



IN THE COURT OF APPEAL, CIVIL DIVISION

REF: A2/2016/1266/PTA



Stocker –v– Stocker

ORDER made by the Rt. Hon. Lady Justice Hallett

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.

Refused.

Reasons

The judge's findings were open to him on the evidence. He analysed each of the comments individually and cumulatively and explained why he found ultimately that the portrayal of the claimant as a dangerous man was false and defamatory.

He was also entitled to find the defendant "published" the comments (however interesting the debate on "re-publishing" may be).

Information for or directions to the parties

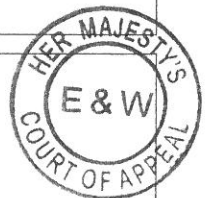
This case falls within the Court of Appeal Mediation Scheme automatic pilot categories*. Yes No

Recommended for mediation Yes No

If not, please give reason:

Where permission has been granted, or the application adjourned

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



Signed: *HJH*
Date: 26 May 2016

By the Court

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 16(1) of CPR PD 52C.
- (3) Where permission to appeal has been granted you must serve the proposed bundle index on every respondent within 7 days of the date of the listing window notification letter and seek to agree the bundle within 21 days of the date of the listing window notification letter (see paragraph 21 of CPR PD 52C).