



IN THE COURT OF APPEAL, CIVIL DIVISION

REF: A3/2011/0688

[SEAL]

order no 023592

01 AUG 2011

STEPHEN JOHN COOGAN -v- (1) NEWS GROUP NEWSPAPERS LTD
(2) GLENN MULCAIRE

ORDER made by the Rt. Hon. Lord Justice Toulson

On consideration of the appellant's notice and accompanying documents, but without an oral hearing, in respect of an application for permission to appeal

Decision: granted, refused, adjourned. An order granting permission may limit the issues to be heard or be made subject to conditions.

Permission to appeal against paragraph 4 of the order of Vos J refused.

Reasons

The appellants skeleton argument dated 3 December 2010 opposed RFIs 1-6 and 10-11 on the grounds of relevance – see paragraphs 10–16.

The judge addressed the objection and rejected it. The grounds of appeal seek to argue the matter differently.

The question whether to order the appellants to provide the information involved an exercise of discretion. I see no real prospect of the appellant persuading the court that it was not properly open to him to make the order which he did.

**Information for or directions to the parties****Where permission has been granted, or the application adjourned**

- a) time estimate (excluding judgment)
- b) any expedition

Roger Toulson

Signed:

Date: 29 July 2011

Notes

- (1) Rule 52.3(6) provides that permission to appeal may be given only where –
 - a) the Court considers that the appeal would have a real prospect of success; or
 - b) there is some other compelling reason why the appeal should be heard.
- (2) Rule 52.3(4) and (5) provide that where the appeal court, without a hearing, refuses permission to appeal that decision may be reconsidered at a hearing, provided that the request for such a hearing is filed in writing within 7 days after service of the notice that permission has been refused. Note the requirement imposed on advocates by paragraph 4.14A of the Practice Direction.
- (3) Where permission to appeal has been granted, the appeal bundle must be served on the respondents within 7 days of receiving this order (see para. 6.2 of the Practice Direction to CPR Part 52). A letter of notification will be sent to the appellant or his solicitors, as soon as practicable (see para. 6.3).

By the Court