

**Eighth Witness Statement**

**Party: Claimants**

**Exhibit: AJ09**

**Date: 16th April 2024**

**Claim No: QB-2022-001259**

**Claim No: QB-2022-001241**

**Claim No: QB-2022-001420**

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

**SHELL INTERNATIONAL PETROLEUM COMPANY LIMITED**

**Claimant (QB-2022-001259)**

**SHELL U.K. LIMITED**

**Claimant: (QB-2022-001241)**

**SHELL U.K. OIL PRODUCTS LIMITED**

**Claimant (QB-2022-001420)**

**- and -**

**PERSONS UNKNOWN ENTERING OR REMAINING IN OR ON THE BUILDING KNOWN AS SHELL CENTRE TOWER, BELVEDERE ROAD, LONDON ("SHELL CENTRE TOWER") WITHOUT THE CONSENT OF THE CLAIMANT, OR DAMAGING THE BUILDING OR DAMAGING OR BLOCKING THE ENTRANCES TO THE SAID BUILDING**

**Defendant (QB-2022-001259)**

**PERSONS UNKNOWN ENTERING OR REMAINING AT THE CLAIMANT'S SITE KNOWN AS SHELL HAVEN, STANFORD-LE-HOPE (AND AS FURTHER DEFINED IN THE PARTICULARS OF CLAIM) WITHOUT THE CONSENT OF THE CLAIMANT, OR BLOCKING THE ENTRANCES TO THAT SITE**

**Defendant (QB-2022-001241)**

**PERSONS UNKNOWN DAMAGING, AND/OR BLOCKING THE USE OF OR ACCESS TO ANY SHELL PETROL STATION IN ENGLAND AND WALES, OR TO ANY EQUIPMENT OR INFRASTRUCTURE UPON IT, BY EXPRESS OR IMPLIED AGREEMENT WITH OTHERS, IN CONNECTION WITH PROTEST CAMPAIGNS WITH THE INTENTION OF DISRUPTING THE SALE OR SUPPLY OF FUEL TO OR FROM THE SAID STATION**

**Defendant (QB-2022-001420)**

**Louis McKechnie**

**Second Defendant(QB-2022-001420)**

**Louise Harris**  
**Third Defendant (QB-2022-001420)**

**Callum Goode**  
**Fourth Defendant(QB-2022-001420)**

**Christopher Ford**  
**Fifth Defendant(QB-2022-001420)**

**Sean Jordan**  
**(also known as Sean Irish, John Jordan, John Michael Jordan and Sean O'Rourke)**  
**Sixth Defendant(QB-2022-001420)**

**Emma Ireland**  
**Seventh Defendant(QB-2022-001420)**

**Charles Philip Laurie**  
**Eight Defendant(QB-2022-001420)**

**Michael Edward Davies also previously known as Michael Edward Jones**  
**Ninth Defendant(QB-2022-001420)**

**Tessa-Marie Burns (also known as Tez Burns)**  
**Tenth Defendant(QB-2022-001420)**

**Simon Reding**  
**Eleventh Defendant(QB-2022-001420)**

**Kate Bramfit**  
**Twelfth Defendant(QB-2022-001420)**

**Margaret Reid**  
**Thirteenth Defendant(QB-2022-001420)**

**David Nixon**  
**Fourteenth Defendant(QB-2022-001420)**

**Samuel Holland**  
**Fifteenth Defendant(QB-2022-001420)**

---

**Ninth Witness Statement of Alison Judith Oldfield**

---

I, **Alison Judith Oldfield** of Eversheds Sutherland (International) LLP ("**Eversheds Sutherland**") of Water Lane, Leeds LS11 5DR **WILL SAY AS FOLLOWS:**

**1. INTRODUCTION**

1.1 I am a partner at Eversheds Sutherland and have conduct of this matter on behalf of each of the Claimants in the subject proceedings.

- 1.2 Unless I state otherwise, the facts in this statement are within my knowledge and true. Where the facts are not within my knowledge, they are true to the best of my knowledge and belief, and I identify the source of my knowledge.
- 1.3 References to page numbers in this statement are to page numbers in **Exhibit AJ09**.
- 1.4 The purpose of this witness statement is to confirm the steps taken to serve the various parties to these proceedings with documents in preparation for the renewal hearing on 17<sup>th</sup> and 18<sup>th</sup> April 2024. In particular:
- 1.4.1 my eighth witness statement which confirms the steps taken to serve the evidence in support of the Claimants' renewal application and amended pleadings in the Petrol Stations proceedings;
  - 1.4.2 the Claimants' applications for a variation of the provisions ordered in each of these proceedings relating to alternative service together with draft orders;
  - 1.4.3 the notice of hearing relating to the renewal hearing
  - 1.4.4 the hearing bundle
  - 1.4.5 a supplemental bundle
- 1.5 To the extent necessary, the court's confirmation is also sought that those steps amount to good service.
- 2. Service upon the Named Defendants in the Petrol Station Proceedings ("the Named Defendants")**
- 2.1 Paragraph 7 of the Order of Soole J dated 15<sup>th</sup> March 2024 ("the 15<sup>th</sup> March 2024 Order") provides that the Named Defendants in the Petrol Station proceedings should be served:
- 2.1.1 by uploading it to <http://www.noticespublic.com>;
  - 2.1.2 by posting to their last known address which was supplied to the Claimant in the Petrol Station proceedings by the relevant police authority by first class post, special delivery and/or by hand delivery; unless any defendant has also confirmed they will accept service by email pursuant to CPR Rule 6A paragraph 4.1.
  - 2.1.3 In addition, (and to the extent possible) the Third (Harris) and Tenth (Burns) defendants may also be served by social media.
- 2.2 Paragraph 8 of the 15<sup>th</sup> March 2024 Order permits service of documents upon the Fifteenth Defendant (Holland) by the same means provided for in respect of the First Defendant (Persons Unknown).

