

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

MAHIM KHAN

Claimant/Applicant

-and-

ALKIVIADES DAVID

Defendant/Respondent

SKELETON ARGUMENT ON BEHALF OF THE APPLICANT
FOR THE HEARING ON 25 JULY 2025

Pre-reading: If time permits the Court is invited to read this skeleton argument, the sealed freezing injunction of Mr Justice Freedman at CB/1¹; the Receivership Order made by Mr Justice Calver² note of the Judgment of Mr Justice Calver on 26 June 2025 at SB/2³; the note of the Judgment of Mr Justice Calver at CB/3/26-29; the note of the Judgment of Mr Justice Freedman at CB/4/32-35.⁴ The estimated reading time is 30 minutes.

Hearing time: Two hours has been allocated for this hearing, including reading time.

BACKGROUND

1. The Claimant obtained judgment after a jury found the Defendant liable under California law for Battery, Sexual Assault and Sexual Harassment in a hostile work environment (the **US Judgment**). The Defendant appealed on some procedural grounds and on the ground that the exemplary/punitive damages award was excessive. On 27 May 2022 the Court of Appeal affirmed the decision of the California trial court. On 6 July 2022 the Defendant appealed that decision to the Supreme Court of California which court refused to hear the appeal and stated: "*Petition for review denied*". The time-period for any further appeal has now expired; the

¹ The Core Bundle prepared for this hearing is referred to as CB. References are Bundle/Tab/Page/[para].

² A Supplementary Hearing Bundle (**SB**) was prepared for the hearing on 3 July 2025. The Receivership Order is at Tab 2.

³ Supplementary Hearing Bundle (**SB**) at 158-168

⁴ The Claimant's solicitors, Howard Kennedy, did order transcripts of both hearings but they are not yet available.

Defendant's rights are fully exhausted and the Judgment is final, conclusive and enforceable under US law.⁵

2. The Judgment can only be enforced in this jurisdiction by an action founded on the Judgment. The Claim Form, with the Particulars of Claim attached, was issued on 15 May 2025 (these Proceedings).⁶ The Claimant's claim is for US\$8,250,000 in respect of Compensatory Damages together with interest thereon which, as at the 15 May was US\$4,387,191.83 and Legal Costs of US\$1,473,050.60. The Claimant also claims US\$48,800,000 in respect of Exemplary Damages together with interest thereon which as at 15 May 2025 was US\$25,950,904.08.⁷ For the reasons given in the Judgment of Mr Justice Calver, the Claimant does not, at least at this stage, seek judgment or enforcement in respect of the exemplary/punitive damages.
3. In these Proceedings, on 26 June 2025, Mr Justice Calver appointed Receivers in respect of the Property (as defined in the Receivership Order) and made a Freezing Injunction in respect of the Defendant's assets in excess of £20,000 in this jurisdiction and a number of the Defendant's bank accounts with Barclays and HSBC in this jurisdiction. The Orders have been made to enable the Claimant to obtain payment of the Compensatory Award and the Legal Costs Award⁸ that the Defendant was ordered to pay the Claimant pursuant to the US Judgment.⁹
4. The return date of the Freezing Injunction was 3 July 2025. On that date the Freezing Injunction was continued and adjourned to 25 July 2025. Although the Defendant did not have any solicitors on the record he was being assisted by Edwin Coe and Counsel from that firm addressed the Court on his behalf. The Defendant has not complied with the terms of the Freezing Order. The Claimant asks the Court to continue the Freezing Order. The Claimant has also issued a Contempt application for the Defendant's breach of the Freezing Orders.¹⁰ According to his emails, the Defendant intends to ask the Court to set aside the Freezing Order.
5. The Defendant has not cooperated with the Receivers. The Claimant has issued an application to vary the powers of the Receivers to enable them to take steps to preserve the value of the Property.¹¹ According to his emails, the Defendant intends to ask the Court to set aside the appointment of the Receivers.

⁵ See paragraph 15 of the skeleton argument on behalf of Ms Khan for the hearing on 26 June 2025.

⁶ CB/19/179

⁷ CB/20/187

⁸ Defined in paragraph 4 of the skeleton argument on behalf of Ms Khan for the hearing on 26 June 2025.

