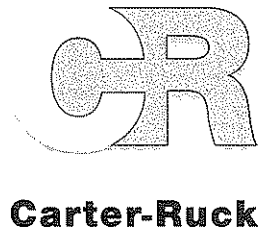


Direct Email : Nigel.Tait@carter-ruck.com
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Our Ref : NT/EY/MPH/14018.1
Date : 18 December 2008



Attention: Guido Fawkes / Editor / Administrator
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By email only: guido.fawkes@order-order.com

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TO WHOM IT MAY CONCERN

We write further to our letter of service dated 15 December 2008.

We are instructed by Zac Goldsmith and Jemima Khan.

We are writing to put you on notice of the following Orders of Mr. Justice Tugendhat made today and enclose copies of those Orders. Please read them carefully:

- a) The amended Order of 15 December 2008 re-dated 18 December 2008 in relation to QRS and TUV
- b) The Order dated 18 December 2008 in relation to EFG

For the avoidance of doubt you should be aware of the following:

1. The identities of the Applicants/Intended Claimants must remain confidential
2. The fact of the existence of the Orders must remain confidential
3. The terms of the Orders must remain confidential

We draw your attention to the terms of the Penal Notice in both Orders. In accordance with 'Spycatcher' principles, these Orders are binding upon you and you may not disobey these Orders whether by yourself, your Company, Directors, Officers, Servants, Agents or otherwise howsoever and it may be a Contempt of Court to breach any of the terms of the Orders and you may be held in Contempt of Court if you breach any of the terms of the Orders.

Yours faithfully

Carter-Ruck

Enc. Orders for an Injunction dated 18 December 2008

Michael Tugendhat
18/12/08

CLAIM NO. []

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

Before the Honorable Mr Justice Tugendhat



Sitting in Private
Dated 15 Dec 2008
BETWEEN
Re dated 18 Dec 2008

QRS and TUV

Applicant/Intended Claimants

And

- (1) The person or persons unknown who have offered and/or provided to the publishers of the Mail on Sunday, The Daily Mirror and/or the Sunday Mirror newspapers personal or private e-mails from or to the Claimants or either of them
- (2) The person or persons unknown who has or have in December 2008 gained unauthorised access to the personal or private e-mails referred to in (1) or the information they contain or any part of or extract from such emails or information
- personal accounts*

Respondent/Intended Defendants

AMENDED
ORDER

FOR AN INJUNCTION

PART A: NOTICE OF APPLICATIONS

The following applications were made to the Judge at the beginning of the hearing on ~~5 December 2008~~ by Counsel for the Applicant/Intended Claimants ('the Claimant's):

1. That the application to which this Order relates be held in private pursuant to CPR 39.2 (3) (a), (c) and (e) and the publication of all information relating to these proceedings or of information describing them is expressly prohibited.
2. That pursuant to the Contempt of Court Act s11 and CPR 39.2 (3) and (4) the proceedings be anonymised and the Claimants shall only be referred to as ~~QRS and TUV~~ in all court documents and notices and in open court
3. That any report, notice or other publication of the proceedings or any part of the proceedings (including any information describing the proceedings or their purpose) ~~shall be prohibited until further order~~
4. That pursuant to CPR 32.13(3)(d) and the Court's discretion the Claimants need not disclose the emails referred to in the Witness Statements or any information provided to the court about the content or provenance of such emails.
5. That pursuant to CPR 25 PD 9.2 and the Court's discretion the Claimant may refuse to disclose private and/or confidential evidence served in support of the injunction if requested to do so by a third party on whom a copy of this order has been served and upon whom the terms of the order are binding. For the avoidance of doubt this includes copies of any materials read by the Judge, including material prepared after the hearing at the direction of the Judge or in compliance with the order or a note of the hearing.
6. That pursuant to CPR 5.4C(4) (a) and (d) the Court orders that a non-party may not obtain a copy of any statement of case in these proceedings unless they apply, on notice to the Claimant, for permission (See Part C Para 1 below)
7. That pursuant to CPR 23 the Court orders that a non-party to the proceedings may not access the records of the Court in these

proceedings including the intended Claim Form unless they apply, on notice to the Claimant, for permission (See Part C Para 1 below)

IMPORTANT - PENAL NOTICE

(1) This Order prohibits you from doing the acts set out in part B of this Order and obliges you to do the acts set out in part C of this Order. You should read it all carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.

(2) If you disobey this Order, whether by your directors, officers, servants, agents or otherwise howsoever you may be held to be in Contempt of Court and may be fined or have your assets seized and any individual breaching this order may be sent to prison or fined.

(3) Any other person who knows of this Order and does anything which helps or permits the respondent to breach the terms of this Order may also be held to be in contempt of court and may be imprisoned, fined or have their assets seized.

PART B: NOTICE OF ORDERS

An application was made to the Judge on **15 December 2008** by counsel for the Claimant. The Judge heard the application, read the documents referred to in Schedule 1 and accepted the undertakings in Schedule 2 at the end of this Order and considered section 12 of the Human Rights Act 1998.

As a result of the application the Judge made an order in the terms set out in black below. An application was made to the Judge on 18 December 2008 and in consequence the Order was amended as follows (amendment indicated in red):

IT IS ORDERED THAT:

1. The application hearing to which this Order relates was held in private and the publication of all information relating to these proceedings or of information describing them or their purpose is expressly prohibited.
2. The proceedings are anonymised and the Claimants shall only be referred to as **QRS and TUV** in all court documents and notices and in open court
3. The Claimants need not disclose the emails referred to in the Witness Statements or any information provided to the court about the content or provenance of such emails.
4. the Claimant^s can refuse to disclose private and/or confidential evidence served in support of the injunction (including material read by the Judge at the hearing and material prepared after the hearing at the direction of the Judge or in compliance with the order or a note of the hearing) if requested to do so by a third party on whom a copy of this order has been served and upon whom the terms of the order are binding.
5. No person who is not a party to proceedings may obtain from the Court records a copy of the Claim Form or Statements of Case or other documents filed in these proceedings without the leave of the Court
6. The Defendants, until **the** or further Order in the meantime, must not whether by themselves or their directors, servants or agents or otherwise howsoever publish, republish, syndicate, use, communicate or disclose to any party (other than to legal advisors instructed in relation to these proceedings for the purpose of obtaining legal advice in relation to these proceedings) any

personal private information contained in or derived from personal and private emails received at or sent from the ~~Second~~ Claimant's personal e-mail address^s set out in the Confidential Schedule 3 to this Order and must not cause or authorise any other person, firm or company to do any of those acts; *save for the purpose of assisting the police in delivery up to the Claimants.*

7. The costs of this application are reserved
8. All parties have liberty to apply to vary or discharge this Order upon reasonable notice.

PART C: GUIDANCE NOTES

INTERPRETATION OF THIS ORDER

In this Order the words "he" "him" or "his" include "she" "her" and "it" or "its".

EFFECT OF THIS ORDER

- (1) A Defendant 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.
- (2) A Defendant which is a corporation and which is ordered not to do something must not do it by itself or by its directors, officers, employees or agents or in any other way.

VARIATION OR DISCHARGE OF THIS ORDER

- (1) The Defendant may apply to the court at any time to vary or discharge this Order but if it wishes to do so the Claimant's solicitors must first be informed in writing.
- (2) Anyone notified of this Order may apply to the Court at any time to vary or discharge this order (or so much of it as affects that person), but anyone wishing to do so must first inform the Claimant's solicitors in writing.

CLAIMANT'S SOLICITORS

The Claimant's solicitors are Carter-Ruck of International Press Centre, 76 Shoe Lane, London EC4A 3JB. Tel: 020 7353 5005. Fax: 020 7353 5553. Ref [redacted] Out of office hours telephone number: [redacted]

SCHEDULE 1

THE DOCUMENTS SET OUT BELOW WERE READ BY THE JUDGE BEFORE
MAKING THE ORDER ON 15 DECEMBER 2008

1. The [draft] witness statements of the Claimants dated 15 December 2008
2. The [draft] witness statement of Ian Monk dated 15 December 2008

SCHEDULE 2

UNDERTAKINGS GIVEN TO THE COURT BY THE CLAIMANT

1. If the Court later finds that this Order has caused loss to the Defendant and decides that the Defendant should be compensated for that loss, the Claimant will comply with any Order the Court may make

2. If the Court later finds that this Order has caused loss to any person or company (other than the Defendant) to whom the Claimant has given notice of this Order and decides that such person should be compensated for that loss, the Claimant will comply with any Order the Court may make

3. If for any reason this Order ceases to have effect the Claimant will forthwith take all reasonable steps to inform in writing any person or company to whom it has given notice of this Order, or who it has reasonable grounds for supposing may be upon this Order, that this Order has ceased to be of effect

4. As soon as practicable the Claimant will issue and serve a claim form claiming the appropriate relief

5. Subject to paragraphs 3 and 4 of Part B above the Claimant will supply to any party on whom he has served a copy of this Order and who requests a copy of the same the witness statements served in connection with this application

6. As soon as practicable the Claimant and Ian Monk will file finalised and signed copies of the draft witness statements provided to the court

PCRI-337633.1
The first claimant undertakes to make
a record of the information provided to the
Judge and to furnish a witness statement from
the first claimant confirming the same.

CONFIDENTIAL SCHEDULE 3

The e-mail address referred to in paragraph 6 of the Order is

sheherazadeg@hotmail.com

Zeco@compuserve.com

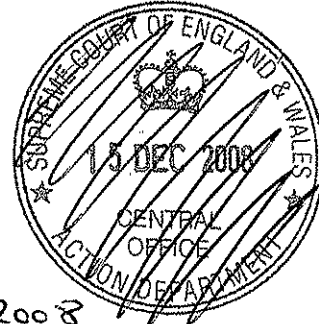
Michael Tugendhat
18/12/08

CLAIM NO. []

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

Before the Honorable Mr Justice Tugendhat



Sitting in Private

~~Dated 15 Dec 2008~~ Dated 18 Dec 2008

BETWEEN

~~EPG~~
~~QRS and TUV~~

Applicant/Intended Claimants

And

- (1) The person or persons unknown who have ~~offered and/or provided to the publishers of the~~ *gained unauthorised access to* ~~Mail on Sunday, The Daily Mirror and/or the~~ *the* ~~Sunday Mirror newspapers personal or private e-mails from or to the Claimants or either of them~~ *Claimant's personal e-mail account and the emails therein.*
- (2) Any person who has received the personal or private e-mails referred to in (1) or the information they contain or any part of or extract from such emails or information

Respondent/Intended Defendants

ORDER

FOR AN INJUNCTION

IMPORTANT - PENAL NOTICE

(1) This Order prohibits you from doing the acts set out in part B of this Order and obliges you to do the acts set out in part C of this Order. You should read it all carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.

(2) If you disobey this Order, whether by your directors, officers, servants, agents or otherwise howsoever you may be held to be in Contempt of Court and may be fined or have your assets seized and any individual breaching this order may be sent to prison or fined.

(3) Any other person who knows of this Order and does anything which helps or permits the respondent to breach the terms of this Order may also be held to be in contempt of court and may be imprisoned, fined or have their assets seized.

PART A: NOTICE OF APPLICATIONS

The following applications were made to the Judge at the beginning of the hearing on ~~15 December 2008~~ by Counsel for the Applicant/Intended Claimants ('the Claimant's):

1. That the application to which this Order relates be held in private pursuant to CPR 39.2 (3) (a), (c) and (e) and the publication of all information relating to these proceedings or of information describing them is expressly prohibited.
2. That pursuant to the Contempt of Court Act s11 and CPR 39.2 (3) and (4) the proceedings be anonymised and the Claimant shall only be referred to as ~~GRANDWAY~~ in all court documents and notices and in open court *EPG*
3. That any report, notice or other publication of the proceedings or any part of the proceedings (including any information describing the proceedings or their purpose) ~~shall be prohibited until further order~~
4. That pursuant to CPR 32.13(3)(d) and the Court's discretion the Claimant need not disclose the emails referred to in the Witness Statements or any information provided to the court about the content or provenance of such emails.
5. That pursuant to CPR 25 PD 9.2 and the Court's discretion the Claimant may refuse to disclose private and/or confidential evidence served in support of the injunction if requested to do so by a third party on whom a copy of this order has been served and upon whom the terms of the order are binding. For the avoidance of doubt this includes copies of any materials read by the Judge, including material prepared after the hearing at the direction of the Judge or in compliance with the order or a note of the hearing.
6. That pursuant to CPR 5.4C(4) (a) and (d) the Court orders that a non-party may not obtain a copy of any statement of case in these proceedings unless they apply, on notice to the Claimant, for permission (See Part C Para 1 below)
7. That pursuant to CPR 23 the Court orders that a non-party to the proceedings may not access the records of the Court in these

proceedings including the intended Claim Form unless they apply, on notice to the Claimant, for permission (See Part C Para 1 below)

PART B: NOTICE OF ORDERS

An application was made to the Judge on **15 December 2008** by counsel for the Claimant. The Judge heard the application, read the documents referred to in Schedule 1 and accepted the undertakings in Schedule 2 at the end of this Order and considered section 12 of the Human Rights Act 1998.

