

**BETWEEN:**

- (1) WELLINGTON MANAGEMENT INTERNATIONAL LIMITED
- (2) 'A'  
(for and on behalf of all Partners and Employees of "Wellington Management", and of its Clients, Suppliers and Service Providers (as defined), pursuant to CPR 19.6)

Claimants

- and -

- (1) STOP HUNTINGDON ANIMAL CRUELTY ("SHAC")  
(an unincorporated association by its representative Gregg Avery acting for and on behalf of the members of SHAC and all protestors conducting activities against the Claimants pursuant to CPR 19.6)

- (2) GREGG AVERY

Defendants




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**ORDER**

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**PENAL NOTICE**

**IF YOU, BEING A WITHIN NAMED DEFENDANT, OR A PROTESTOR BOUND BY THIS ORDER, DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED. THIS ORDER IS GRANTED UNDER SECTIONS 3 AND/OR 3A OF THE PROTECTION FROM HARASSMENT ACT 1997. BREACH OF THIS ORDER BY ANY PERSON BOUND BY IT MAY RESULT IN ARREST BY THE POLICE AND PROSECUTION AND YOU MAY BE FOUND TO BE GUILTY OF A CRIMINAL OFFENCE FOR WHICH YOU MAY BE IMPRISONED OR FINED OR BOTH.**

An application to the Court was made on 26 January 2011 by the solicitors for the Claimants. The Court heard the application and read the Witness Statements listed in Schedule 1 and accepted the undertakings in Schedule 2 at the end of this Order.

## DEFINITIONS

**This Order shall be construed in accordance with the following Orders and/or Definitions:**

By an order of Mr Justice Supperstone dated 24 January 2011 it was ordered that:

- 1 'A' shall represent the Employees and Partners of Wellington Management, and those of its Clients, Suppliers, Service Providers and the Protected Persons pursuant to the Civil Procedure Rules 1998 ("CPR") 19.6; and
- 2 **Gregg Avery** shall represent the members of the unincorporated association Stop Huntingdon Animal Cruelty ("**SHAC**") and all Protestors conducting activities against the Claimants pursuant to CPR 19.6.
- 3 In this Order:
  - 3.1 "**1997 Act**" means the Protection from Harassment Act 1997.
  - 3.2 "**Client**" means any third party to which Wellington Management provides investment services, directly or indirectly, such as investment advice or investment management.
  - 3.3 "**Harass**" has the same meaning as in the 1997 Act.
  - 3.4 "**January Photographs**" means the photographs that were taken by SHAC on 7 January 2011 of the inside of the Claimants' premises at Cardinal Place, 80 Victoria Street, London, SW1E 5JL.
  - 3.5 "**Protected Person**" shall mean any of:
    - 3.5.1 the Second Claimant;
    - 3.5.2 the officers, employees and former employees, and partners and former partners of Wellington Management;
    - 3.5.3 the officers, employees and former employees, and partners and former partners of the Clients, Suppliers and Service Providers of Wellington Management;

- 3.5.4 the families (being immediate family members), servants or agents of the employees and partners referred to above; and
- 3.5.5 any person other than a Protestor who is seeking to visit any premises referred to in this Order, or any premises or home belonging to or occupied by any Protected Person.
- 3.6 **"Protestor"** or **"Protestors"** shall mean any of:
- 3.6.1 the Defendants whether by themselves, their servants, agents or otherwise;
- 3.6.2 any person who is acting in concert with any of the named Defendants to do any act prohibited by this Order and who has notice of the terms of this Order whether by himself, his servants, agents, or otherwise;
- 3.6.3 any other person who is protesting against:
- 3.6.3.1 the alleged conduct of experimentation on live animals by Huntingdon Life Sciences Limited ("**HLS**");
- 3.6.3.2 an alleged business relationship between Wellington Management and any animal research organisation (as defined by s.148 Serious Organised Crime and Police Act 2005).
- 3.7 **"Service Provider"** shall mean any third party that directly or indirectly provides any services to Wellington Management
- 3.8 **"Supplier"** shall mean any third party that directly or indirectly supplies any goods to Wellington Management.
- 3.9 **"Wellington Management"** shall be defined as Wellington Management Company, LLP and its subsidiaries and affiliates worldwide, including, for the avoidance of doubt, Wellington Management International Limited.
- 3.10 **"Working Day"** means any day other than Saturday, Sunday and any UK public holiday.