*Service of the Notice of Hearing, Application Notice and Draft Order relating to variation of service provisions and the Eighth Witness Statement of Alison Oldfield on the Named Defendants.*

2.3 The following documents were served upon the Named Defendants in relation to the Claimants' application for the renewal of the injunction in the Petrol Station proceedings:

2.3.1 Notice of hearing for the review hearing to take place on 17 April 2024;

2.3.2 The unsealed Application Notice relating to variation of the service provisions and draft orders (in the Petrol Station proceedings);

2.3.3 The Eighth Witness Statement of Alison Oldfield dated 11 April 2024 and exhibit;

2.4 I shall refer to all these documents collectively as the "**Petrol Stations Service Variation and Notice of Hearing Documents**".

2.5 Copies of the Petrol Stations Service Variation and Notice of Hearing Documents were served by hand on all the Named Defendants except for Emma Ireland and Philip Laurie by delivering by hand using a process server, Finlays Legal Limited ("Finlays") in accordance with paragraph 7.3 of the 15<sup>th</sup> March 2024 Order. As I explained at paragraph 2.3 of my eighth witness statement, both Messrs Laurie and Ireland have confirmed they consent to being served with documents in the proceedings by email. I will return to the process of serving on those defendants below.

2.6 There is now produced and shown to me marked **AJO9 pages 1-16** copies of a series of statements of service prepared by the individuals at Finlays Legal Limited who were responsible for service of the Petrol Station Service Variation and Notice of Hearing Documents. The information I have set out in this witness statement is obtained from those statements and I believe it to be true. In summary, those statements confirm that the relevant process server delivered parcels containing the documents listed at paragraph 2.3 to the Named Defendants as follows:

2.6.1 On 11<sup>th</sup> April 2024 to the last known addresses for Micheal Davies and Tessa-Marie (Tez) Burns;

2.6.2 On 12<sup>th</sup> April 2024 to the last known addresses for Louis McKechnie, Louise Harris, Callum Goode, Christopher Ford, Sean Jordan, Michael Davies, Kate Bramfit, Simon Reding, David Nixon and Margaret Reid.

2.7 At **page 17 of AJO9** I have exhibited an example of the covering letter which accompanied the Petrol Stations Service Variation and Notice of Hearing Documents in the case of each Named Defendant. The exact time of delivery in respect of each Named Defendant is recorded in the statements of service at **pages 1-16 of AJO9**.

2.8 We also sent a copy of the Petrol Stations Service Variation and Notice of Hearing Documents to Charles Philip Laurie and Emma Ireland by emails both sent at 17:46pm on 11<sup>th</sup> April 2024. The emails were sent by my colleague, Alexander Wright from this firm's

centralised Shell Service email account – ShellService@eversheds-sutherland.com. Copies of the emails to Mr Laurie and Ms Ireland are at **pages 18-21.1 of AJ09.**

- 2.9 In addition a message was also sent on 11 April 2024 via direct message to the Facebook page of Louise Harris advising her that should could find copies of the Petrol Stations Service Variation and Notice of Hearing Documents via the [www.noticespublic.com](http://www.noticespublic.com) data site. A copy of this message can be found at **pages 22-23of AJ09.**
- 2.10 It has not been possible to upload a similar message to the LinkedIn account of Tessa-Marie (Tez) Burns (as we originally envisaged) because Ms Burns has still not responded to our initial message of 5<sup>th</sup> March 2024. Screenshots of the error message we received when attempting to serve Ms Burns on 11 April 2024 can be found at **page 24-25 of AJ09.**

*Service of the Sealed Application Notice, Claimant’s Skeleton Argument, Draft Order seeking continuation of the injunction and directions and summary table of witness evidence in the Proceedings the Named Defendants.*

