

On behalf of: the Claimant
By: Laura N Higson
No: 2
Exhibit: LNH2

Date: 20 April 2023

QB-2021-003576, 3626 and 3737

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

NATIONAL HIGHWAYS LIMITED

Claimant

- and -

(1) PERSONS UNKNOWN CAUSING THE BLOCKING OF, ENDANGERING, OR PREVENTING THE FREE FLOW OF TRAFFIC ON THE M25 MOTORWAY, A2 A20 AND A2070 TRUNK ROADS AND M2 AND M20 MOTORWAY, A1(M), A3, A12, A13, A21, A23, A30, A414 AND A3113 TRUNK ROADS AND THE M1, M3, M4, M4 SPUR, M11, M26, M23 AND M40 MOTORWAYS FOR THE PURPOSE OF PROTESTING

(2) MR ALEXANDER RODGER AND 132 OTHERS

Defendants

**SECOND WITNESS STATEMENT OF
LAURA NATASHA HIGSON**

I, LAURA NATASHA HIGSON, of DLA Piper UK LLP, 1 St Pauls Place, Sheffield S1 2JX, **WILL SAY** as follows:

1. I am a solicitor of the Senior Courts of England and Wales and an Associate at DLA Piper UK LLP with shared day-to-day conduct of this matter under the supervision of my partners. I am authorised to make this Witness Statement on behalf of the Claimant.

2. I make this statement in support of the Claimant's application dated 13 April 2023 ("**Application**") and to provide an update to the Court as to service of the notice of hearing and the Application upon the Defendants.
3. On 31 January 2023, the King's Bench Listing Office confirmed by email that the Review Hearing had been listed on 24 April 2023 with a time estimate of half a day. On 1 February 2023 at 16:11, my colleague Petra Billing asked the Listing Office to confirm if it would be issuing a formal Notice of Hearing. The Listing Office confirmed that the email exchange should be used as the Notice of Hearing. A copy of this exchange is exhibited at pages 1 to 4 of LNH2.
4. On 9 February 2023, I arranged for the Notice of Hearing to be served on the Defendants. A copy of the covering letter serving the Notice of Hearing is at tab 34 of the Hearing Bundle. The letter was served on the Defendants by first class and special delivery post to their addresses for service which are set out at Schedule 1 to the Bennathan Order and additionally by email where a Defendant had provided an email address for service to DLA / the Claimant. A copy of an email serving the Notice of Hearing is exhibited at page 5 of LNH2.
5. Further letters were sent to the Named Defendants on 15 March 2023 and 3 April 2023 by first class and special delivery post and also by email where an email address had been provided by a Defendant. These letters concerned the offer by the Claimant to accept an undertaking from the Defendants, but each letter made reference to the Review Hearing date. Copies of these letters are at tabs 36 and 37 of the Hearing Bundle. These letters were not sent to the First Defendant.
6. The sealed Application was received from the Court at 08:00 on 14 April 2023. The Application (being the documents at tab 1 to tab 5 of the Hearing Bundle) was served by email on all Defendants who had provided their email addresses to DLA / the Claimant on 14 April 2023. The covering letter is at tab 37 of the Hearing Bundle, and a copy of the email serving the Application is exhibited at page 6 of LNH2. The letter advises the Defendants that the Application is also available to view on the Claimant's website and provides a link to the same. The Defendants' email addresses were BCC'd to the email serving the Application in accordance with the Claimant's obligations pursuant to paragraph 12 of the Bennathan Order.
7. Due to the size of the documents, it was not possible to print them in one day so as to be able to also serve them by post upon the Defendants on 14 April 2023. I

therefore arranged for the Application to be served on the Defendants by special delivery post on 17 April 2023. A copy of the covering letter dated 17 April 2023 is exhibited at pages 7 and 8 of LNH2. The letters of 14 and 17 April 2023 made further reference to the date of the Review Hearing and additionally notified the Defendants that the Claimant had advised the Court that a revised time estimate for the Review Hearing of one day would be appropriate.

8. I set out at pages 9 to 22 of LNH2 a schedule showing the manner in which the letters referred to above were served upon the Defendants, as well as any responses and / or acknowledgments that DLA has received from the Defendants.
9. Certificates of service confirming service of the Application on 14 and 17 April 2023 are currently being prepared and will be filed with the Court in advance of the Review Hearing.

Statement of Truth

10. I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Dated 20 April 2023

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LAURA NATASHA HIGSON

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EXHIBIT LNH2

This is the exhibit marked LNH2 referred to in the Second Witness Statement of Laura Natasha Higson dated this 20th day of April 2023.

Signed:

On behalf of: the Claimant
By: Laura N Higson
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Ref: LNH/LNH/366530/250/UKM/125965741.1
Solicitors for the Claimant

**SECOND WITNESS STATEMENT OF
LAURA NATASHA HIGSON**

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