## **THE ORDER**

**UPON HEARING** the Solicitor-Advocate for the Claimants

**IT IS ORDERED** until further Order that:

- 4 SHAC do, within 5 Working Days of receiving a copy of this Order in electronic form from the Claimants' solicitors, remove immediately any photographs (including without limitation the January Photographs) of any Protected Person on its website at [www.shac.net/](http://www.shac.net/) or any further websites created or controlled by them and take all steps to procure that any such photographs are destroyed and not used again.
- 5 The Protestors be restrained (a) from entering the first claimant's premises at Cardinal Place, 80 Victoria Street, London SW1E 5JL; and (b) from pursuing a course of conduct which amounts to harassment of the Protected Persons contrary to sections 3 and/or 3A of the 1997 Act.

**AND**

- 6 In particular, and without prejudice to the generality of paragraph 5, the Protestors be restrained under section 3 and 3A of the 1997 Act from doing, causing, permitting, encouraging or assisting in any of the following:
  - 6.1 Assaulting, harassing, molesting, threatening or otherwise interfering with any Protected Person;
  - 6.2 Photographing or videoing any Protected Person, or his vehicle or any premises or house belonging to or occupied by any Protected Person or otherwise recording registration details of Protected Persons' vehicles (save that, for the avoidance of doubt, Protestors may photograph or video each other and Police Officers).
  - 6.3 Making:
    - 6.3.1 Any abusive or threatening communication whether orally in person or by telephone, in writing by facsimile, email or other electronic means, to any Protected Person which shall include repetitive telephone calls, facsimiles, social network communications or emails;

6.3.2 Any communications whatsoever to any Protected Person at their homes, or on their private telephones, emails or social networking sites.

6.4 Picketing, demonstrating or loitering:

6.4.1 within 100 metres of any premises occupied as a home by any Protected Person and which the Protestors know to be occupied by the Protected Person;

6.4.2 in or on any of the First Claimant's premises, including the First Claimants' premises located at Cardinal Place, 80 Victoria Street, London, SW1E 5JL, as highlighted in pink on Plan A annexed to this Order;

6.4.3 within 25 metres of any of the access points (as shown with blue crosses on Plan A annexed to this Order) of the Claimants' premises located at Cardinal Place, 80 Victoria Street, London, SW1E 5JL.

6.5 Entering onto, remaining on or trespassing on any premises or home belonging to or occupied by any Protected Person or the First Claimant which the Protestors know to be occupied by the Protected Person or, as the case may be, the First Claimant.

6.6 Publishing or procuring publication by any means whatsoever whether directly or indirectly by a third party publisher acting as agent or otherwise of names, addresses, telephone numbers, fax numbers, email addresses, car or other vehicle registration numbers or any other material serving to identify a Protected Person or to publish his personal details.

**PROVIDED THAT** as and when a Protected Person is identified as such for the purposes of a newspaper article or a radio or television programme which is not published by a Protestor there shall be no restraint upon repetition of that which is so featured in the media nor upon the terms of any media response **SAVE THAT** any response must not contravene the terms of paragraph 6.6.

6.7 Inciting, compelling or coercing any Protected Person against his will from doing something he is entitled or required to do or to do something that he is not under any obligation to do.

6.8 In so far as the Protestors or any of them intend to conduct any demonstrations, processions, or assemblies or any other similar activities (hereafter 'Protesting Activities') within sight or earshot of the First Claimant's premises at 80, Victoria Street aforesaid they must comply with paragraphs 6.9, 6.10 and 6.11 below.

- 6.9 Not less than 48 hours before any proposed Protesting Activity against Wellington Management, the Protestors shall have first respectively notified the Claimants and the police on the following telephone numbers, and that such notice must be given between 09.00 and 17.00 (London time) on a Working Day:
- 6.9.1 020 7126 6457 for the Claimants; and
- 6.9.2 0300 123 1212 for Belgravia Police Station.
- 6.10 When notifying the Claimants in accordance with paragraph 6.9.1 the Protestors must include the name of the group or groups that intend to take part, the site, the date and the start and end time of the demonstration.
- 6.11 When notifying the police in accordance with paragraph 6.9.2 the Protestors must include the name of the group or groups that intend to take part, the registration number of any vehicles, the proposed number of Protestors, the site, the proposed start and end time of any protest, the identity of the organiser and a contact telephone number.

