

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

COMPANIES COURT

MR JUSTICE HILDYARD

No. 7942 of 2008 / CR-2008-000012



CR-2008-000012

IN THE MATTER OF LEHMAN BROTHERS INTERNATIONAL (EUROPE) (IN ADMINISTRATION)

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

B E T W E E N:

(1) ANTHONY VICTOR LOMAS

(2) STEVEN ANTHONY PEARSON

(3) RUSSELL DOWNS

(4) JULIAN GUY PARR

(in their capacity as the joint administrators of the above-named company)

Applicants

-and-

(1) BARCLAYS CAPITAL INC

(2) WENTWORTH SONS SUB-DEBT SARL

Respondents

CONSENT ORDER

UPON the Joint Administrators of Lehman Brothers International (Europe) (in administration) ("**LBIE**") (the "**Administrators**"), Barclays Capital Inc ("**Barclays**") and Wentworth Sons Sub-Debt SARL ("**Wentworth**") having agreed a revised timetable to trial to that set out in the Court's Order of 29 November 2016 (the "**Order**") and the consent orders of 10 March 2017 and 24 May 2017 (the "**Consent Orders**")

AND UPON being satisfied that the revised timetable agreed by the parties does not prejudice the hearing date of the Administrators' Application

IT IS ORDERED THAT:

(B) Evidence of fact

- 1 The parties shall file and exchange witness statements from any witnesses of fact by 4pm on 11 August 2017.
- 2 The parties shall, if so advised, file and exchange witness statements in reply by 4pm on 15 September 2017.

(C) Expert evidence

- 3 The parties shall agree a list of issues to be addressed in their expert reports by 4pm on 22 September 2017.
- 4 The parties shall file and exchange their expert reports by 4pm on 27 October 2017.
- 5 By 4pm on 17 November 2017, the parties shall (if so advised) file and exchange their supplemental expert reports.
- 6 By 4pm on 1 December 2017, the parties' experts shall meet for the purpose of: (a) identifying the issues in dispute between them; and (b) where possible, reaching agreement on those issues.
- 7 By 4pm on 15 December 2017, the experts shall file a joint memorandum identifying the points of agreement and disagreement between them.

(D) Pre-trial review

- 8 A pre-trial review ("**PTR**"), with a time estimate of half a day, shall be listed for 26, 27 or 28 March 2018.

(E) Trial bundles

- 9 The parties shall agree the contents of the bundles for the initial trial not less than 10 business days before the PTR.
- 10 Linklaters LLP shall produce the bundles for the initial trial (in accordance with the agreed contents). Linklaters LLP shall lodge a copy of the bundles at Court, and shall provide copies to the other parties, not less than 5 business days before the PTR.

(F) Skeleton arguments and authorities

- 11 Each party shall lodge its skeleton argument not less than 10 business days before the first reading day of the initial trial.
- 12 The parties shall agree and lodge a consolidated bundle of authorities not less than 5 business days before the first reading day of the initial trial.
- 13 The initial trial shall commence between 16 to 20 April 2018 with a time estimate of 8 days (including 2 days' pre-reading).

Service of this order

The Court has provided a sealed copy of this order to solicitors for the serving party
Linklaters LLP at 1 Silk Street, London EC2Y 8HQ (Ref: Nick Porter)