

Claim Form

In the Nottingham High Court District
Registry
Queen's Bench Division
North Wales Children's Homes

	<i>For court use only</i>
Claim No.	DPA
Issue Date	



Claimant

- 1. **MR** AR-A21
- 2. **MR** AR-A29
- 3. **MR** AR-A217
- 4. **MR** AR-A207
- 5. **MR** AR-A208
- 6. **MR** AR-A30
- 7. **MR** AR-A209
- 8. **MR** AR-A24
- 9. **MR** AR-A210
- 10. **MR** AR-A218
- 11. **MR** AR-A211
- 12. **Mrs** Name Redacted (as widow and Administratrix of the Estate of the late **AR-A212**)

Defendant

Eagle Star Insurance Company Limited
The Zurich Centre, 3000 Parkway Whiteley
Fareham, Hampshire, PO15 3JZ

Brief details of claim

1. At all material times the Claimants were resident at the Defendants insured Homes owned and operated by the Defendants insured, namely, Bryn Alyn Community (Holdings) Limited, and/or its predecessors.
2. At all material times the Defendants and/or its predecessors and/or its successors were an incorporated company offering insurance against risk.
3. At all material times the said Bryn Alyn Community (Holdings) Limited and/or its predecessors carried Public Liability Insurance underwritten by the Defendant and/or its predecessors and/or its successors and/or its servants and/or agents.
4. On the 26th June 2001 the Claimants, each and every one, obtained Judgement against the said Bryn Alyn Community (Holdings) Limited in respect of liability and in respect of Claimants 1-4, as to quantum, for personal injuries (including psychological injuries) arising from maltreatment and abuse to which the Claimants were subjected to during their minority.
5. On the 12th February 2003, pursuant to Appeal, the Claimants obtained Judgement from their Lordships in the Court of Appeal against the said Bryn Alyn Community (Holdings) Limited.
6. The Claimants claim;
 - (i) A declaration that the Defendants are liable to indemnify each Claimant pursuant to the said policy of insurance and the provisions of the Third Parties (Rights Against Insurers) Act 1930, or otherwise,
 - (ii) The sums(s) awarded for **AR-A21** **AR-A29** **AR-A217** and **AR-A207** being lead Claimants, or alternatively damages; and
 - (iii) The sum(s) yet to be determined in respect of those Claimants remaining; or alternately damages; and
 - (iv) Interest on such sums since the date of Judgement pursuant to the Judgements Act 1838 and/or Section 35A of the Supreme Court Act 1981, and
 - (v) Further or other relief

Value

Total Value in excess of £300,000

Defendant's Name and Address Eagle Star Insurance Company Limited
The Zurich Centre, 3000 Parkway Whiteley,
Fareham, Hampshire, PO15 3JZ

Amount Claimed	Over £300,000
Court Fee	£1,700
Solicitor's Costs	To Be Assessed
Total Amount	

The Court Office at Nottingham High Court District Registry, Canal Street, Nottingham

Claim No.

Does, or will, your claim include any issues under the Human Rights Act 1998?

Yes

No

Particulars of Claim (~~attached~~)(to follow)

to follow

2000 08 10



Statement of Truth

*(I believe)(The Claimant believes) that the facts stated in these particulars of claim are true.

* I am duly authorised by the claimant to sign this statement

Full name Billhar Singh Uppal

Name of claimant's solicitor's firm UPPAL TAYLOR SOLICITORS

signed

DPA

position or office held Principal

*d

DPA

(Claimant's solicitor)

(if signing on behalf of firm or company)

UPPAL TAYLOR SOLICITORS
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Nottingham
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Ref: DPA

Claimant's or claimant's solicitor's address to which documents or payments should be sent if different from overleaf including (if appropriate) details of DX, fax or e-mail: