

SCHEDULE 4: FORM OF NOTICE

IN THE HIGH COURT OF JUSTICE

BUSINESS AND PROPERTY COURTS OF ENGLAND & WALES

COMMERCIAL COURT (QBD)

CLAIM NO: CL-2017-000323

IN THE MATTER OF GERALD MARTIN SMITH

AND IN THE MATTER OF THE CRIMINAL JUSTICE ACT 1988

NOTICE OF CLAIM TO NON-PARTIES

This Notice is served pursuant to the Order of Mr Justice Foxton dated 20 May 2020

TO: ALL NON-PARTIES TO THE ABOVE-MENTIONED PROCEEDINGS

TAKE NOTICE THAT:

- (1) Proceedings have been commenced in the Commercial Court (QBD) of the High Court of Justice, Business and Property Courts of England & Wales under Claim No CL-2017-000323 (the “**Claim**”). The Claim will determine proprietary claims and claims under the Criminal Justice Act 1988 which are advanced against the following assets (the “**Identified Underlying Assets**”):

	IDENTIFIED UNDERLYING ASSET	DETAILS OF LEGAL OWNER (IF AVAILABLE)
1	Flat 1 Hamilton House, 81 Southampton Row, London, WC1B 4HA (“HH”)	Ms Imogen Laura Smith
2	Flat 2 Hamilton House, 81 Southampton Row, London, WC1B 4NH	Graig Holdings Limited
3	Flat 3 HH	Diversified Group Limited
4	Flat 10 HH	Hamilton House Property Limited
5	Flat 11 HH	Future Investments Limited
6	Flat 12 HH	Blackwood Investments Limited
7	Flat 14 HH	Hamilton House Property Limited

8	Flat 17 HH	Great Eastern Street Investments Limited
9	Flat 18 HH	Future Investments Limited
10	Flat 19 HH	Dewr Holdings Limited
11	Flat 20 HH	Mynydd Holdings Limited
12	Flat 21 HH	Sarn Investments Limited
13	Flat 22 HH	Merch Holdings Limited
14	Flat 23 HH	Bryanstone Square Investments Limited
15	Flat 24 HH	Ingenuity Capital Limited
16	Leasehold HH	Hamilton House (Southampton Row) Management Limited
17	Flat 4, 58/59 Montagu Square, London, W1H 2LS	Ms Sinead Catherine Irving
18	32 Moor Lane, Rickmansworth, WD3 1LG	Ms Sinead Catherine Irving
19	£500,028.80 fund held on trust (and/or investment proceeds)	Mr Kevin Philbin and Mr Mark Williamson
20	Flat 9, 54-57 Goodwood Court, Devonshire Street, London, W1W 5DZ	Ms Alison Hollis
21	Flat 19 Walham Court, 109-111 Haverstock Hill, London, NW3 4SD	Mr Nicolas Greenstone and Mrs Patricia Greenstone
22	Dr Cochrane's Diamond Bracelet	Dr Cochrane (acting by the Viscount of the Royal Court of Jersey)
23	Diamond Earrings 1	Dr Imogen Laura Smith
24	Diamond Earrings 2	Ms Iona Smith

- (2) You are or may be one of the persons who are interested in the Identified Underlying Assets.
- (3) On 20 May 2020, Mr Justice Foxton gave directions in relation to how non-parties can assert an interest in the Identified Underlying Assets. You may, by 4pm on 3 July 2020, make an application to be joined to the Claim in order to make a proprietary claim or a claim under the Criminal Justice Act 1988 in relation to the Identified Underlying Assets, or to make any argument in relation to a claim asserted by any other party. Any such application shall be supported by a properly

particularised statement of case identifying the relief which is sought or the argument which is sought to be raised.

- (4) If you do not make such an application by 4pm on 3 July 2020, you will (i) be bound by orders and judgments made by the Court in relation to the Identified Underlying Assets, (ii) be debarred from contending that you have a proprietary claim or claim under the 1988 Act that takes priority to such claims as are established to the Identified Underlying Assets by persons who make applications by 3 July 2020, and (iii) be debarred from otherwise challenging the Court's judgments or orders in relation to such claims.
- (5) Further information in relation to the Claim (including the statements of case filed by all parties thereto) can be obtained by sending an email to IZO.Litigation@sfo.gov.uk and orbharcus@harcusparker.com.