

In the matter of Marc Anton Paul Horn -and- Carl William Mills & 12 Others

Simon Fagan <Simon.Fagan@AticusLaw.co.uk>

To:maphorn@yahoo.com

Cc:Ailsa Chadderton

12 Sep at 15:02

Dear Sir,

**In the matter of Marc Anton Paul Horn -and- Carl William Mills & 12 Others
Liverpool County Court – E30LV132**

Would you please note that we have today been instructed to act for and on behalf of (D2) **Allan Freeman**, (D3) **Tony Freeman** and (D9) **Michael Patterson** in respect of the claim that you are pursuing before the Liverpool County Court. It is and remains our understanding that you are acting as Litigant in person and as such, this correspondence and the 'Notices of Change' duly attached to the same, are served upon you directly. If you do have solicitors appointed to act for and on your behalf, please provide them with a copy of this email and attachments accordingly.

We have notified the Court of our instruction accordingly.

We note that you have filed Amended Particulars of Claim (the '**Particulars**'). The Particulars that have been served are wholly inadequate, do not comply with the Directions of the Court and fail to disclose any real or any potential claim as against any of our clients. There is no claim in law that is, or can be pursued by you as against any of our clients. As such, we are instructed to pursue: -

1. An application to strike out your Particulars and/or secure summary judgment as against you for our clients costs; and/or
2. Pursue an application for Security for Costs as against you.

Your claim is, with respect, misconceived and whilst you may have cause to complain and/or have a claim as against Pinnacle Student Developments (Leeds) Limited – in relation to which our clients make no comment – you have no claim, or cause of action as against our clients. None of our clients were involved with you, or in any aspect of the sales or contractual process with you. They were not a director of any company, with whom you contracted and/or have had any claim.

There is, nor could there be, any personal claim as against them – whether directly, or as a consequence of an alleged breach of either a fiduciary or implied or actual Trustee duty.

You are invited to discontinue your claim as against our clients immediately and to confirm such discontinuance, and meet our client's reasonable costs as incurred to date, by **4pm (GMT) on Thursday 13th September 2018**.

Should you fail to discontinue the claim as against our clients, then we shall and without further notice to you, pursue an application for the strike out of your claim and summary judgment as against you for our client's costs. You will appreciate that further costs will be incurred in the preparation and conduct of any such application.

Our clients are also obtaining advice in respect of those allegations as referred within the Particulars and which allege that one or all of them are involved in various acts of dishonesty, conspiracy and/or fraud. Your allegations have been advanced in the course of

pleadings which are public documents. The allegations as contained therein are defamatory and are both unfounded and untrue. Our clients reserve all rights and remedies that are available to them in respect of pursuing you for damages to their character and reputation.

If you do intend to continue with the proceedings as against our clients, please note that we do not intend to engage in, or entertain, protracted and opinionated correspondence and should you not intend to discontinue the claim as against our clients, you should confine your response, if any, to a statement confirming this as being the case.

We look forward to hearing from you however with confirmation that you are discontinuing the claim as against our clients.

All rights and remedies are and remain reserved.

Yours sincerely,

ATICUS LAW SOLICITORS

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