⁹ Ms Khan was also awarded Punitive/Exemplary Damages but these are not relevant to the applications for the appointment of Receivers or the Freezing Injunction (see further below).

¹⁰ CB/8/87-95

¹¹ CB/14/160

THE CLAIMANT'S APPLICATIONS

6. The Claimant has the following applications:
 - (1) for continuation of the Freezing Injunction.
 - (2) a contempt application in respect of Mr David.
 - (3) an application to vary the powers of the Receivers.
 - (4) an application to stay the Claimant's claim in respect of the exemplary/punitive damages (as defined in the Particulars of Claim).

THE DEFENDANT

7. The Defendant has indicated that he will represent himself at the hearing. Initially it seemed that he wanted to appear by video link so Howard Kennedy, provided the Defendant with the information he needs to make arrangements with the Court to appear by video link. From his recent emails it seems that the Defendant may now be in this jurisdiction and that he may, therefore, appear in person.
8. The Defendant has been sending numerous emails to, among others, the Claimant's solicitors and the Court. Ms Hume, the partner at Howard Kennedy with day to day conduct of this matter on behalf of the Claimant, has identified the main issues raised by the Defendant in her first affidavit sworn 23 July 2023.¹²
9. The Court should be aware that the Defendant has referred some emails to having traumatic brain injury. The Defendant did participate in the US proceedings brought by the Claimant initially by instructing lawyers and then by representing himself. The Claimant's American lawyers have informed us that the Defendant did not claim to have a brain injury until well after the jury verdict in the proceedings brought by the Claimant and that the Defendant attended the debtor examination with a dog and claimed that it was an emotional support animal. The Defendant's lawyer in the US did not refer to a diagnosed disability or brain injury as an excuse for Mr David's behaviour in those proceedings.
10. The Defendant relies on the opinion of Dr George Karampoutakis which he says confirms that he is of sound mind, fully competent and facing reactive stress stemming from prolonged

¹² CB/5/36-48. Ms Hume apologises for the late filing of this affidavit. The reason for this, and for the late filing of this skeleton for which I also apologise, is time taken to identify and set out in a concise form the grounds on which Mr David seeks to challenge orders made by this court. CB/37/6

litigation, not a psychiatric illness¹³ If the Defendant were to make an application to this court, supported by evidence including an explanation as to what accommodation is required for him to prepare for a hearing or to attend court, then the court would no doubt consider whether there should be accommodation and if so what that should be.

THE CONTINUATION OF THE FREEZING INJUNCTION

The merits of the Claimant's claim

11. The merits of the Claimant's claim was considered at the two previous hearings. The court has decided that the Claimant has an underlying substantive claim that is capable of being brought in this jurisdiction and that the Claimant has a good arguable case against the Defendant.¹⁴
12. The Defendant has asserted in his emails that the US Judgment cannot be enforced because it was obtained by fraud. This issue was not addressed at the previous hearings. If a judgment were obtained by fraud it would not be enforced by this court; Rule 53.¹⁵ The fraud must generally be the fraud of the party in whose favour judgment has been given but it could be on the part of the foreign court in which judgment has been given (e.g. where the judge has been bribed).¹⁶ The US Judgment has been upheld on appeal. The Defendant has not produced any or any cogent evidence of any fraud that involves either the Claimant or the United States courts.¹⁷
13. Mr Justice Freedman sought clarification as to whether the US Judgment could be enforced because part of the judgment was for exemplary/punitive damages and the issue was whether this infected the compensatory award.¹⁸ Having considered this issue the Judge was satisfied that the Claimant did have a good arguable case for the compensatory damages award. Since then, the US lawyer has provided evidence as to how the exemplary/punitive damages were decided and from this it is clear that there was no award of "multiple damages" because the jury decided on the level of exemplary/punitive damages at a separate hearing after they had decided

¹³ Bundle B at pages 460-461.

