

General Form of Judgment or Order

In the County Court at Leicester	
Claim Number	3QZ76119
Date	3 November 2016



HOBILLS LIMITED	1 st Claimant Ref ER/JH/MH/HOBILL
MASON BROTHERS COLD STORAGE AND GRADING SERVICES LIMITED	1 st Defendant Ref USO/NB/1400482
MASON BROTHERS TRANSPORT LIMITED	2 nd Defendant Ref

Before Her Honour Judge Hampton sitting at the County Court at Leicester, 90 Wellington Street, Leicester, LE1 6HG.

Upon hearing counsel for the Claimant and counsel for the Defendant

And Upon the trial of the claim

And Upon the Claimant having made an offer to settle compliant with Part 36, in the sum of £57,000 by letter dated 2 December 2014, the period of 21 days having expired on the 24 December 2014.

IT IS ORDERED THAT

1. There be judgment for the Claimant against the Defendant in the sum of £90,833.69, payable in 14 days. This comprises:

- (a) £70,888.72 being losses found by the court;
- (b) £7,088.87 being the additional amount to which the Claimant is entitled pursuant to CPR 36x.14(3)(d)(i) - (this has been calculated on the basic award without any interest).
- (c) Interest of £1,786.78 with respect to the period from the losses arising to the 24 December 2014 at the rate of 1.5% above base (0.5%)
- (d) Enhanced interest from 24 December 2014 to the date of the handing down of judgment, being 27 October 2016, at the rate of 8% over the base rate in accordance with the provisions of CPR 36x.14(3)(a), in the sum of £11,069.32.

2. The Defendant do pay the Claimant's costs of the action to be the subject of detailed assessment if not agreed, on the standard basis for costs incurred until 23 December 2014 and on the indemnity basis thereafter pursuant to CPR 36x.14(3)(b) together with interest on the indemnity costs aforesaid at the rate of 8% over base rate from 24 December 2014 to 22 September 2015 and at a rate of 0.5% over the base rate from 22 September 2015 to 27 October 2016 pursuant to CPR 36x.14(3)(c).

3. Paragraph 4 of the order of DJ Reed dated 10 August 2015 [trial bundle page 139-140] be set aside and there be no order for costs as to the costs in respect of the claim against Mason Brother Transport Limited.

Dated 27 October 2016