As a result of the application -

IT IS ORDERED THAT:

1. The application hearing to which this Order relates was held in private and the publication of all information relating to these proceedings or of information describing them or their purpose is expressly prohibited.
2. The proceedings are anonymised and the Claimants shall only be referred to as **PSG and JIV** in all court documents and notices and in open court *SPG*
3. The Claimants need not disclose the emails referred to in the Witness Statements or any information provided to the court about the content or provenance of such emails.
4. the Claimant can refuse to disclose private and/or confidential evidence served in support of the injunction (including material read by the Judge at the hearing and material prepared after the hearing at the direction of the Judge or in compliance with the order or a note of the hearing) if requested to do so by a third party on whom a copy of this order has been served and upon whom the terms of the order are binding.
5. No person who is not a party to proceedings may obtain from the Court records a copy of the Claim Form or Statements of Case or other documents filed in these proceedings without the leave of the Court
6. The Defendants, until **the** or further Order in the meantime, must not whether by themselves or their directors, servants or agents or otherwise howsoever publish, republish, syndicate, use, communicate or disclose to any party (other than to legal advisors instructed in relation to these proceedings for the purpose of obtaining legal advice in relation to these proceedings) any

personal private information contained in or derived from personal and private emails received at or sent from the Second Claimant's personal e-mail address set out in the Confidential Schedule 3 to this Order and must not cause or authorise any other person, firm or company to do any of those acts, *save for the purpose of assisting the police or delivery up to the Claimant.*

7. The costs of this application are reserved
8. All parties have liberty to apply to vary or discharge this Order upon reasonable notice.

PART C: GUIDANCE NOTES

INTERPRETATION OF THIS ORDER

In this Order the words "he" "him" or "his" include "she" "her" and "it" or "its".

EFFECT OF THIS ORDER

(1) A Defendant 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.

(2) A Defendant which is a corporation and which is ordered not to do something must not do it by itself or by its directors, officers, employees or agents or in any other way.

VARIATION OR DISCHARGE OF THIS ORDER

(1) The Defendant may apply to the court at any time to vary or discharge this Order but if it wishes to do so the Claimant's solicitors must first be informed in writing.

(2) Anyone notified of this Order may apply to the Court at any time to vary or discharge this order (or so much of it as affects that person), but anyone wishing to do so must first inform the Claimant's solicitors in writing.

CLAIMANT'S SOLICITORS

The Claimant's solicitors are Carter-Ruck of International Press Centre, 76 Shoe Lane, London EC4A 3JB. Tel: 020 7353 5005. Fax: 020 7353 5553. Ref [redacted] Out of office hours telephone number: ~~07738 807927~~

SCHEDULE 1

THE DOCUMENTS SET OUT BELOW WERE READ BY THE JUDGE BEFORE MAKING THE ORDER

~~1. The [draft] witness statement of the Claimants dated 15 December 2008~~

~~2. The [draft] witness statement of Ian Moris dated 15 December 2008~~

J

SCHEDULE 2

UNDERTAKINGS GIVEN TO THE COURT BY THE CLAIMANT

1. If the Court later finds that this Order has caused loss to the Defendant and decides that the Defendant should be compensated for that loss, the Claimant will comply with any Order the Court may make

2. If the Court later finds that this Order has caused loss to any person or company (other than the Defendant) to whom the Claimant has given notice of this Order, and decides that such person should be compensated for that loss, the Claimant will comply with any Order the Court may make

3. If for any reason this Order ceases to have effect the Claimant will forthwith take all reasonable steps to inform in writing any person or company to whom it has given notice of this Order, or who it has reasonable grounds for supposing may be upon this Order, that this Order has ceased to be of effect

4. As soon as practicable the Claimant will issue and serve a claim form claiming the appropriate relief

5. Subject to paragraphs 3 and 4 of Part B above the Claimant will supply to any party on whom he has served a copy of this Order and who requests a copy of the same the witness statements served in connection with this application

6. As soon as practicable the Claimant and Ian Moris will file, in sealed and signed copies of the draft witness statements provided to the court

PCRI-337633.1 *The Claimant undertakes to make a record of the information provided to the Judge and to furnish a witness statement from the Claimant confirming the same.*

CONFIDENTIAL SCHEDULE 3

The e-mail address referred to in paragraph 6 of the Order is

~~shahrazadegoharimail.com~~

jeminakhan@aol.com