¹⁴ The conclusion of Mr Justice Calver at CB/3/28/v and at CB/3/26-27/c. to j. Mr Justice Freedman sought clarification as to whether the judgment for the Compensatory Award was contaminated by the Judgment for Punitive Damages by reason of Rule 60 in Dicey & Morris on multiple damages. CB/34/7; he was satisfied that at this stage there was a good arguable case for the purpose of a freezing order. CB/4/34-35. A copy of Dicey & Morris on Foreign Judgments will be made available to the Court.

¹⁵ 14R-134

¹⁶ 14-141

¹⁷ Mr David has also not suggested that the proceedings of the US court were contrary to natural justice. (Rule 53)

¹⁸ CB/4/34/7

the compensatory damages and were directed by the Judge that it was open to them not to award any exemplary/punitive damages.¹⁹

The risk of dissipation

14. The Court was also satisfied that there is a risk that the assets may be disposed of to frustrate the enforcement of the judgment of this court. Mr Justice Calver concluded, having read the first affidavit of Michelle Usitalo dated 8 May 2025 that her evidence:²⁰

“I...strongly supports Ms Khan’s case that given the Defendant’s statements and conduct to date it is highly likely, unless restrained by this court, he will take steps to prevent Ms Khan from attaining any value from the property and dissipate assets which may be of value in England and Wales.

m. In particular Michelle Usitalo refers to the fact that the Defendant treated the trial process in the US with contempt, abused judges and attorneys and failed to comply with orders. At the Debtor examination the Defendant swore at sheriffs, had to be removed, and escorted from the court. He failed to supply documents and show any documents in respect of his assets. He filed 6 lawsuits in the US against the lawyers and Ms Reeves, another claimant who brought the claim against the defendants. All the cases were dismissed or withdrawn.

n. More importantly it is noticeable that the Defendant sought to obstruct the enforcement of property in the US, the Malibu property, significantly reducing the value...

o. As far as the property in Switzerland is concerned his conduct was possibly even more outrageous...

q. Similarly in Greece and the Greek property... It follows Ms Khan submits she needs the protection of the receiver for the English property because if not the property will be damaged or dissipated or the Defendant will take steps to protract the process. His behaviour in relation to the properties strongly supports these fears.”

The balance of convenience

15. Mr Justice Calver concluded that, in all the circumstances of the case, it was just and convenient to grant make the Freezing Order.²¹

Communications with Barclays and HSBC

16. Barclays has confirmed to the Claimant’s solicitors that it has been unable to locate any open bank accounts.²²

¹⁹ CB/7/82-85

²⁰ CB/3/27/1.-q.

²¹ CB/3/29 /z

²² CS/5/46/34

17. HSBC has confirmed that the bank accounts are closed and confirmed that it has no banking relationship with the Defendant.²³

The Defendant's emails

18. The Claimant's lawyers have considered whether there is anything in the Defendant's numerous emails that could change the assessment made by the Court to date that the Freezing Order should be made and should be continued. There is nothing.
19. What appears to be the Defendant's grounds of opposition in his emails up to and including 22 July 2025 have been summarised by Ms Hume.²⁴ In brief they are:
- (1) The allegation of gross negligence against his legal team.²⁵ This has nothing to do with the Claimant.
 - (2) The allegation that the Claimant's counsel in the US Proceedings forged the signature of one of the Defendant's counsel on a Joint Exhibit list and the Judge refused to intervene. The Defendant has ignored the fact that this issue was dealt with prior to trial by the US court and that his appeal of the US Judgment to the US Supreme Court was unsuccessful.²⁶
 - (3) The allegation that the first instance Judge who presided over the trial was biased because she granted a motion in limine. As to the Judge's rulings on the motion, the Court of Appeal decided that the Defendant had forfeited his right to contest the trial court's rulings because he did not object to the motions on any cognizable grounds.²⁷
 - (4) The Defendant alleges that there has been a "*miscarriage of justice*" which has been investigated and verified by an article published by Shockya.com. This is not evidence of a miscarriage of justice and the publication appears to be linked to the Defendant.²⁸
 - (5) Howard Kennedy has a conflict of interest even though the firm does not and never has acted for the Defendant. The Defendant has made extremely serious unfounded allegations against Howard Kennedy.²⁹

