal bundle. See Annex 1 at the end of this leaflet.

## **How do I get a copy of the judgment?**

As soon as you have decided you want to appeal, you must immediately take steps to obtain the judgment of the decision you are appealing.

The 'judgment' is the document which sets out the full reasons which the Judge gave for their decision. It is not the order which just states the result of the decision e.g. the claim is

dismissed. The Lord Justice (the Judge in the Court of Appeal) needs to see the judgment so he can understand the reasons why the Judge reached their decision.

How you get copies of the judgment depends on whether or not the judgment was given verbally in court and tape-recorded, or a written judgment was handed down (see below).

If you are not sure whether the judgment was recorded, ask the appropriate court office. There is a list on page 5 telling you which office to contact.

## **Written Judgments**

If judgment is not given verbally in court, the judge will usually reserve his/her decision and list the matter at a later date to hand down the judgment. At this hearing the judge gives each party a typed copy of the judgment – a 'written judgment'. Tribunals often provide the parties with decisions in writing and these are sent to the parties. These documents are provided free.

If the Judge gave a written judgment you should include a copy of that document in the bundle.

## **Judgment given orally in Court**

You must provide an official typed text of any judgment given orally in court and recorded (a 'transcript of judgment'). The transcript will have to be produced by a firm which specialises in that work (a 'transcriber') and approved by the judge.

For details of how to order a transcript of judgment see page 4. You will usually have to pay the transcriber a fee for the transcript. They will be able to advise you of the cost. In certain circumstances, where you can provide cogent proof that you cannot afford the cost, you can make an application to the court for the transcript to be provided to you at public expense. Ask your case manager in the Civil Appeals Office for the relevant form.

It is important that you keep a copy of the transcript for your own use, for example, if there is a hearing.

## **What do I do if the judgment was not given in writing and was not recorded?**

Where the judgment was not given in writing and was not officially recorded, it is the duty of any lawyers who were acting in the case to take written notes of the judgment. In such a case, you will need to obtain a typed note of judgment from one of those lawyers.

If you were represented at that hearing, ask your own lawyer first but, if you were not legally represented, ask the other side's lawyer if they attended.

If you have already been granted permission to appeal or you do not need permission, the lawyer will have to agree the note with the other side's lawyer and then have it approved by the Judge.

Neither your lawyer, nor the other side's lawyer, is entitled to charge any fee for providing or agreeing a note of judgment.

Tell the Civil Appeals Office immediately if you experience any difficulties or delays in obtaining either a transcript or a note of judgment.

## **What about a record of the evidence?**

Transcripts or notes of evidence are not generally needed for the purpose of determining an application for permission to appeal or for most appeals. Ask your case manager in the Civil Appeals Office if you need guidance (e.g. because the Lord Justice asked for transcripts of evidence when he granted permission to appeal). The case manager's name and contact details are on correspondence addressed to you from the Civil Appeals Office.

## **How do I order transcripts?**

Contact the appropriate lower court office immediately (see the list below) and they will let you know what you have to do to order an official copy of the transcript.

You will have to order and pay for one copy of the transcript of judgment (and a transcript of evidence, where necessary).

When you have ordered and paid for the transcript, the transcribers will send it to you to put with your bundle. You should send a copy of the transcript to the Civil Appeals Office as soon as you receive it and it will be placed with your bundle. You must keep a copy for your own use.

## **Which office do I contact about transcripts?**

The appropriate office to contact about transcripts is:

<b>High Court cases heard at the Royal Courts of Justice in London (other than cases in the Administrative Court)</b>	The Court's Recording & Transcription Unit Royal Courts of Justice Strand London WC2A 2LL Phone: 020 7947 7820 Email: rcj.cratu@hmcts.gsi.gov.uk
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<p><b>High Court cases heard anywhere else</b></p>	<p>The office of the court at which your case was heard</p>
<p><b>Cases in the Administrative Court</b></p>	<p>The official transcriber for the Administrative Court are:  DTI Global  165 Fleet Street  London EC4A 2DY  Fax: 020 7422 6138  Email: rcj@dtiglobal.eu  To obtain a transcript you must  i) make the request in writing;  ii) pay for the transcript in advance;  iii) send a copy of the Administrative Court bundle to DTI Global  Phone enquiries: 020 7404 4036</p>
<p><b>Judicial Review in the Upper Tribunal Immigration and Asylum Tribunal (UTIAC)</b></p>	<p>The official transcribers for the UTIAC are:  UBIQUUS    Fax: 020 7405 9884  Email: legal@ubiquus.com    To obtain a transcript you must:  i) Complete a transcript request form which you can obtain from UBIQUUS or UTIAC  ii) Pay for the transcript in advance    Phone enquiries: 020 7759 2695</p>

<b>Employment Appeal Tribunal cases</b>	<p>The Employment Appeal Tribunal  Second Floor  Fleetbank House  2-6 Salisbury Square  London EC4Y 8JX  Email: londoneat@hmcts.gsi.gov.uk</p> <p>EAT Judgments are provided free of charge but must be requested within 14 days of the seal date of the order being appealed.</p> <p>Phone: 020 7273 1041</p>
<b>Other Tribunals</b>	<p>The office of the Tribunal where your case was heard.</p>
<b>County Court cases</b>	<p>The office of the County Court which dealt with your case</p>

## Preparation of a skeleton argument

The purpose of a skeleton argument is to assist the court by setting out as concisely as practicable the arguments upon which you intend to rely. A skeleton argument assists both you and the court in understanding the basis for your case.

If you are unable to file the skeleton argument with your appellant's notice you should apply as soon as possible to the Civil Appeals Office for an extension of time, with reasons (see page 7 for the address of the Civil Appeals Office).

A skeleton argument must:

- a) Be concise (it should not normally exceed 25 pages excluding front and back sheets)
- b) Be printed on A4 paper in not less than 12 point font and 1.5 line spacing, including footnotes
- c) Both define and confine the areas of controversy (i.e. clearly explain the areas where you consider that the decision of the court or tribunal below was wrong or unjust)
- d) Be set out in numbered paragraphs
- e) Be cross-referenced to any relevant document in the bundle
- f) Be self-contained and not incorporate by reference, material from previous skeleton arguments
- g) Not include extensive quotations from documents or authorities

- h) Be labelled as applicable (e.g. applicant's PTA skeleton, respondent's appeal skeleton) and be dated on its front sheet.

All documents which are relied upon must be clearly identified.

You should consider what other information the court will need. This may include a list of persons who feature in the case or a glossary of technical terms.

Where you have filed a skeleton argument in support of an application for permission to appeal, the same skeleton argument may be relied on in the appeal or you may file an appeal skeleton argument.

## **What do I do when I have finished?**

If you are applying for permission to appeal, you must file one copy of your core bundle, and any supplementary bundle if applicable, within 14 days of filing your appellant's notice. Make sure you keep a copy for yourself.

If you need further time, you must apply to the Civil Appeals Office, before the time limit expires, for an extension of time, with reasons.

The address for filing documents with the Civil Appeals Office is:

Civil Appeals Office Registry Room E307  
3rd Floor East Block Royal Courts of Justice  
Strand  
London WC2A 2LL

The Office is open Monday to Friday, 10.00am to 4.30pm.

If permission to appeal is granted by the Court of Appeal, you will be given instructions about the documents which have to be added to your core bundle in preparation for the appeal hearing.

## **Adding documents to a bundle already filed**

If you wish to add a document to a supplementary bundle already lodged with the court, the document should identify the Court of Appeal reference number, the relevant bundle and page number so that it can be added to the bundle in the appropriate place. It should not be stapled and it should be hole punched for immediate inclusion in the binders in use. A revised index should be provided at the same time.

# **Annex 1**

## **Pagination**

Bundles must be paginated, each and every page being numbered individually and consecutively.

Page numbers should be inserted in bold figures at the bottom right hand corner of each page and in a form that can be clearly distinguished from any other pagination on the document.

