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### Appellant's notice

(All appeals except small claims track appeals and appeals to the Family Division of the High Court)

For Court use only	
Appeal Court Ref. No.	2018/2325
Date filed	27 SEPT 2018

Notes for guidance are available which will help you complete this form. Please read them carefully before you complete each section.



### Section 1 Details of the claim or case you are appealing against

Claim or Case no. HQ18X03276

Fee Account no. (if applicable)

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Help with Fees - Ref no. (if applicable) **HWF** - [ ] - [ ]

17 SEP 2018

Name(s) of the  Claimant(s)  Applicant(s)  Petitioner(s)  
 Citizen Ms Berry  
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Name(s) of the  Defendant(s)  Respondent(s)  
 Co-operative Bank + Auctioneers Barnard Marcus + Auctioneers Sequence (UK) Limited

#### Details of the party appealing ('The Appellant')

Name  
Citizen Ms Neelu Berry

Address (including postcode)  
 No Fixed Abode care of  
 450 New North Road, Hainault  
 IG6 3EB

Tel No.  
 Fax  
 E-mail neelu.berry@gmail.com

#### Details of the Respondent to the appeal

Name  
Co-operative Bank + Auctioneers Barnard Marcus + Auctioneers Sequence UK Ltd

Address (including postcode)  
 Co-operative Bank, Head Office, PO Box 101,  
 1 Balloon Street, Manchester, M60 4EP  
 Auctioneers Barnard Marcus + Auctioneers Sequence  
 UK Ltd both of Cumbria House 16 - 20 Hockliffe St.,  
 Leighton Buzzard, Bedfordshire LU7 1GN

Tel No.  
 Fax  
 E-mail

Details of additional parties (if any) are attached  Yes  No

**Section 2** Details of the appeal

From which court is the appeal being brought?

- The County Court at
- The Family Court at
- High Court
  - Queen's Bench Division
  - Chancery Division
  - Family Division
- Other (please specify)

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What is the name of the Judge whose decision you want to appeal?

Garnham

What is the status of the Judge whose decision you want to appeal?

- District Judge or Deputy
- Circuit Judge or Recorder
- Tribunal Judge
- Master or Deputy
- High Court Judge or Deputy
- Justice(s) of the Peace

What is the date of the decision you wish to appeal against?

14th September 2018

Is the decision you wish to appeal a previous appeal decision?  Yes  No

### Section 3 Legal representation

Are you legally represented?

Yes  No

If Yes, is your legal representative (please tick as appropriate)

- a solicitor
- direct access counsel instructed to conduct litigation on your behalf
- direct access counsel instructed to represent you at hearings only

Name of your legal representative

The address (including postcode) of your legal representative

Tel No.	<b>RECEIVED</b>  17 SEP 2018  CIVIL APPEALS OFFICE
Fax	
E-mail	
DX	
Ref.	

Are you, the Appellant, in receipt of a Civil Legal Aid Certificate?

Yes  No

Is the respondent legally represented?

Yes  No

If 'Yes', please give details of the respondent's legal representative below

Name and address (including postcode) of the respondent's legal representative

See the Respondents' addresses

Tel No.	
Fax	
E-mail	
DX	
Ref.	

## Section 4 Permission to appeal

Do you need permission to appeal?

Yes  No

Has permission to appeal been granted?


Yes (Complete Box A)

No (Complete Box B)

**Box A**

Date of order granting permission <input type="text"/>
Name of Judge granting permission <input type="text"/>

**Box B**

Without Prejudice to Invalidity Arguments 
the Appellant(s) legal representative) seek permission to appeal.

If permission to appeal has been granted **in part** by the lower court, do you seek permission to appeal in respect of the grounds refused by the lower court?

Yes  No

## Section 5 Other information required for the appeal

Please set out the order (or part of the order) you wish to appeal against

See the Damage Mitigation Denial Fraud Appeal Grounds dated 15th September 2018

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Have you lodged this notice with the court in time?  
(There are different types of appeal - see Guidance Notes N161A)

Yes  No

If **'No'** you must also complete  
**Part B of Section 9 and Section 10**

## Section 6 Grounds of appeal

Please state, in numbered paragraphs, **on a separate sheet** attached to this notice and entitled 'Grounds of Appeal' (also in the top right hand corner add your claim or case number and full name), why you are saying that the Judge who made the order you are appealing was wrong.

