

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

In the Harrogate county court	
Claim no.	A00HG178
Fee Account no.	
Warrant no. (if applicable)	
Claimant's name (including ref.)	Doug Paulley
Defendant's name (including ref.)	Ministry of Justice
Date	28/11/14

1. What is your name or, if you are a legal representative, the name of your firm?

Mr Doug Paulley

2. Are you a ☒ Claimant ☐ Defendant ☐ Legal Representative  
☐ Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

The Defendant's Statement of Claim be struck out  
1) It does not provide a valid Defence against the Claim  
2) It is an abuse of process: it assumes the right to submit a further Defence yet such has not been filed.

4. Have you attached a draft of the order you are applying for? ☐ Yes ☒ No
5. How do you want to have this application dealt with? ☐ at a hearing ☒ without a hearing  
☐ at a telephone hearing
6. How long do you think the hearing will last?  Hours  Minutes  
Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

Circuit Judge

9. Who should be served with this application?

Defendant

- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- ☐ the attached witness statement
- ☒ the statement of case
- ☒ the evidence set out in the box below

If necessary, please continue on a separate sheet.

The Defence does not constitute a valid Defence against the Claim under the Equality Act. It gives no valid grounds for defence and holds no real prospect of success.

Further, the defendants have abused the Court process. They have failed to engage in pre-action procedures: they did not respond to my Letter before Action of 18th September. They have failed to respond to my Subject Access Request under Section 7 of the Data Protection Act for relevant CCTV evidence; eliciting criticism from the Information Commissioner, and are unable to furnish the CCTV evidence as it has been deleted in the meantime.

The defendants have failed to investigate the incident in a timely manner. It is ten weeks since my Letter before Action, yet the defendants have still failed to respond on the issues at the heart of my claim. They still rely upon the right to submit an amended Defence due to "ongoing investigations". They have not applied for the right to do so or supplied the amended Defence, over three weeks after filing their Defence.

It is clear that the Defendant's Statement of Claim should be struck out by the Court.

#### Statement of Truth

(I believe) ~~(The applicant believes)~~ that the facts stated in this section ~~(and any continuation sheets)~~ are true.

Signed

  
Applicant's ~~legal representative's~~ ~~(/s litigation friend)~~

Dated 28th November 2015

Full name MR DOUGLAS JACK PAULLEY

Name of applicant's legal representative's firm

Position or office held

(if signing on behalf of firm or company)

11. Signature and address details

Signed

  
Applicant's ~~legal representative's~~ ~~(/s litigation friend)~~

Dated 28th November 2014

Position or office held

(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

(address)	If applicable	
	Phone no.	(number)
	Fax no.	
	DX no.	
	Ref no.	
Postcode	p o s t c o d e	
E-mail address	(address)	