

Application notice

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Name of court High Court of Justice (ChD)	Claim no. PT-2025-001017
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)
PBA0080949	H W F – –
Warrant no. (if applicable)	
Claimant's name (including ref.) RWE Generation UK PLC (Ref: ICH/10002880)	
Defendant's name (including ref.) See Schedule 1	
Date	23 October 2025

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

Osborne Clarke LLP

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

If you are a legal representative whom do you represent?

Claimant

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

The Claimant seeks an order for Greenpeace Limited to be added as a defendant to the Claim pursuant to CPR Rule 19.4(1), for the purpose of giving an undertaking to the court, and for the First Defendant to be notified of this application by it being uploaded to the dedicated website for this claim.

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 remote 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

Return hearing of 24 October 2025

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

Second Defendant & Greenpeace Limited

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

Claimant will notify the First Defendant, will effect service on the Second Defendant as provided for in the Order of 6 October 2023, and will effect service and on Greenpeace Limited by emailing jack.robirrosa@greenpeace.org

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 Claimant asks that this application be dealt with at the return date hearing of its application for injunctive relief listed for hearing on 24 October 2025.

On 3 October 2025, an interim injunction was granted on an ex parte basis by Rajah J as against the First and Second Defendants (Order dated 6 October 2025).

In accordance with the service and notification provisions in that Order, the Claimant served a copy of the Order (and other required documents) on the Second Defendant, Greenpeace UK Limited, by email, as detailed in the Witness Statement of Donal Kelly dated 20 October 2025.

Following service, correspondence was received by the Claimant's solicitors from Jack Robirosa of 'Greenpace UK', which stated (inter alia) that the correct defendant should have been Greenpeace Limited rather than Greenpeace UK Limited, and that, without making any admissions as to past events, Greenpeace Limited would be prepared in principle to provide an appropriate undertaking to resolve the matter. A copy of that letter, and subsequent correspondence, is exhibited to the Witness Statement of Donal Kelly.

Correspondence has continued between the legal representatives for the Claimant and for the Greenpeace entities (copies of that post-dating Mr Kelly's witness statement are provided with this Application Notice) and a position has been reached whereby both Greenpeace UK Limited and Greenpeace Limited are prepared to provide undertakings in the form/as attached to this Application Notice.

The Claimant therefore applies to join Greenpeace Limited as third defendant to this claim, it having been identified as the entity which was involved in or at least associated with the direct action which took place on 22 September 2025 (detailed more particularly in the Witness Statement of William Jeffery dated 1 October 2025) and for the purpose of giving (and the court accepting) the proposed undertaking.

The Claimant respectfully suggests that the order sought by this application (if granted) could properly be reflected in an amended form of the draft Order submitted with the Claimant's Application Notice seeking continuation of the injunction granted by Rajah J, together with provision for service of any order / other application in this claim on Greenpeace Limited. This is provided for in the draft Order provided with this Application Notice - a revised version of that provided with the Claimant's Application Notice of 20 October 2025.

Paragraph 8 of the Order of 6 October 2025 provides that any further applications in the claim may be notified to the First Defendant by (1) uploading a copy onto the dedicated website for these proceedings (<https://uk.rwe.com/injunction>) and by affixing notices at prominent locations at each of the Sites to which the claim relates. In light of the nature of the application and the fact it would be intended to be recorded in the Order sought on the return date application (if made), the Claimant also seeks an order that it would be sufficient notification for this Application Notice to be uploaded onto the dedicated website. This is also provided for in the draft Order provided this Application Notice.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☒ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in section 10 (and any continuation sheets) are true.

- ✓ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature



___ Applicant

___ Litigation friend (where applicant is a child or a Protected Party)

- ✓ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day

2 3

Month

1 0

Year

2 0 2 5

Full name

Michael Philippe Smart

Name of applicant's legal representative's firm

Osborne Clarke LLP

If signing on behalf of firm or company give position or office held

Associate Director

Applicant's address to which documents should be sent.

Building and street

One London Wall

Second line of address

Town or city

London

County (optional)

Postcode

E	C	2	Y	5	E	B
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If applicable

Phone number

0118 925 2069

Fax phone number

DX number

Your Ref.

ICH/10002880

Email

michael.smart@osborneclarke.com

SCHEDULE 1

- (1) PERSONS UNKNOWN WHO WITHOUT THE CLAIMANT'S PERMISSION ENTER OR REMAIN UPON THE PREMISES DESCRIBED IN THE CLAIM FORM, OR WHO DAMAGE OR DEFACE ANY OF THOSE PREMISES OR ANY PART OF THEM, FOR THE PURPOSES OF PROTEST WHETHER IN SUPPORT OF ANY GREENPEACE CAMPAIGN OR OTHERWISE.**
- (2) GREENPEACE UK LIMITED (COMPANY REGISTRATION NUMBER 02463348) whose registered office is: Greenpeace House, Canonbury Villas, London N1 2PN**