

1C) Text of the Lincoln County Court Order

General Form of Judgment or Order

To the Claimant

[REDACTED]

In the LINCOLN County Court	
Claim Number	7NK00087
Claimant (including ref.)	[REDACTED]
Defendant (including ref.)	Lloyds Tsb Bank Plc SO MFT [REDACTED]
Date	02 May 2007



Before **DISTRICT JUDGE TOOMBS** sitting at Lincoln County Court, 360 High Street, Lincoln, LN5 7PS.

IT IS ORDERED THAT

The Court of its own motion is considering striking out the Defence in this action as an abuse of process.

The basis for this is the fact that the Defendant is settling all claims of this nature where the Claimants are seeking the reimbursement of Bank Charges, with no claims proceeding to a contested hearing.

The Court considers the authority of *Mullen V Hackney London Borough Council* (1997) 2 AllER 906 relevant.

If the Defendant objects to the proposed strike out it is ordered to file, within 14 days of the date of service of this order, a schedule setting out all claims of this type in England and Wales which have proceeded to a final contested hearing, and the outcome of such hearings, together with a schedule of all such claims which it has compromised before a final hearing, after proceedings have been issued.

Upon receipt of any such objections the Court will consider listing the claim for an on notice hearing of the strike out issue.

In the absence of any such objections being filed in time, the Defence herein will be struck out and Judgment entered for the amount claimed by the Claimant, together with the appropriate costs claimable on the small claims track.

Dated 27 April 2007