Page numbering must not reduce the font size of any document below 12 points.

## **Index**

For core bundles, the relevant core bundle index from the Civil Appeals Office website should be used.

For any supplementary bundle, an index must be included at the front of the bundle listing all the documents and providing the page references for each of them. Every document should be identified briefly but accurately.

Where the appeal bundle consists of more than one file, an index to all the files should be included in the first file and an index included for each file. The full name of the case should not be inserted on the index if this would waste space.

There is a diagram at the back of this leaflet which shows how the pages should be numbered and what a supplementary bundle index should be like (see Annex 3).

## **Chronological order**

Except for core bundles, the documents should be in chronological order.

## **Binding**

All documents, with the exception of transcripts, must be bound together. This may be in a lever arch file or ring binder. Plastic sleeves containing loose documents must not be used. Binders and files must be strong enough to withstand heavy use and must be in fully working order when lodged with the court.

The size of any bundle should match its contents. A large lever arch file should not be used for just a few pages. No file whatever its size should be overloaded.

The only documents which do not have to be fixed into the bundle are official transcripts or your skeleton argument if you are not able to file it with your appellant's notice.

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Where possible the documents should be on A4 size paper (like this leaflet). All documents should be placed in the bundle so as to ensure that the text starts nearest the spine and can be read from left to right. The copies of the documents in the bundle should be single-sided, not backed or double-sided copies.

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Documents in a foreign language should be translated and the translation marked and placed next to the document translated. The translation should be agreed or, if it cannot be agreed, each party's proposed translation should be included.

Different sections of the file may be separated dividers so long as these are clearly indexed.

All staples, heavy metal clips etc, must be removed.

## **Bundle Labels**

Every bundle must be clearly identified, on the spine and on the front cover, with the name of the case and the Court of Appeal's reference. Where the bundle consists of more than one file, each file must be numbered on the spine, the front cover and the inside of the front cover.

## **Sanctions for non-compliance**

If an appellant fails to comply with the requirements as to the provision of bundles of documents, without good reason, the application or appeal will be at risk of being dismissed for failure to so comply.

## Annex 2 - Specimen Core Bundle Index

Court of Appeal Ref:	
Name v Name	
CORE BUNDLE INDEX	
Document	Pages
1. Sealed Appellant's Notice and grounds of appeal	
2. Skeleton argument	
3. Chronology of relevant events	
4. Upper Tribunal order being appealed	
5. Where the order was made at or following a hearing, Upper Tribunal judgment (either transcript or as sent out to the parties)	
6. Upper Tribunal decision refusing / granting permission to appeal to the Court of Appeal and covering letter	
7. Skeleton argument lodged by either party in the Upper Tribunal (if applicable)	
8. Detailed Grounds of Defence (if applicable)	
9. Upper Tribunal decision granting permission to apply for judicial review (if applicable)	
10. Upper Tribunal paper decision refusing permission to apply for judicial review (if applicable and if different from decision being appealed)	
11. Judicial Review Acknowledgment of Service and summary grounds of defence (T482)	
12. Sealed Judicial Review Claim Form (T480) and grounds	
13. Copy of the decision challenged in the judicial review	
14. Copy of any application (or further representations) which was the subject of the decision challenged in the judicial review, with any enclosures	

Use for: Judicial Review appeals from the Upper Tribunal Immigration and Asylum Chamber (C2)

# Annex 3 Specimen Supplementary Bundle Index

Court of Appeal Ref _____	
Jones v. Smith SUPPLEMENTARY BUNDLE INDEX	
Document	Pages
Transcript of evidence dated xx-xx-xxxx	1-8
Witness Statement in support of application for a stay of execution	9-16
Order of Mr X dated xx-xx-xxxx	17-18
Application Notice dated xx-xx-xxxx	19-23
1st Witness Statement/Affidavit of Defendant	24-28
2nd Witness Statement/Affidavit of Claimant	29-35
Witness Statement of Claimant	36-39
Witness Statement of Defendant	40-44
Etc.	