- 2.11 The following documents were also served upon the Named Defendants in relation to the Claimants’ application for the renewal of the injunction in each proceedings:
- 2.11.1 Sealed Application Notice dated 11 April 2024 for the variation of service provisions in respect of the Petrol Stations Proceedings;
  - 2.11.2 Claimant’s Skeleton Argument;
  - 2.11.3 Draft Order seeking continuation of the injunction and directions in respect of the Petrol Stations Proceedings; and
  - 2.11.4 Summary table of witness evidence in the proceedings.
- 2.12 I shall refer to all these documents collectively as the **“Sealed Application and Submissions for the Petrol Stations Proceedings”**.
- 2.13 Copies of the Sealed Application and Submissions for the Petrol Stations Proceedings were served by hand on all the Named Defendants except for Emma Ireland and Philip Laurie by delivering by hand using Finlays (defined above) in accordance with paragraph 7.3 of the 15<sup>th</sup> March 2024 Order.
- 2.14 There is now produced and shown to me marked **AJ09 pages 26-41** copies of an additional series of statements of service prepared by the individuals at Finlays Legal Limited who were responsible for service of the Sealed Application and Submissions for the Petrol Stations Proceedings. The information I have set out in this witness statement is obtained from those statements and I believe it to be true. In summary, those statements confirm that the relevant process server delivered parcels containing the documents listed at paragraph 2.11 to the Named Defendants as follows:
- 2.14.1 On 15<sup>th</sup> April 2024 to the last known address for David Nixon.

- 2.14.2 On 16<sup>th</sup> April 2024 to the last known addresses for Michael Davies, Tessa-Marie Burns, Louis McKechnie, Louise Harris, Callum Goode, Christopher Ford, Sean Jordan, Michael Davies, Kate Bramfit, Simon Reding and Margaret Reid.
- 2.15 I should also explain that although the statements prepared by Finlays do not expressly say so the pack of documents served included the Sealed application for variation in the Petrol Stations Proceedings. At **page 42 of AJ09** I have exhibited an example of the covering letter which accompanied the Sealed Application and Submissions for the Petrol Stations Proceedings in the case of each Named Defendant and which also confirms the contents of each envelope. The exact time of delivery of those document packs in respect of each Named Defendant is recorded in the statements of service at **pages 26-41 of AJ09.**
- 2.16 We also sent a copy of the Sealed Application for variation of service in the Petrol Stations Proceedings and Claimant's skeleton argument to Emma Ireland and Charles Philip Laurie by emails sent at 8:19pm and 8:20pm respectively on 12<sup>th</sup> April 2024. Copies of the emails to Mr Laurie and Ms Ireland are at **pages 18-21.1 of AJ09.**
- 2.17 The summary witness evidence was sent to Mr Laurie at 16:52pm and Ms Ireland at 16:54 on 15<sup>th</sup> April 2024. The draft order seeking continuation of the injunction and directions in respect of the Petrol Stations Proceedings was served on 16<sup>th</sup> April 2024 at 10:22. All these emails were sent by my colleague, Alexander Wright from this firm's centralised Shell Service email account – ShellService@eversheds-sutherland.com. Copies of the emails to Mr Laurie and Ms Ireland are at **pages 18-21.1 of AJ09.**
- 2.18 In addition a message was also sent on 15 April 2024 via direct message to the Facebook page of Louise Harris advising her that these documents had been uploaded onto [www.noticespublic.com](http://www.noticespublic.com) A copy of this message can be found at **pages 22-23 of AJ09.**
- 2.19 It has not been possible to upload a similar message to the LinkedIn account of Tessa-Marie (also known as Tez) Burns (as we originally envisaged) because Ms Burns has still not responded to our initial message of 5<sup>th</sup> March 2024 and it has not therefore been possible to communicate further via this means with Ms Burns. Screenshots of the error message we received when attempting to serve Ms Burns on 15 April 2024 can be found at **pages 24-25 of AJ09.**

*Service of the Hearing Bundle and the Supplemental Bundle for the hearing on 17th April 2024 on the Named Defendants.*

- 2.20 The Order dated 15<sup>th</sup> March 2024 requires the hearing bundles to be served by electronic means only. Service of the hearing and supplemental bundles has therefore only been effected on those Named Defendants who have consented to service by email.
- 2.21 A copy of the Hearing Bundle was served on Emma Ireland and Philip Laurie as part of the enclosures to the emails of 8:19 and 8:20pm on 12<sup>th</sup> April 2024. The supplemental bundle

was served upon them under cover of emails on 15<sup>th</sup> April 2024 both timed at 12:00pm (we had served the supplemental bundle earlier in the day but discovered an error with the page numbering of the version initially served). Copies of the emails to Mr Laurie and Ms Ireland are at **pages 18-21.1 of AJ09**

2.22 In addition - as I explain below - copies of the bundles were also uploaded onto the [www.noticespublic.com](http://www.noticespublic.com) datasite at various times on 12<sup>th</sup> and 15<sup>th</sup> April 2024 and would also have been available to the other Named Defendants via that link.

### **3. Service upon Persons Unknown in each proceedings**

3.1 I now set out the steps taken to serve various documents in preparation for the renewal hearing upon First Defendants in each set of proceedings (being Persons Unknown) in accordance with the provisions of Paragraph 22 of the 15<sup>th</sup> March 2024 Order.