²³ CB/5/47/38 and 39

²⁴ CB/5/37 to 48

²⁵ CB/5/38/8

²⁶ CB/5/38/9

²⁷ CB/5/38/10; CB/6/56/23a

²⁸ CB/5/39/11

²⁹ CB/5/39/12

- (6) The Defendant alleges there has been witness tampering by Gloria Allred, the Claimant's merits-based attorney in the US Proceedings and by others unconnected to the US Proceedings. No evidence has been produced to substantiate this. The Defendant also relies on a press report that Ms Allred has been the subject of a complaint to the California Bar Association in 2025. Ms Allred says she has received no notification. The allegations made against her are unconnected with the Claimant's proceedings against the Defendant.³⁰
- (7) The Defendant alleges that the Court of Appeal Judgment states that Yelena Calendar and Gary Shoeield were corroborating witnesses in the trial at the US Proceedings. This is wrong. The only reference to them is in the context of the Claimant's testimony which included references to emails.³¹ More recently, the Defendant has alleged that Mr Shoeield is part of a "*co-ordinated campaign*" and should be summoned to testify that he was physically present at the Claimant's trial.³²
- (8) The Defendant alleges that Tom Girardi was involved in the Claimant's US proceedings. He was not an attorney on record acting for the Claimant. No evidence of his involvement has been provided.³³
- (9) The Defendant appears to have commenced proceedings in Antigua which he describes as "*a formal complaint and judicial review*" and a "*cross complaint*". The Claimant is not a party to these proceedings.³⁴
- (10) The Defendant alleges that the Judgment is subject to a judicial challenge. This is wrong. The Defendant's appeal to the US Supreme Court failed.³⁵
- (11) On 16 July 2025 at 3:36 (UK time) the Defendant has sent an email to the Court, the Metropolitan Police and others alleging that the Claimant is part of a "*well documented network of vexatious and retaliatory litigation*" and alleges that the US Judgment is tainted. The documents the Defendant seeks to rely on are unconnected with the US proceedings.³⁶

³⁰ CB/5/39/13

³¹ CB5/39/14

³² Email dated 21 July 2025 at 14.32. And give testimony on his role in business developments and his knowledge of the Defendant's medical condition.

³³ CB5/40/15

³⁴ CB5/409/16 and 17

³⁵ CB5/40/17

³⁶ CB5/42/20

- (12) A further email was sent on 17 July 2025 at 19.59 (UK time) which purports to be in support of the Defendant's application to set aside orders and advance a cross-claim includes documents none of which has any relevance to these proceedings.³⁷
- (13) The Defendant says the decision of the Court of Appeal in the US is tainted because Judge Elwood Lui was also the judge in the Jane Doe case in which the judgment awarded against the Defendant was US\$900 million. That judgment was delivered on or about 17 June 2024, more than 2 years after the judgment in the Court of Appeal in favour of the Claimant.³⁸

20. In the circumstances, the Court is asked to continue the Freezing Order.

THE CONTEMPT APPLICATION AGAINST THE DEFENDANT

21. The Defendant has not complied with any of the orders made by this court in these proceedings. The disclosure order made by Mr Justice Calver was continued by Mr Justice Freedman.³⁹ Both orders begin with the heading "*Penal Notice*" and state that "*If you Alkiviades David disobey this order you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized.*" The penal notice was drawn to the Defendant's attention in the covering letter of service dated 27 June 2025.
22. The Defendant was ordered to, by 1 pm on Monday 30 June 2024 and to the best of his ability, inform the Claimant's solicitors of all 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.⁴⁰ The Defendant has not complied with this order.⁴¹
23. The Defendant was also ordered to exhibit bank statements for each of the bank accounts as well as any other bank accounts in his name or to which he had access in England and Wales from 1 January 2024 to the date on which the order was served on him and provide the source of funds for each of the accounts.⁴² The Defendant has not complied with this order.

³⁷ CB/5/42/21

³⁸ CB/5/42/22

³⁹ CB/2/14 at 8

⁴⁰ CB/1/5/9

⁴¹ CB/11/99. The first affidavit of Ajay Fournillier sets out the facts and matters relied on in support of this application.