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Continue numbering each page in order through to end

From: dismissal.list.manager <dismissal.list.manager@justice.gov.uk>  
Sent: 13 February 2026 09:53  
To: legal@SWISSX.com  
Cc: Boniswa Dzere  
Subject: CA-2025-002562 David v Kahn  
Attachments: Dismissal List - Dismissal - No bundle - ALP (Alkiviades David).pdf

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Good morning

Find attached letter in relation to the above permission to appeal application.

**Please ensure that all enquires or responses to the attached letter are sent to [Civilappeals.cmsa@justice.gov.uk](mailto:Civilappeals.cmsa@justice.gov.uk)**

Kind regards

**D Trinidad**

**Dismissal List Manager**

The Royal Courts of Justice | Strand | London | WC2A 2LL

 HM Courts & Tribunals Service

[Here is how HMCTS uses personal data about you](#)

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This e-mail and any attachments is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail. Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail. This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. Monitoring / blocking software may be used, and e-mail content may be read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.



**CIVIL APPEALS OFFICE**

Room E307, Royal Courts of Justice

Strand, London WC2A 2LL

DX 44456 STRAND

**Telephone** 020 7947 6139

**Fax** 020 7947 6736

RNID Typetalk 18001 (Text) 18002 (Voice)

(Helplines for the deaf and hard of hearing)

<http://www.civilappeals.gov.uk>

Alkiviades David  
4 WILTON PLACE  
LONDON SW1X 8RH

DATE: 13-02-2026

OUR REF: CA-2025-002562

Linked Case References: [[Dixon Vs Allgood Main Case Number]]

Dear Sir/Madam,

Re: David v Kahn

According to our records you have not yet lodged the necessary bundle of documents for the use of the Court in this matter. This should have been lodged within 14 days of your appellant's notice being sealed by the Court, in accordance with the requirements of Practice Direction 52C which supplements the Civil Procedure Rules, Part 52. Any further time you were given to file the bundle has now expired.

This matter will therefore be dismissed with costs for failure to comply with the Court's directions unless a core bundle complying in every respect with the Practice Direction and the bundle leaflet which you have been sent, has been lodged via email to [civilappeals.cmsa@justice.gov.uk](mailto:civilappeals.cmsa@justice.gov.uk), to arrive no later than 4.00pm on 20-02-2026, or sufficient reasons provided in writing why that cannot be done. The order for dismissal will be made without a hearing and only in exceptional circumstances might further time be granted for compliance.

A further copy of the bundle leaflet is enclosed to assist you. The Citizens' Advice Bureau in the Royal Courts of Justice offers help to litigants in person who have difficulty in composing their bundles. The bureau may be contacted by telephone on 0203 475 4373, Wednesday 2pm-4.30pm. The bureau may also be contacted via email at [civiltriage@rcjadvic.org.uk](mailto:civiltriage@rcjadvic.org.uk). The fact that the bureau's assistance has been sought does not, however, remove the obligation to lodge the bundle within the time limit set by the Court.

**If you have any query about the contents of this letter, please contact your Case Progression Manager, Manpreet direct by emailing [civilappeals.cmsa@justice.gov.uk](mailto:civilappeals.cmsa@justice.gov.uk)**

Yours faithfully,

D Trinidad  
(Dismissal List Manager)  
[civilappeals.cmsa@justice.gov.uk](mailto:civilappeals.cmsa@justice.gov.uk)

Enc: Form 204

In accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018 that came into effect from 25th May 2018 if you would like to know more about how HMCTS handles your personal data please visit our website at [www.gov.uk/hmcts](http://www.gov.uk/hmcts). If you require a hard copy of the privacy notice please contact the court. 102



HM Courts &

## How to Prepare an Appeal Bundle for the Court of Appeal

This leaflet explains what you need to do in order to comply with Part 52 of the Civil Procedure Rules and the Practice Direction which supplements that Part.

