

WEDNESDAY 24TH JULY 2019

**IN THE COURT OF APPEAL**

ON APPEAL FROM THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

HQ16P03718

BEFORE LORD JUSTICE IRWIN

**B E T W E E N**

CHARLOTTE SWIFT

Appellant/ **CLAIMANT**

- and -

MALCOLM CARPENTER

Respondent/  
**DEFENDANT**

PERSONAL INJURY BAR ASSOCIATION

**INTERVENER**

**UPON** the Claimant's application to adjourn the appeal, at the court's invitation,  
in order for the Court to receive further expert evidence.

**AND UPON** the Court acceding to that application.

**IT IS ORDERED THAT:**

1. The appeal hearing is adjourned to 24<sup>th</sup> March 2020 with a time estimate of 3 days.
2. The parties to request a pre-trial review hearing before Lord Justice Irwin on the first available date after 13<sup>th</sup> December 2019 and no later than 24<sup>th</sup> January 2020, with a time estimate of half a day.



Her Majesty's  
Court of Appeal

29 JUL 2019

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3. Each party has permission to rely on a single expert witness each in each of the following disciplines:

- a. IFA
- b. Chartered Surveyor/Valuer
- c. Economist
- d. Actuary

On the issues of:

- i Indexation of borrowing costs
  - ii The impact of inflation on the issues arising in this appeal
  - iii Investment return and discount rates
  - iv Mortgage rates, products and the costs of borrowing for the purchase of property
  - v Valuation of a potential reversionary interest in any property purchased by the Appellant
4. Expert reports are to be exchanged and copies provided to the Intervener by no later than 15<sup>th</sup> November 2019.
5. Any questions of the experts pursuant to CPR Part 35.6(1) shall be put by 4pm on 21<sup>st</sup> November 2019 and the experts shall answer by 4pm on 28<sup>th</sup> November 2019.
6. Experts are to meet by 6<sup>th</sup> December 2019 and prepare joint statements in relation to matters upon which they are agreed and not agreed, to be



served on the parties by no later than 13<sup>th</sup> December 2019.

7. The parties have permission to call expert witnesses to give oral evidence if and to the extent there remains any area of disagreement between them.
8. The parties shall agree and the Appellant shall file and serve a further supplementary bundle by no later than 25<sup>th</sup> February 2020.
9. There shall be a single consolidated skeleton argument from each party (and PIBA if so advised) to be filed and served by no later than 10<sup>th</sup> March 2020.
10. Revised authorities bundles are to be filed by no later than 17<sup>th</sup> March 2020.
11. The costs of and occasioned by the adjournment are reserved.
12. There be liberty to apply to Lord Justice Irwin for further case management directions.



*By the Court*

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QUEEN'S BENCH DIVISION

ORDER

Copies to:

Queen's Bench Division  
Room E17  
Royal Courts of Justice  
The Strand  
London WC2A 2LL

Leigh Day Solicitors  
Dx 53326  
Clerkenwell  
Ref: GC/SDT/00092153/1

Weightmans Llp  
Dx 719592  
Leicester 7  
Ref: DJC JLE3 A00002 8833

This order was drawn by Mr I Norrish (Associate) to whom all enquiries regarding this order should be made. When communicating with the Court please address correspondence to Mr I Norrish, Civil Appeals Office, Room E307, Royal Courts of Justice, Strand, London WC2A 2LL (DX 44450 Strand) and quote the Court of Appeal reference number. The Associate's telephone number is 020 7947 7856