

**IN THE HIGH COURT OF JUSTICE
PRINCIPAL REGISTRY OF THE FAMILY DIVISION**

Matrimonial cause proceeding in the Principal Registry treated by virtue of Section 42 of the Matrimonial and Family Proceedings Act 1984 as pending in divorce county court.

His Honour Judge Mitchell

in Chambers

Between Anna Maria Poultney (k/a Anna Maria Ignatius)

Respondent/Petitioner

and Spencer Michael Poultney

Applicant/Respondent

UPON His Honour Judge John Mitchell sitting at Gee Street Court House, 29-41 Gee Street, London, EC1V 3RE Tel: 0207 250 7200 considered the papers in the case and

ORDERED that:-

- 1) Because this Order has been made by the Court without considering representations from the parties, the parties have the right to apply to have the order set aside, varied or stayed. A party wishing to make an application must send or deliver the application to the court (together with any appropriate fee) to arrive within seven days of service of this Order.
- 2) The application for permission to appeal the order of DJ James made on the 25th June 2008 and for a direction that the application be transferred to the Court of appeal is to be listed before HHJ ~~John Mitchell sitting at Gee Street Courthouse~~ on the first available date after the 14th July 2009 at 12 noon, time estimate three hours;
- 3) The respondent/petitioner is excused attendance at the hearing but may attend if she so wishes;
- 4) The applicant must file at Gee Street Courthouse no later than seven days before the hearing a copy of the Bill of costs which was assessed on the 6th December 2005;
- 5) The applicant/respondent must file at Gee Street Courthouse and serve on the respondent/petitioner no later than seven days before the hearing
 - a) any further skeleton argument on which he wishes to rely;
 - b) a list of all further authorities (with case references) on which he wishes to rely;
- 6) At the hearing the applicant must be prepared to address the decision of the Court of Appeal in *Roult v North West Strategic Health Authority* [2009] EWCA Civ 444 which held that CPR Pt 3(1)(7) is a power which may be used for case management but does not give a judge the power to review a final decision.

Dated 1st July 2009
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Please address all communications for the Court to the Principal Registry of the Family Division, Family Proceedings Department, First Avenue House, 42-49 High Holborn, London WC1V 6NP quoting the number in the top right hand corner of this form. The Court Office is open between 10.00 a.m. and 4.30 p.m. on Mondays to Fridays.

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