

**IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION  
BEFORE SENIOR MASTER COOK**

**Claim No: KB-2025-001991  
Appeal No: CA-2025-002562**

**BETWEEN:**

**ALKIVIADES DAVID  
Appellant / Claimant**

**and**

**MAHIM KHAN & OTHERS  
Respondents**

**APPELLANT'S SECOND SUPPLEMENTAL NOTICE  
(RECORD INTEGRITY, MATERIAL EVIDENCE, AND SAFETY OF JUDGMENT)**

**Date: April 2, 2026**

The Appellant, appearing as a disabled litigant, respectfully files this Second Supplemental Notice to assist the Court in assessing the integrity of the evidentiary record and the safety of the judgment.

This filing follows prior submissions and clarifies that the Rizzo Text Messages identify "mk" as Mahim Khan and identify Carl Dawson as a witness required by the parties.

**I. THE ISSUE BEFORE THE COURT**

The central issue is whether the judgment can safely stand in light of the evidentiary record now understood.

**II. MATERIAL DEFICIENCIES IN THE RECORD**

The record before the Court did not include material evidence available at the relevant time, including:

1. The evidence of Carl Dawson, a known and available witness whose testimony directly contradicts the central allegation;
2. Medical evidence establishing the Appellant's traumatic brain injury (TBI), including reports from Dr Wexler (6 May 2023) and Dr Karampoutakis (2 November 2023);
3. Contemporaneous communications demonstrating knowledge of this evidence and a breakdown in representation.

### **III. DAWSON AFFIDAVIT AND CONSEQUENCE**

The Appellant notes that Mr Dawson's evidence was reduced to affidavit form and available at the relevant time.

That affidavit directly contradicts the central allegation.

Materials demonstrate that this evidence was known, yet it was not placed before the Court.

The absence of that affidavit was not harmless. It removed evidence capable of materially affecting the outcome.

Accordingly, the evidentiary record is incomplete and the judgment is unsafe.

### **IV. PREJUDICE AND FAIRNESS**

The omission deprived the Court of critical evidence affecting credibility, capacity, and fairness of the proceedings.

### **V. RELIEF**

The Appellant respectfully invites the Court to consider this material in determining whether the judgment can safely stand and to grant such directions as are just.

### **STATEMENT OF TRUTH**

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

This filing is made personally due to the Appellant's documented traumatic brain injury (TBI).

/s/ Alkiviades David  
Appellant (Disabled)  
Dated: April 2, 2026