I confirm that the grounds of appeal are attached to this notice.

**Section 7 Arguments in support of grounds for appeal**

I confirm that the arguments (known as a 'Skeleton Argument') in support of the 'Grounds of Appeal' are set out **on a separate sheet** and attached to this notice.

**OR** (in the case of appeals other than to the Court of Appeal)

I confirm that the arguments (known as a 'Skeleton Argument') in support of the 'Grounds of Appeal' will follow within 14 days of filing this Appellant's Notice. A skeleton argument should only be filed if appropriate, in accordance with CPR Practice Direction 52B, paragraph 8.3.

**Section 8 What are you asking the Appeal Court to do?**

I am asking the appeal court to:-  
(please tick the appropriate box)

*aarhus N/A*

set aside the order which I am appealing

vary the order which I am appealing and substitute the following order. Set out in the following space the order you are asking for:-

See the Damage Mitigation Denial Fraud Appeal Grounds + Proposals dated 15th September 2018

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order a new trial

**Section 9 Other applications**

Complete this section **only** if you are making any additional applications.

**Part A**

I apply for a stay of execution. (You must set out in Section 10 your reasons for seeking a stay of execution and evidence in support of your application.)

**Part B**

I apply for an extension of time for filing my appeal notice. (You must set out in Section 10 the reasons for the delay and what steps you have taken since the decision you are appealing.)

**Part C**

I apply for an order that:

See the Damage Mitigation Denial Fraud Appeal Grounds dated 15th September 2018

(You must set out in Section 10 your reasons and your evidence in support of your application.)

**Section 10 Evidence in support**

In support of my application(s) in Section 9, I wish to rely upon the following reasons and evidence:

See the Damage Mitigation Denial Fraud Appeal Grounds + Proposals dated 15th September 2018

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**Statement of Truth** – This must be completed in support of the evidence in Section 10

I believe (The appellant believes) that the facts stated in this section are true.

Full name

Name of appellant's legal representative firm

signed  position or office held

Appellant ('s legal representative)

(if signing on behalf of firm or company)

## Section 11 Supporting documents

To support your appeal you should file with this notice all relevant documents listed below. To show which documents you are filing, please tick the appropriate boxes.

If you do not have a document that you intend to use to support your appeal complete the box over the page.

### In the County Court or High Court:

- three copies of the appellant's notice for the appeal court and three copies of the grounds of appeal;
- one additional copy of the appellant's notice and grounds of appeal for each of the respondents;
- one copy of the sealed (stamped by the court) order being appealed;
- a copy of any order giving or refusing permission to appeal; together with a copy of the judge's reasons for allowing or refusing permission to appeal; and
- a copy of the Civil Legal Aid Agency Certificate (if legally represented).

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### In the Court of Appeal:

- three copies of the appellant's notice and three copies of the grounds of appeal on a separate sheet attached to each appellant's notice;
- one additional copy of the appellant's notice and one copy of the grounds of appeal for each of the respondents;
- one copy of the sealed (stamped by the court) order or tribunal determination being appealed;
- a copy of any order giving or refusing permission to appeal together with a copy of the judge's reasons for allowing or refusing permission to appeal;
- one copy of any witness statement or affidavit in support of any application included in the appellant's notice;
- where the decision of the lower court was itself made on appeal, a copy of the first order, the reasons given by the judge who made it and the appellant's notice of appeal against that order;
- in a claim for judicial review or a statutory appeal a copy of the original decision which was the subject of the application to the lower court;
- one copy of the skeleton arguments in support of the appeal or application for permission to appeal;
- a copy of the approved transcript of judgment; and
- a copy of the Civil Legal Aid Certificate (if applicable)

Reasons why you have not supplied a document and date when you expect it to be available:-

Title of document and reason not supplied	Date when it will be supplied
an Equity Standard Contempt Investigation is needed to identify and produce all relevant evidence	When the Investigation Order is made and executed
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**Section 12** The notice of appeal must be signed here

Signed



Appellant('s legal representative)