### **Why must I prepare an appeal bundle?**

To help the Judge to understand what your case is about. You must put your documents together in a standard way so that the judge can find what he needs quickly and easily.

### **What do I have to do?**

If you are applying for permission to appeal, you will have to provide a core bundle within 14 days of filing your appellant's notice. It is very important that you keep one copy of the core bundle for your own use.

If permission is not required or if permission has been granted you will need to provide further copies for the Court and the respondent(s). You will be provided with further information in this case. Each bundle must be exactly the same so that everyone in court is looking at identical bundles.

As soon as you have decided you want to appeal, you must immediately take steps to obtain the judgment of the decision you are appealing. (See page 3, How do I get a copy of the judgement? and page 4, How do I order transcripts?)

### **How do I prepare a core bundle for permission to appeal?**

The following rules must be followed in every case. These rules and requirements are important. If your bundle does not comply with them, it will delay the progress of your case and may lead to your appellant's notice being dismissed for failure to comply.

The Civil Appeals Office will send you a core bundle index similar to the one at Annex 2 at the end of this leaflet. The index lists all the documents you must include in your bundle for permission to appeal. Core bundle indices for all types of cases can be found on the Civil Appeals Office website at [http://hmctsformfinder.justice.gov.uk/HMCTS/GetForms.do?court\\_forms\\_category=Court%20Of%20Appeal%20Civil%20Division](http://hmctsformfinder.justice.gov.uk/HMCTS/GetForms.do?court_forms_category=Court%20Of%20Appeal%20Civil%20Division)

You should collate all the documents listed in the relevant core bundle index and place them in a ring binder folder in the same order as they are listed in the index. Page numbers should be added to the bottom right hand corner of every page in the bundle. The index should be placed at the front and the relevant page numbers for each document contained in the bundle should be added to the index.

### **Do not place original documents in the bundle.**

Where you are unable to file all the necessary documents, you must say which documents have not been included and why they are not currently available. You must provide an estimate of when the missing document(s) can be filed and request an extension of time for filing them.

### **What do I do if I want to rely on additional documents?**

If there are additional documents not listed in the relevant core bundle index which are necessary for the court to read in order to determine the application for permission to appeal, you may file a supplementary bundle. It must contain no more than 350 pages unless the court gives permission. Any application for permission to rely on a supplementary bundle of more than 350 pages must be made by application notice with a fee of £528.

You must ONLY include documents in the bundle which were before the court or tribunal which made the decision you want to appeal. If you wish to rely on evidence that was not before the lower court, you must seek the court's permission. Any application to rely on fresh evidence must be made by application notice with a fee of £528.

Transcripts of the evidence are very rarely needed at the permission to appeal stage.

Documents in the bundle should not be marked or written on. The documents must look exactly the same as the ones which the judge in the lower court had. If you wish to comment on any document you should do so separately.

### **Format of appeal bundles**

There are special rules about the format of an appeal bundle. See Annex 1 at the end of this leaflet.

## **How do I get a copy of the judgment?**

As soon as you have decided you want to appeal, you must immediately take steps to obtain the judgment of the decision you are appealing (unless unusually the order you are appealing was made on the papers without an oral hearing).

The 'judgment' is the document which sets out the full reasons which the Judge gave for their decision. It is not the order which just states the result of the decision e.g. the claim is dismissed. The Lord Justice (the Judge in the Court of Appeal) needs to see the judgment so he can understand the reasons why the Judge reached their decision.

How you get copies of the judgment depends on whether or not the judgment was given verbally in court and tape-recorded, or a written judgment was handed down (see below).

If you are not sure whether the judgment was recorded, ask the appropriate court office.

There is a list on page 5 telling you which office to contact.

### **Written Judgments**

If judgment is not given verbally in court, the judge will usually reserve his/her decision and list the matter at a later date to hand down the judgment. At this hearing the judge gives each party a typed copy of the judgment – a 'written judgment'. Tribunals often provide the parties with decisions in writing and these are sent to the parties. These documents are provided free.