⁴² CB/1/5/9

24. On 2 July 2025 Howard Kennedy reminded the Defendant of the disclosure requirements set out in the Freezing Order and asked for all the documents and information sought in paragraph 9 by no later than 8 am on 3 July 2025.
25. On 8 July 2025 Howard Kennedy wrote to the Defendant enclosing a copy of the Freezing Order made by Mr Justice Freedman. The Defendant's response was that he would provide the disclosure to the Court at the hearing on 25 July 2025. On 9 July 2025 Howard Kennedy informed the Defendant that he was required to provide the information to them not to the Court. The Defendant then responded by stating that he would defer disclosure until the hearing because he challenged enforcement of the US Judgment in these proceedings. On 15 July 2025 the Defendant was again reminded of his obligation to comply with the Freezing Orders. His response was that he would not comply because he had applied to strike out the Claimant's claim.
26. On 23 July 2025 the Claimant issued a contempt application against the Defendant for failure to comply with the Freezing Orders.⁴³
27. It is acknowledged that the court is required to adopt a high degree of fairness on an application for committal for contempt of court. In this case there is no unfairness in committing the Defendant for contempt; he has deliberately disregarded the terms of the Freezing Orders made by this court.
28. In these circumstances, the Claimant seeks an Order that, on all the matters required by CPR Rule 81.4(2) having been included in the Contempt Application, it is ordered that the Contempt Application be adjourned for sentencing, together with ancillary orders.⁴⁴

THE RECEIVERSHIP

The application for an extension of the powers conferred on the Receivers

29. The Claimant applies for an extension of the powers conferred on the Receivers by the court.⁴⁵
30. One of the joint receivers (the **Receivers**), Mr Christopher Jones, has explained in evidence in support of the application that the Receivers have sought to ascertain whether anyone is living in the Property by asking the Trustees of the Harmonia Trust (the **Trustees**) and their solicitors, Charles Russell Speechlys LLP (**CRS**), who advised on 2 July 2025 that they were taking

⁴³ CB/8/8

⁴⁴ CB/10/98

⁴⁵ CB/14/160-165 (the Application); 166-167 (the draft order); 168-170 (the evidence)

instructions. On 8 July 2025 a further request was made of CRS, but to date neither the Trustees nor CRS has replied.

31. On 2 July 2025 the Receivers asked the Defendant and both his sons whether anyone is living in the Property. None of them replied. On 10 July 2025 they were all asked to provide this information by 17 July 2025. None of them has replied.
32. One of Mr Jones's colleagues, Mr Ruthven has visited the Property. On 3 July 2025 no-one answered the door and the Property appeared to be empty. On 15 July 2025 a woman who said she was a friend of the Defendant and had been staying at the Property for a few days answered the door to Mr Ruthven. She said she was leaving the next day and had not spoken to the Defendant for some time. Mr Ruthven gave her a copy of his business card and a copy of the Order appointing the Receivers.
33. Mr David, at 20.22 on 15 July 2025, sent an email to Howard Kennedy setting out the grounds on which he says the appointment of the Receivers should be set aside. The grounds included Mr Ruthven going to the Property and leaving his card and a copy of the Order.
34. The Claimant asks this court to extend the Receivers' powers to enable them to take steps to ensure that the Property is secure and to provide information required to enable them to retain insurance. The Receivers are required to provide further information to the insurers within 30 days of their appointment, including confirmation as to whether the Property is occupied. If this information is not provided the insurer can decline or reduce cover or increase the excess. The Receivers also need to provide a proper valuation of the Property.
35. In order to ensure that the Property can be properly insured and to preserve the value of the Property the Receivers need to be able to gain access to the Property and to take steps to make sure it is secure.
36. In these circumstances the Court is asked to order that the Receivers powers shall include a power:

“...for the Receivers to access and enter into the Property and if required for that purpose to change the locks to the Property for the purpose of securing and valuing the Property for insurance cover and carrying out their functions and powers set out in the Receivership Order.”
37. The court clearly has jurisdiction to make such an order pursuant to section 37 of the Senior Courts Act and/or its inherent jurisdiction and on the facts of this case it should do so; *JSC BTA*

Bank v Ablyazov [2013] EWHC 1361, where the claimant bank sought and obtained a variation of the receivership order to permit the receiver to sell the properties.