*Service of the Application Notice for variation of service and draft order in relation to all three proceedings, Eighth Witness Statement of Alison Oldfield and Notice of Hearing.*

3.2 The following documents were served in relation to the Claimants' application for the renewal of the injunction in each of the three sets of proceedings:

3.2.1 Draft Application Notices for the variation of service provisions in relation to each set of proceedings all dated 11 April 2024 together with the relevant draft order;

3.2.2 Eighth witness statement of Alison Oldfield dated 11 April 2024;

3.2.3 Exhibits to the Eighth witness statement of Alison Oldfield dated 11 April 2024; and

3.2.4 Notice of Hearing.

3.3 I shall refer to these collectively as **the Service Variation and Notice of Hearing Documents**

*Uploading to [www.noticespublic.com](http://www.noticespublic.com)*

3.4 Copies of Service Variation and Notice of Hearing Documents were uploaded onto the [www.noticespublic.com](http://www.noticespublic.com) datasite on 11<sup>th</sup> April 2024.

*Service upon the Schedule 2 email addresses*

3.5 I set out the detail of the timing and subject line of the email in the table below. Those emails were sent from an email address, shell.service@eversheds-sutherland.com, which Eversheds Sutherland has created in order to serve the various documents in this matter. My colleagues, Alex Wright (Principal Associate) and Bethany Taylor (Associate), and I have access to and control of this dedicated email address.

Item No.	Document(s) Served	Subject	Email date/time (Exhibit Reference)
	The Service Variation and Notice of Hearing Documents	Shell U.K Oil Products Limited v Persons Unknown (QB-2022-001240), Shell UK Limited v Persons Unknown (QB-0222-001241) Shell International Petroleum Company Limited (QB-2022-001259)- Service of Documents	<b>11.04.24 timed at 17:57pm</b>  <b>AJO9 page 43-44</b>

3.6 19 automatic responses were received in response to the above emails. Having reviewed the timings of the automated responses, I believe that:

3.6.1 10 automatic responses were received on 11 April 2024 from [enquiries@extinctionrebellion.uk](mailto:enquiries@extinctionrebellion.uk), [xr-action@protonmail.com](mailto:xr-action@protonmail.com), [xr-legal@riseup.net](mailto:xr-legal@riseup.net), [xrlondoncommunityevents@gmail.com](mailto:xrlondoncommunityevents@gmail.com), [xrlondoncoord@gmail.com](mailto:xrlondoncoord@gmail.com), [xrsw.trainings@gmail.com](mailto:xrsw.trainings@gmail.com), [xr.connectingcommunities@gmail.com](mailto:xr.connectingcommunities@gmail.com), [xrsocialmediaevents@gmail.com](mailto:xrsocialmediaevents@gmail.com), [artsxr@gmail.com](mailto:artsxr@gmail.com) and [press@extinctionrebellion.uk](mailto:press@extinctionrebellion.uk) and which appear to be automatic tailored responses to any emails received. A copy of the relevant emails are exhibited at pages **45-55** of **Exhibit AJO9**.

3.6.2 8 further automatic responses were received on 11 April 2024 from [eoexrtnt@protonmail.com](mailto:eoexrtnt@protonmail.com); [xrmidlandstraining@protonmail.com](mailto:xrmidlandstraining@protonmail.com); [xrpoliceliasion@protonmail.com](mailto:xrpoliceliasion@protonmail.com) [xrpeopleassembly@protonmail.com](mailto:xrpeopleassembly@protonmail.com) [xrdemocracy@protonmail.com](mailto:xrdemocracy@protonmail.com) [youthclimateswarm@protonmail.com](mailto:youthclimateswarm@protonmail.com) [xr-regionaldevelopment@protonmail.com](mailto:xr-regionaldevelopment@protonmail.com) and [xrne.training@protonmail.com](mailto:xrne.training@protonmail.com) noting the "mailbox quota exceeded" or "mailbox full" (exhibited at **pages 56-63** of **Exhibit AJO9**). I understand from this firm's IT team that these emails were properly sent but will not have been delivered to / received by the recipient mailbox as the mailboxes were full.

3.6.3 1 further automatic response was received on 11 April 2024 from [support@xrnorth.org](mailto:support@xrnorth.org) which advised that the email could not be delivered as the "recipient's email address is possibly incorrect". A copy of the relevant email is exhibited at **page 64** of **Exhibit AJO9**.



3.7 Apart from the automated response referred to above no responses from any of the other email addresses were received. I have no reason to believe that the emails sent to the other email addresses to which the above emails were sent were not delivered or received, and no other 'bounce back' or delivery failure notifications in this regard were received.

3.8 I therefore consider that the remaining emails sent to the email addresses linked to Extinction Rebellion and Just Stop Oil (being those from whom no bounce back was received) were delivered.