If the Judge gave a written judgment you should include a copy of that document in the bundle.

### **Judgment given orally in Court**

You must provide an official typed text of any judgment given orally in court and recorded (a 'transcript of judgment'). The transcript will have to be produced by a firm which specialises in that work (a 'transcriber') and approved by the judge.

For details of how to order a transcript of judgment see page 4. You will usually have to pay the transcriber a fee for the transcript. They will be able to advise you of the cost. In certain circumstances, where you can provide cogent proof that you cannot afford the cost, you can make an application to the court for the transcript to be provided to you at public expense. Ask your case manager in the Civil Appeals Office for the relevant form.

It is important that you keep a copy of the transcript for your own use, for example, if there is a hearing.

## **What do I do if the judgment was not given in writing and was not recorded?**

Where the judgment was not given in writing and was not officially recorded, it is the duty of any lawyers who were acting in the case to take written notes of the judgment. In such a case, you will need to obtain a typed note of judgment from one of those lawyers.

If you were represented at that hearing, ask your own lawyer first but, if you were not legally represented, ask the other side's lawyer if they attended.

If you have already been granted permission to appeal or you do not need permission, the lawyer will have to agree the note with the other side's lawyer and then have it approved by the Judge.

Neither your lawyer, nor the other side's lawyer, is entitled to charge any fee for providing or agreeing a note of judgment.

Tell the Civil Appeals Office immediately if you experience any difficulties or delays in obtaining either a transcript or a note of judgment.

## **What about a record of the evidence?**

Transcripts or notes of evidence are not generally needed for the purpose of determining an application for permission to appeal or for most appeals. Ask your case manager in the Civil Appeals Office if you need guidance (e.g. because the Lord Justice asked for transcripts of evidence when he granted permission to appeal). The case manager's name and contact details are on correspondence addressed to you from the Civil Appeals Office.

## **How do I order transcripts?**

Contact the appropriate lower court office immediately (see the list below) and they will let you know what you have to do to order an official copy of the transcript. A Request for Transcription form (EX107) can be obtained via HMCTS form finder at [hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do](https://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do) The EX107 Guidance Notes also explain what you have to do to order a transcript.

You will have to order and pay for one copy of the transcript of judgment (and a transcript of evidence, where necessary).

When you have ordered and paid for the transcript, the transcribers will send it to you to put with your bundle. You should send a copy of the transcript to the Civil Appeals Office as soon as you receive it and it will be placed with your bundle. You must keep a copy for your own use.

## Which office do I contact about transcripts?

The appropriate office to contact about transcripts is:

High Court cases heard at the Royal Courts of Justice in London (other than cases in the Administrative Court)	The Court's Recording & Transcription Unit Royal Courts of Justice Strand London WC2A 2LL Phone: 020 7947 7820 Email: rcj.cratu@hmcts.gsi.gov.uk
High Court cases heard anywhere else	The office of the court at which your case was heard
Cases in the Administrative Court	The official transcriber for the Administrative Court are: Opus 2 International Ltd 5th Floor 5 New Street Square London EC4A 3BF Email: civil@opus2.com  To obtain a transcript you must i) make the request in writing; ii) pay for the transcript in advance; iii) send a copy of the Administrative Court bundle to Opus 2 International Phone enquiries: 020 7831 5627
Employment Appeal Tribunal cases	The Employment Appeal Tribunal Second Floor Fleetbank House 2-6 Salisbury Square London EC4Y 8JX Email: londoneat@hmcts.gsi.gov.uk  EAT Judgments are provided free of charge but must be requested within 14 days of the seal date of the order being appealed.  Phone: 020 7273 1041
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# Annex 1

## Pagination

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**Name v Name  
CORE BUNDLE INDEX**

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14. Copy of any application (or further representations) which was the subject of the decision challenged in the judicial review, with any enclosures	

Use for: Judicial Review appeals from the Upper Tribunal Immigration and Asylum Chamber (C2)

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Etc.	

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Continue numbering each page in order through to end