



IN THE COURT OF APPEAL, CIVIL DIVISION

REF: CA-2024-000076



The Joint Administrators of Lehman Brothers –v– LB GP No 1 Ltd
Holdings plc

CA-2024-000076

ORDER made by the Rt. Hon. Lord Justice Lewison

On consideration of the appellant's notice and accompanying documents, but without an oral hearing, in respect of an application for permission to appeal

<p>Decision: GRANTED</p> <p>An order granting permission may limit the issues to be heard or be made subject to conditions</p>			
<p>Reasons</p> <p>1. The grounds of appeal have real prospects of success; and the scope of IR 14.23 (7) (a) is an important point which ought to be considered by this court.</p>			
<p>Information for or directions to the parties</p>			
<p>Mediation: Where permission has been granted or the application adjourned:</p> <p>Does the case fall within the Court of Appeal Mediation Scheme (CAMS) automatic pilot categories (see below)? No</p>			
<p style="text-align: center;"><u>Pilot categories:</u></p> <table border="0"> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • All cases involving a litigant in person (other than immigration and family appeals) • Personal injury and clinical negligence cases; • All other professional negligence cases; • Small contract cases below £500,000 in judgment (or claim) value, but not where principal issue is non-contractual; </td> <td style="vertical-align: top; padding-left: 20px;"> <ul style="list-style-type: none"> • Boundary disputes; • Inheritance disputes. • EAT Appeals • Residential landlord and tenant appeals </td> </tr> </table>		<ul style="list-style-type: none"> • All cases involving a litigant in person (other than immigration and family appeals) • Personal injury and clinical negligence cases; • All other professional negligence cases; • Small contract cases below £500,000 in judgment (or claim) value, but not where principal issue is non-contractual; 	<ul style="list-style-type: none"> • Boundary disputes; • Inheritance disputes. • EAT Appeals • Residential landlord and tenant appeals
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<p>If yes, is there any reason not to refer to CAMS mediation under the pilot? N/A</p> <p>If yes, please give reason:</p>			
<p><u>Non-pilot cases:</u> Do you wish to make a recommendation for mediation? N/A</p>			
<p>Where permission has been granted, or the application adjourned</p> <p>a) time estimate (excluding judgment) 2 days</p> <p>b) any expedition</p>			

Signed: BY THE COURT

Date: 23 April 2024

Notes

- (1) Rule 52.6(1) provides that permission to appeal may be given only where –
 - a) the Court considers that the appeal would have a real prospect of success; or
 - b) there is some other compelling reason why the appeal should be heard.
- (2) Where permission to appeal has been refused on the papers, that decision is final and cannot be further reviewed or appealed. See rule 52.5 and section 54(4) of the Access to Justice Act 1999.
- (3) Where permission to appeal has been granted you must serve the proposed bundle index on every respondent within 14 days of the date of the Listing Window Notification letter and seek to agree the bundle within 49 days of the date of the Listing Window Notification letter (see paragraph 21 of CPR PD 52C).