*Service of the Hearing Bundle for the hearing on 17th April 2024, Sealed Application Notice for all three proceedings and Claimant's Skeleton Argument upon the Schedule 2 email addresses*

3.9 A copy of the following documents were sent to the Schedule 2 email addresses from [shell.service@eversheds-sutherland.com](mailto:shell.service@eversheds-sutherland.com) on 12 April at 20:18:

3.9.1 Sealed Application Notices dated 11 April 2024 in relation to the variation of service provisions in all three proceedings;

3.9.2 Hearing Bundle for the renewal hearing; and

3.9.3 Claimants' Skeleton Argument.

A copy of the relevant email is exhibited at pages **68-69** of **Exhibit AJ09**.

3.10 12 automatic responses were received in response to the above emails. Having reviewed the timings of the automated responses, I believe that:

3.10.1 3 automatic responses were received on 12 April 2024 from [enquiries@extinctionrebellion.uk](mailto:enquiries@extinctionrebellion.uk), [xr-action@protonmail.com](mailto:xr-action@protonmail.com), and [press@extinctionrebellion.uk](mailto:press@extinctionrebellion.uk) and which appear to be automatic tailored responses to any emails received. A copy of the relevant emails are exhibited at pages **71-76** of **Exhibit AJ09**.

3.10.2 8 further automatic responses were received on 12 April 2024 from [eoexrtnt@protonmail.com](mailto:eoexrtnt@protonmail.com); [xr-midlandstraining@protonmail.com](mailto:xr-midlandstraining@protonmail.com); [xr-police-liaison@protonmail.com](mailto:xr-police-liaison@protonmail.com) [xr-people-assembly@protonmail.com](mailto:xr-people-assembly@protonmail.com) [xr-democracy@protonmail.com](mailto:xr-democracy@protonmail.com) [youth-climate-swarm@protonmail.com](mailto:youth-climate-swarm@protonmail.com) [xr-regional-development@protonmail.com](mailto:xr-regional-development@protonmail.com) and [xr-ne-training@protonmail.com](mailto:xr-ne-training@protonmail.com) noting the "mailbox quota exceeded" or "mailbox full" (exhibited at **pages 77-84** of **Exhibit AJ09**). I understand from this firm's IT team that these emails were properly sent but will not have been delivered to / received by the recipient mailbox as the mailboxes were full.

3.10.3 1 further automatic response was received on 12 April 2024 from [support@xrnorth.org](mailto:support@xrnorth.org) which advised that the email could not be delivered as the "recipient's email address is possibly incorrect". A copy of the relevant email is exhibited at **page 85** of **Exhibit AJ09**.

- 3.11 Apart from the automated response referred to above no responses from any of the other email addresses were received. I have no reason to believe that the emails sent to the other email addresses to which the above emails were sent were not delivered or received, and no other 'bounce back' or delivery failure notifications in this regard were received.
- 3.12 I therefore consider that the remaining emails sent to the email addresses linked to Extinction Rebellion and Just Stop Oil (being those from whom no bounce back was received) were delivered.

*Service of the Supplemental Bundle upon the Schedule 2 email addresses*

- 3.13 A copy of the Supplemental Bundle relating to the hearing listed for the 17th April 2024 was sent to the Schedule 2 email addresses from [shell.service@eversheds-sutherland.com](mailto:shell.service@eversheds-sutherland.com) on 15 April at 12:01pm. (As I explained at paragraph 2.21 above we had served the supplemental bundle earlier in the day but discovered an error with the page numbering of the version initially served). A copy of the relevant email is exhibited at pages **65-55** of **Exhibit AJ09**.
- 3.14 10 automatic responses were received in response to the above emails. Having reviewed the timings of the automated responses, I believe that:
- 3.14.1 1 automatic response was received on 15 April 2024 from [press@extinctionrebellion.uk](mailto:press@extinctionrebellion.uk) and which appears to be an automatic tailored response to any emails received. A copy of the relevant email is exhibited at pages **86** of **Exhibit AJ09**.
- 3.14.2 8 further automatic responses were received on 15 April 2024 from [eoexrtnt@protonmail.com](mailto:eoexrtnt@protonmail.com); [xrmidlandstraining@protonmail.com](mailto:xrmidlandstraining@protonmail.com); [xrpoliceliason@protonmail.com](mailto:xrpoliceliason@protonmail.com) [xrpeopleassembly@protonmail.com](mailto:xrpeopleassembly@protonmail.com) [xrdemocracy@protonmail.com](mailto:xrdemocracy@protonmail.com) [youthclimateswarm@protonmail.com](mailto:youthclimateswarm@protonmail.com) [xr-regionaldevelopment@protonmail.com](mailto:xr-regionaldevelopment@protonmail.com) and [xrne.training@protonmail.com](mailto:xrne.training@protonmail.com) noting the "mailbox quota exceeded" or "mailbox full" (exhibited at **pages 87-94** of **Exhibit AJ09**). I understand from this firm's IT team that these emails were properly sent but will not have been delivered to / received by the recipient mailbox as the mailboxes were full.
- 3.14.3 1 further automatic response was received on 15 April 2024 from [support@xrnorth.org](mailto:support@xrnorth.org) which advised that the email could not be delivered as the "recipient's email address is possibly incorrect". A copy of the relevant email is exhibited at **page 94.1** of **Exhibit AJ09**.
- 3.15 Apart from the automated response referred to above no responses from any of the other email addresses were received. I have no reason to believe that the emails sent to the other email addresses to which the above emails were sent were not delivered or received, and no other 'bounce back' or delivery failure notifications in this regard were received.