The Defendant's request that the appointment of the receiver should be set aside

38. The Defendant purported to make an application to set aside the Receivership Order by email on 15 July 2025 at 20.22 (UK time) without filing an application or paying a court fee. There is no merit whatsoever in any of the reasons he says the appointment of receivers should be set aside:
- (1) The order was made without notice. There was good reason for this; the risk of the dissipation/damage to the Property.
 - (2) The Claimant knew that the Defendant resides in Antigua. The Claimant's lawyers were of the view that his Instagram account suggested he was travelling the world and that his current business activities suggested the Defendant is residing in Antigua but they had no knowledge of his primary residence.⁴⁶
 - (3) His former attorneys were negligent. This is a matter for him to take up with them.
 - (4) The allegation that he has multiple affidavits sworn by former witnesses recanting their claims and confirming they were coerced. None of the deponents of these affidavits has been identified and no affidavits have been produced.
 - (5) A representative of the Receivers attended the Property and left a business card and copy of the Order appointing the Receivers. Just why this can be objected to is not explained.
39. The "skeleton argument" sent by email on 15 July 2025 at 20.57 (UK time) includes an assertion that his assets are linked to the Swiss X Sovereign Wealth Fund and the Government of Antigua and Barbuda which seems to be an allegation that the Property is used as an embassy for that government. While the Prime Minister of Antigua and Barbuda wrote to the Secretary of State for the US advising that the Property and other properties owned by the Defendant were being used as "*diplomatic missions of Antigua and Barbuda*" and therefore asserting diplomatic immunity over those properties. The Property is not owned by the Government of Antigua and Barbuda it is owned by the Defendant. The website for the High Commission of Antigua and Barbuda does not give the Property as the address or make any reference to the Property.⁴⁷

⁴⁶ SC/6/100-105 and SC/6/60/36

⁴⁷ SC/5/41/19

40. In the circumstances, the Court is asked to make the order extending the powers of the Receivers to protect the value of the Property.

JUDGMENT IN DEFAULT AND THE STAY APPLICATION

41. Notwithstanding that the Claimant's solicitors have, on several occasions, suggested to the Defendant that he should review the response pack and accompanying notes that were served with the Claim Form and the Particulars of Claim, the Defendant has not filed an Acknowledgement of Service or a Defence or any document intended to be a Defence.⁴⁸
42. On 18 July 2025 the Claimant filed with the Court a request that judgment in default be entered against the Defendant.
43. On 21 July 2025 the Claimant filed an application for the stay of the Claimant's claim for Exemplary Damages (as defined in the Particulars of Claim) pursuant to CPR Rule 3.1(g). The stay is sought because Claimant has not requested judgment in relation to these damages. Unless further assets in this jurisdiction belonging to the Defendant are discovered or disclosed, the value of the assets available for enforcement is less than the value of the Compensatory Damages and the Legal Costs and accrued interest. In the event that further assets are discovered or disclosed that are more than sufficient to meet these damages and costs, the Claimant will apply to lift the stay.

FURTHER RELIEF SOUGHT BY THE DEFENDANT

Mr David's email to the Court of 21 July 2025 at 19.57

44. In addition to the numerous emails that have been considered by Ms Hume in her affidavit, the Defendant has sent a further email which lists "*additional relief requested*". He has not issued any applications or filed any evidence and there is no merit in any of his requests:
- (1) Application to strike out the entire claim. Contrary to the Defendant's assertions, the Claimant's claim has not been brought in bad faith; does not constitute an abuse of process; has (according to the decision of two High Court Judges) a real prospect of success; and has not been used tactically to seize assets and obstruct speech without fair cause. The Claimant's cause is obviously fair; the Defendant made it clear that he will not pay the damages awarded to her for his extremely egregious behaviour and has sought to prevent her attempts at enforcement of the

⁴⁸ SC/5/42-45

Judgment in the United States. Switzerland and Greece, unfortunately, so far, with some degree of success.