**IT IS FURTHER ORDERED THAT:**

- 7 This Order is binding all Defendants and Protestors pursuant to CPR 19.6(4)(a).
- 8 There be substituted service of this Order herein on the Defendants by sending the same by pre-paid ordinary first class post in sealed envelopes addressed to:
- 8.1 Stop Huntingdon Animal Cruelty ("SHAC") at British Monomarks Ltd, PO Box 12, London, WC1N 3XX;
- 8.2 Gregg Avery at HM Prison Coldingley, Ripley Road, Bisley, Woking, Surrey, GU24 9EX.
- 9 There be substituted service of this Order by sending by email from the Claimants' Solicitors, Baker & McKenzie LLP, 100 New Bridge Street, London, EC4V 6JA (sender Andrew Keltie with email address [andrew.keltie@bakermckenzie.com](mailto:andrew.keltie@bakermckenzie.com)) to the email address [info@shac.net](mailto:info@shac.net).

- 10 There be substituted service of this Order by posting a copy of the same on the website [www.shac.net/](http://www.shac.net/) on terms that SHAC is ordered, within 5 Working Days of receiving a copy of this Order in electronic form from the Claimants' solicitors, to place and maintain copies of this Order on the above website or any further websites created or controlled by them and to take all steps necessary to bring the same to the attention of their members or subscribers and to the attention of the Protestors referred to in this Order. In particular, the Second Defendant is ordered to use his best endeavours to ensure that copies of this Order are placed on the websites referred to above.
- 11 The Defendants and any party affected by this Order may apply to the Court at any time to vary or discharge this Order but if they wish to do so they must inform the other party in writing at least 21 days beforehand except in case of emergency and further that there be liberty to apply on short notice limited to an application to vary the number of Protestors able to protest at the DPA referred to above and the precise location of that DPA.
- 12 Liberty to apply generally.
- 13 No orders as to costs.

Dated this 3rd day of February 2011.

#### **GUIDANCE NOTES**

#### **THE EFFECTS OF THIS ORDER**

- I A Defendant or a Protestor who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- II A Defendant or a Protestor which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

#### **INTERPRETATION OF THIS ORDER**

- III In this Order, where there is more than one Defendant, (unless otherwise stated), references to "**the Defendant**" means all of them.

- IV A requirement to serve on "**the Defendant**" means on each of them. However, the Order is effective against any Defendant on whom it is served.
- V An Order requiring "**the Defendant**" to do or not to do anything applies to all Defendants.
- VI Words importing one gender shall be treated as importing any gender, words importing individuals shall be treated as importing corporations and vice versa, words importing the singular shall be treated as importing the plural and vice versa, and words importing the whole shall be treated as including a reference to any part thereof.
- VII References to the word "**include**" or "**including**" (or any similar term) are not to be construed as implying any limitation and general words introduced by the word "**other**" (or any similar term) shall not be given a restrictive meaning by reason of the fact that they are preceded by words indicating a particular class of acts, matters or things.

#### **COMMUNICATIONS WITH THE COURT**

All Communications to the Court about this Order should be sent to Room WG08, The Royal Courts of Justice, Strand, London, WC2A 2LL quoting the case number. The telephone number is 020 7947 6010. The offices are open between 10am and 4.30pm Monday to Friday.

**SCHEDULE 1**

**WITNESS STATEMENTS**

The Claimants relied on the following Witness Statements:

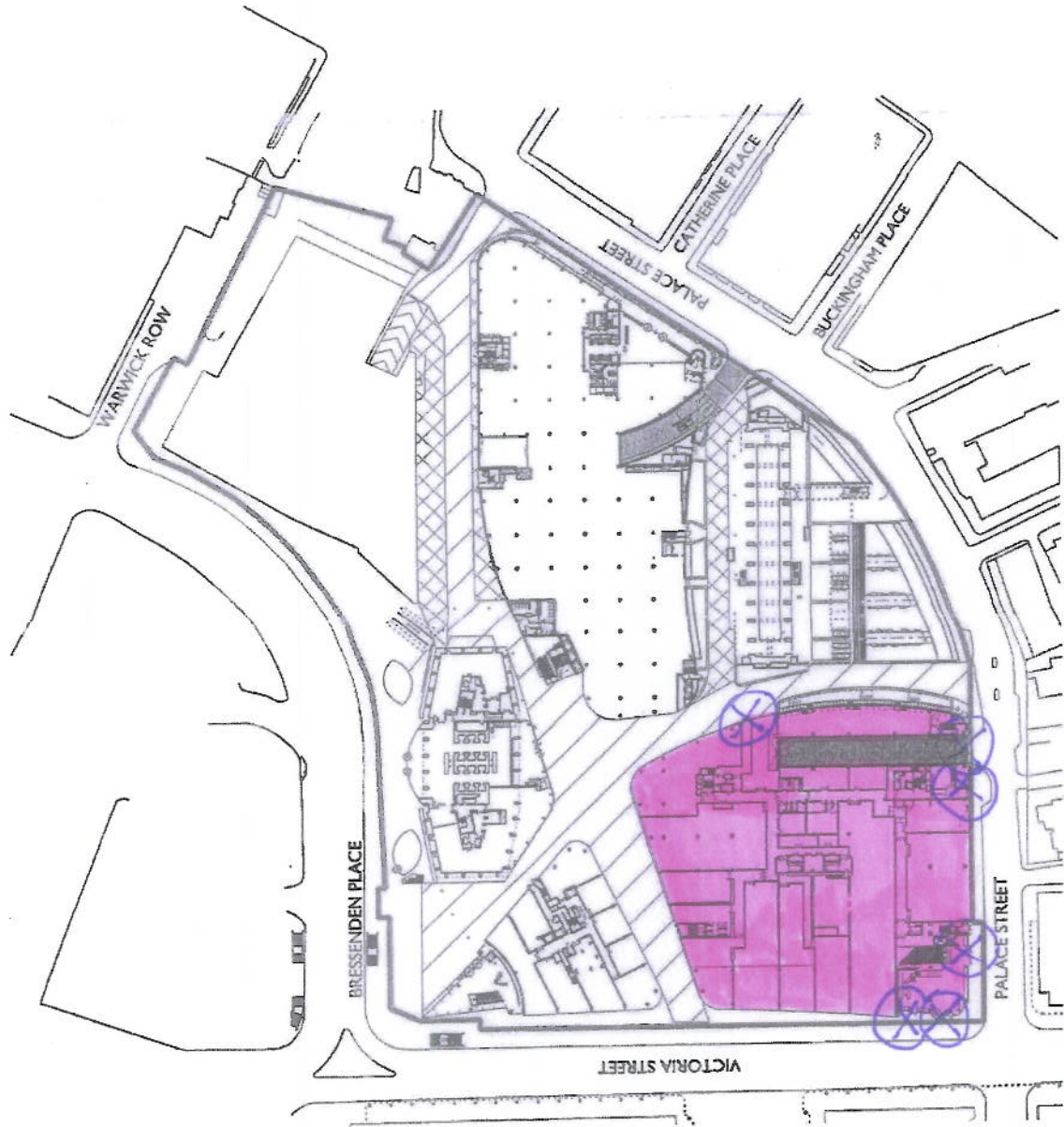
1. First Witness Statement of 'A' dated 20 January 2011.
2. First Witness Statement of 'B' dated 20 January 2011.
3. First Witness Statement of 'C' dated 20 January 2011.
4. First Witness Statement of 'D' dated 20 January 2011.
5. First Witness Statement of 'E' dated 20 January 2011.
6. First Witness Statement of 'F' dated 20 January 2011.
7. First Witness Statement of 'G' dated 20 January 2011.

**SCHEDULE 2**

**UNDERTAKING GIVEN TO THE COURT BY THE CLAIMANTS**

1. If the court later finds that this order has caused loss to the Defendants, and decides that the Defendants should be compensated for that loss, the Claimants will comply with any order the court may make.

PLAN YA



**PROPERTY DETAILS**  
 Ground Floor  
 Cardinal Place  
 London SW1  
 9516-G



**DEMISE DETAILS**  
 Ground Floor - Plan C  
 Scale 1:1250 at A3  
 LEASE REF: 9516-estate-C

**LandSecurities** Portfolio Management  
 5 Strand London WC2N 5AF 020 7413 9000

DWG REF:

**IN THE HIGH COURT OF JUSTICE**

**QUEEN'S BENCH DIVISION**

**Claim No: HQ11X00264**

**BETWEEN:**

**(1) WELLINGTON MANAGEMENT INTERNATIONAL LIMITED**

**(2) 'A'**

**(for and on behalf of all Partners and Employees of "Wellington Management", and of its Clients, Suppliers and Service Providers (as defined in this Order), pursuant to CPR 19.6)**

**Claimants**

**- and -**

**(1) STOP HUNTINGDON ANIMAL CRUELTY ("SHAC")**

**(an unincorporated association by its representative Gregg Avery acting for and on behalf of the members of SHAC and all protestors conducting activities against the Claimants pursuant to CPR 19.6)**

**(2) GREGG AVERY**

**Defendants**

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**ORDER**

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