3.16 I therefore consider that the remaining emails sent to the email addresses linked to Extinction Rebellion and Just Stop Oil (being those from whom no bounce back was received) were delivered.

*Service of the summary table of witness evidence in the proceedings*

3.17 A copy of the summary table of witness evidence in the proceedings was sent to the Schedule 2 email addresses from [shell.service@eversheds-sutherland.com](mailto:shell.service@eversheds-sutherland.com) on 15 April 2024 at 4:55pm. A copy of the relevant email is exhibited at pages **65 of Exhibit AJ09**.

3.18 11 automatic responses were received in response to the above emails. Having reviewed the timings of the automated responses, I believe that:

3.18.1 2 automatic response were received on 15 April 2024 from [xr-action@protonmail.com](mailto:xr-action@protonmail.com) and [press@extinctionrebellion.uk](mailto:press@extinctionrebellion.uk) and which appears to be an automatic tailored response to any emails received. A copy of the relevant emails are exhibited at pages **95 - 95.7 of Exhibit AJ09**.

3.18.2 8 further automatic responses were received on 15 April 2024 from [eoexrtnt@protonmail.com](mailto:eoexrtnt@protonmail.com); [xrmidlandstraining@protonmail.com](mailto:xrmidlandstraining@protonmail.com); [xrpoliceliasion@protonmail.com](mailto:xrpoliceliasion@protonmail.com) [xrpeopleassembly@protonmail.com](mailto:xrpeopleassembly@protonmail.com) [xrdemocracy@protonmail.com](mailto:xrdemocracy@protonmail.com) [youthclimateswarm@protonmail.com](mailto:youthclimateswarm@protonmail.com) [xr-regionaldevelopment@protonmail.com](mailto:xr-regionaldevelopment@protonmail.com) and [xrne.training@protonmail.com](mailto:xrne.training@protonmail.com) noting the "mailbox quota exceeded" or "mailbox full" (exhibited at **pages 96-103 of Exhibit AJ09**). I understand from this firm's IT team that these emails were properly sent but will not have been delivered to / received by the recipient mailbox as the mailboxes were full.

3.18.3 1 further automatic response was received on 15 April 2024 from [support@xrnorth.org](mailto:support@xrnorth.org) which advised that the email could not be delivered as the "recipient's email address is possibly incorrect". A copy of the relevant email is exhibited at **page 104 of Exhibit AJ09**.

3.19 Apart from the automated response referred to above no responses from any of the other email addresses were received. I have no reason to believe that the emails sent to the other email addresses to which the above emails were sent were not delivered or received, and no other 'bounce back' or delivery failure notifications in this regard were received.

3.20 I therefore consider that the remaining emails sent to the email addresses linked to Extinction Rebellion and Just Stop Oil (being those from whom no bounce back was received) were delivered.

*Service of draft order for an injunction and directions in all three proceedings*

3.21 Finally a copy of the draft order for an injunction and directions in all three proceedings was sent to the Schedule 2 email addresses from [shell.service@eversheds-sutherland.com](mailto:shell.service@eversheds-sutherland.com) on

16<sup>th</sup> April 2024 timed at 10:23. A copy of the email is exhibited at **page 104.1** of **Exhibit AJ09**.

3.22 17 automatic responses were received in response to the above emails. Having reviewed the timings of the automated responses, I believe that:

3.22.1 8 automatic response were received on 16 April 2024 from [xrsw.trainings@gmail.com](mailto:xrsw.trainings@gmail.com), [xlondoncommunityevents@gmail.com](mailto:xlondoncommunityevents@gmail.com), [xlondoncoord@gmail.com](mailto:xlondoncoord@gmail.com), [artsxr@gmail.com](mailto:artsxr@gmail.com), [xrsocialmediaevents@gmail.com](mailto:xrsocialmediaevents@gmail.com), [xr.connectingcommunities@gmail.com](mailto:xr.connectingcommunities@gmail.com), [xr-action@protonmail.com](mailto:xr-action@protonmail.com) and [press@extinctionrebellion.uk](mailto:press@extinctionrebellion.uk) and which appears to be an automatic tailored response to any emails received. A copy of the relevant emails are exhibited at pages **104.2 – 104.16** of **Exhibit AJ09**.