- (2) Discharge of the Freezing Order and Receivership Order. The Defendant alleges that there was a deliberate omission of material facts without identifying the facts that are the subject matter of his allegation; he alleges, without giving any reasons, that the Property was “*wrongfully targeted for enforcement without due process*” in circumstances where the applications for the orders were properly made in accordance with the procedure of this court; he says that the orders serve no legitimate purpose other than “*reputational sabotage and asset capture*”. The Claimant is entitled to capture the assets in circumstances where Mr David has expressly stated in a video interview: “*I’m rich I’m the man, I will never pay a penny to these people. And you know what, they know it*”. The Defendant was referring to the Claimant (and Ms Reeves).⁴⁹
- (3) Formal recognition of Cross-Claimant Status and Permission to File. The Defendant asks this court to record that he is a cross-claimant “*in the light of*” his legal responses and evidentiary submissions and the existence of his pending counter-claims grounded in tort, civil fraud and breach of statutory obligations. He has not provided any legal responses or evidence. He alleges he has cross-claims for malicious prosecution; abuse of process; defamation and reputational harm; conspiracy to pervert the course of justice; and, collusion with the media and political entities to circumvent lawful proceedings. As these all appear to be claims that concern the US proceedings, it is unlikely that he has any cross-claim that he could bring in this jurisdiction. Further, the Defendant does not even try to identify how he could have any such claims against the Claimant or to explain why, if he did, he has waited until now to raise them.
- (4) Full disclosure and unsealing of evidence. The Defendant asks the Court for full disclosure of communications between the Claimant’s legal representatives and media outlets; the sealed filings and transcripts from the *ex parte* hearings, witness statements, reports and correspondence referenced in the Freezing Order and Receiver affidavit. The Defendant was provided with all the documents relevant to the proceedings making the Freezing Order and the Receivership Order. If he can identify any document that is referred to in the evidence that he does not have then this would be provided to him. As to the communications with media outlets, he has not explained why he has any reason to

⁴⁹ CB/6/72/80

believe that the Claimant's legal representatives in this jurisdiction have been engaged in any such communications.

- (5) Protective Injunction and Costs Restraint Orders. The Defendant asks the Court to protect him from reputational damage, intimidation or procedural ambush; to prevent the Claimant or her agents from "*weaponising the press, PR firms, or legal process to harass or intimidate*"; without any evidence that the Claimant has been engaged in any such misconduct. He also asks for a protective order to prevent wasteful oppressive cost accumulation. It is not the Claimant's conduct that is causing costs to be incurred in these proceedings; it is the conduct of the Defendant that is increasing the costs..
- (6) Referral to Crown Prosecution Service/DPP. The Defendant asks the Court to refer this case to the DPP for perjury; fraud on the court; witness interference; and collusion between civil litigants and press for "*coercive gain*". Such allegations, unsupported by evidence, should not be made.

The Defendant's email sent to the Court on 23 July 2025 at 18.14

43. The Defendant says that Grant Thornton (the Receivers' firm) and Howard Kennedy are not acting fairly and that because employees of Grant Thornton act as receivers for financial institutions they are part of a pattern "*where banks and syndicate actors exploit receivership as a legal weapon*" and are enforcing outcomes ahead of fair adjudication. In short, the Defendant complains that the Receivers and Howard Kennedy were acting as if the "*ex parte order*" is final. All that they were doing was acting in accordance with the orders properly made by the Court.

The Defendant's email sent to the Court at 18.48 on 23 July 2025

45. This email is a submission that names the CEO and Board of Grant Thornton UK LLP "*for their role in alleged crimes against humanity, judicial sabotage and environmental terrorism*". There is no explanation as to how, even if true, this could be relevant to the appointment of Christopher Jones and Hannah Davie as receivers of the Property.

CONCLUSION

46. All the Claimant is attempting to do is seek the assistance of the Court to have the Judgment for Compensatory Damages, the Legal Costs and accrued interest paid by the Defendant who has expressly stated he will never pay her a penny and is doing all he can not to pay her.

47. The Court is asked to make the orders sought by the Claimant: continuing the Freezing Orders, extending the powers of the Receivers; making an order for contempt of court against Mr David and staying the part of the Claimant's claim that is for exemplary damages.

Hilary Stonefrost

South Square

Gray's Inn

24 July 2025