3.22.2 8 further automatic responses were received on 16 April 2024 from [eoexrtnt@protonmail.com](mailto:eoexrtnt@protonmail.com); [xrmidlandstraining@protonmail.com](mailto:xrmidlandstraining@protonmail.com); [xrpoliceiaison@protonmail.com](mailto:xrpoliceiaison@protonmail.com) [xrpeopleassembly@protonmail.com](mailto:xrpeopleassembly@protonmail.com) [xrdemocracy@protonmail.com](mailto:xrdemocracy@protonmail.com) [youthclimateswarm@protonmail.com](mailto:youthclimateswarm@protonmail.com) [xr-regionaldevelopment@protonmail.com](mailto:xr-regionaldevelopment@protonmail.com) and [xrne.training@protonmail.com](mailto:xrne.training@protonmail.com) noting the "mailbox quota exceeded" or "mailbox full" (exhibited at **pages 104.17 – 104.24** of **Exhibit AJ09**). I understand from this firm's IT team that these emails were properly sent but will not have been delivered to / received by the recipient mailbox as the mailboxes were full.

3.22.3 1 further automatic response was received on 16 April 2024 from [support@xrnorth.org](mailto:support@xrnorth.org) which advised that the email could not be delivered as the "recipient's email address is possibly incorrect". A copy of the relevant email is exhibited at **page 104.25** of **Exhibit AJ09**.

3.23 Apart from the automated response referred to above no responses from any of the other email addresses were received. I have no reason to believe that the emails sent to the other email addresses to which the above emails were sent were not delivered or received, and no other 'bounce back' or delivery failure notifications in this regard were received.

3.24 I therefore consider that the remaining emails sent to the email addresses linked to Extinction Rebellion and Just Stop Oil (being those from whom no bounce back was received) were delivered.

#### **4. Service upon non-parties to the Proceedings**

4.1 In addition, the following documents were sent to individuals who have previously asked to receive documents in connection with the proceedings.

*The Service Variation and Notice of Hearing Documents*

- 4.2 Michaela Marc and Nick Hoffman were sent the Petrol Station Service Variation and Notice of Hearing Documents by email on 11 April 2024 at 17:45. A copy of those emails are exhibited at page **105-108** of **Exhibit AJ09**.
- 4.3 Raphael Dalzell was sent by email on 11 April 2024 at 17:46 the following documents relating to the Shell Centre Tower Proceedings (the only proceedings in respect of which he has asked to see documents):
- 4.3.1 Application Notice relating to service variation and draft order for the Shell Tower Proceedings;
  - 4.3.2 Eighth witness statement of Alison Oldfield dated 11 April 2024
  - 4.3.3 Notice of Hearing.
- 4.4 A copy of the email is exhibited at page **115-116** of **Exhibit AJ09**.
- 4.5 Alice Hardy of Bindmans LLP was sent the Service Variation and Notice of Hearing Documents by email on 11 April 2024 at 17:53. A copy of the email is exhibited at page **109-112** of **Exhibit AJ09**.
- 4.6 An automatic response was received to this email, advising that Alice Hardy was on leave on 11 April 2024. The automatic response advised that emails should be sent to [india.cooper@bindmans.com](mailto:india.cooper@bindmans.com) and [emma.lazell@bindmans.com](mailto:emma.lazell@bindmans.com) in Alice Hardy's absence. The above email (together with its attachments) was therefore forwarded to [india.cooper@bindmans.com](mailto:india.cooper@bindmans.com) and [emma.lazell@bindmans.com](mailto:emma.lazell@bindmans.com) by email sent on 11 April 2024 at 18:05. A copy of the email is exhibited at **page 113-114** of **Exhibit AJ09**.

*Service of the Sealed Application Notices for all three proceedings, the Claimant's Skeleton Argument the Hearing Bundles, witness evidence schedule and draft injunction orders upon non-parties*

*Michaela Marc*

- 4.7 Michaela Marc was sent the following documents relating to the Petrol Stations Proceedings on 12 April 2024 at 20:20:
- 4.7.1 Sealed Application Notice dated 11 April 2024 in the Petrol Stations Proceedings;
  - 4.7.2 Hearing Bundle;
  - 4.7.3 Claimants' Skeleton Argument;

A copy of the email is exhibited at page **105-106** of **Exhibit AJ09**

- 4.8 She was then sent the Supplemental Bundle on 15 April 2024 at 12:00 . A copy of the email is exhibited at page **105-106** of **Exhibit AJ09**. . As I explained above we had served the supplemental bundle earlier in the day but discovered a problem with the page numbering

so re-served. (That point also arises in relation to service of the supplemental bundle on other non-parties and I will not repeat it again below.)

4.9 She was sent the summary table of witness evidence in the proceedings on 15 April 2024 at 16:54. A copy of the email is exhibited at page **105-106** of **Exhibit AJ09**

4.10 Finally she was sent a copy of the draft order for an injunction and directions in the Petrol Stations Proceedings on 16<sup>th</sup> April 2024 timed at 10:22. A copy of the email is exhibited at page **106.1** of **Exhibit AJ09**.

*Nick Hofman*

4.11 Nick Hofman was sent the following documents relating to the Petrol Stations Proceedings on 12 April 2024 at 20:20:

4.11.1.1 Sealed Application Notice dated 11 April 2024 in the Shell Petrol Stations Proceedings;

4.11.1.2 Hearing Bundle;

4.11.1.3 Claimants' Skeleton Argument;

4.12 A copy of the email is exhibited at page **107-108** of **Exhibit AJ09**

4.13 He was sent the supplemental Hearing Bundle on 15 April 2024 at 12:01. A copy of the email is exhibited at page **107-108** of **Exhibit AJ09**.

4.14 He was sent the summary table of witness evidence in the proceedings on 15 April 2024 at 16:55. A copy of the email is exhibited at page **107-108** of **Exhibit AJ09**

4.15 Finally he was sent a copy of the draft order for an injunction and directions in the Petrol Stations Proceedings on 16<sup>th</sup> April 2024 timed at 10:22. A copy of the email is exhibited at page **108.1** of **Exhibit AJ09**.

*Raphael Dalzell*

4.16 Raphael Dalzell was sent by email on 11 April 2024 at 20:18 the following documents relating to the Shell Centre Tower Proceedings (the only proceedings in respect of which he has asked to see documents):

4.16.1 Sealed Application Notice dated 11 April 2024 in the Shell Centre Tower Proceedings;

4.16.2 Hearing Bundle;

4.16.3 Claimants' Skeleton Argument.

4.17 A copy of the email is exhibited at page **115-116** of **Exhibit AJ09**.

4.18 He was sent the initial supplemental Hearing Bundle on 15 April 2024 at 09:17 (containing incorrect page numbering). A copy of the email is exhibited at page **115-116** of **Exhibit AJ09**.

4.19 Raphael Dalzell sent an email in response to the above email on 15 April 2024 at 11:52, in which they advised:

*"To whom it may concern,*

*Please remove me from the mailing list regarding this case.*

*Kind regards,*

*Raphael Dalzell"*

A copy of the email is exhibited at page **117** of **Exhibit AJ09**.

4.20 In the light of the above emails, no subsequent documents were served on Raphael Dalzell.

*Alice Hardy of Bindmans LLP*

4.21 Alice Hardy of Bindmans LLP was sent by email attaching the following documents on 12 April 2024 at 20:19:

4.21.1 Sealed Application Notices for variation of service provisions in relation to all 3 sets of proceedings;

4.21.2 Hearing Bundle;

4.21.3 Claimants' Skeleton Argument;

4.22 A copy of the email is exhibited at page **109-112** of **Exhibit AJ09**

4.23 She was sent the Supplemental Bundle on 15 April 2024 at 11:55. A copy of the email is exhibited at page **109-112** of **Exhibit AJ09**.

4.24 She was sent the summary table of witness evidence in the proceedings on 15 April 2024 at 16:53. A copy of the email is exhibited at page **109-112** of **Exhibit AJ09**

4.25 Finally she was sent a copy of the draft orders for an injunction and directions in all 3 sets of Proceedings on 16<sup>th</sup> April 2024 timed at 10:21. A copy of the email is exhibited at page **112.1** of **Exhibit AJ09**

*Service upon other postal addresses*

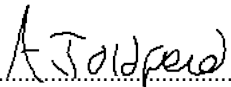
4.26 Finally, copies of documents were sent to the following other addresses by hand delivery via Finlays as follows.

4.27 Copies of the Applications for Service Variation in relation to all 3 sets of proceedings together with my eighth witness statement and the Notice of Hearing were delivered to Bindmans LLP solicitors on 12<sup>th</sup> April 2024. That firm having previously indicated it was instructed on behalf of Jessica Branch, who applied to be heard as an interested party in the proceedings at the hearing of the Claimant's previous application to extend the injunction in April 2023.

- 4.28 Copies of the Sealed Applications in relation to all 3 sets of proceedings and the other Submissions documents were served upon Bindmans LLP on 16<sup>th</sup> April 2024.
- 4.29 The documents to which I refer at paragraph 4.27 above were also served on Ms Jessica Branch's last known place of abode.
- 4.30 Copies of the Sealed Applications and other Submissions documents to which I refer at paragraphs 4.28 above were also served on Ms Branch on 16<sup>th</sup> April 2024.
- 4.31 Michael Gibson has previously requested copies of documents in relation to the Petrol Stations proceedings only. Therefore copies of the Petrol Stations service variation and notice of hearing documents were served by hand on him on the 12<sup>th</sup> April 2024.
- 4.32 Copies of the Sealed Applications and Submissions for the Petrol Stations Proceedings were served by hand on Michael Gibson on the 16<sup>th</sup> April 2024.
- 4.33 The statements of service contained at **pages 1-16 and 26-41** of the **Exhibit to AJ09** confirm the above service.

**Statement of Truth**

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 made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

.....

**Alison Judith Oldfield**

**Dated: 16 April 2024**