



## Claim Form

CLAIMANTS COPY

In the HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

Claim No. HQ10DO02517  
Issue date 7 JUL 2010

### Claimant

THE HONOURABLE NATHANIEL PHILIP VICTOR JAMES ROTHSCHILD  
RIEDWEG 18  
7250 KLOSTERS  
SWITZERLAND

### Defendant(s)

ASSOCIATED NEWSPAPERS LIMITED  
NORTHCLIFFE HOUSE  
2 DERRY STREET  
LONDON  
W8 5TT



### Brief details of claim

(1) Damages, including aggravated damages, for libel in respect of words published or caused to be published by the Defendant in a two-part article headlined, respectively, "EXCLUSIVE Mandelson, an oligarch and a £500m deal" and "Mandelson, his Russian oligarch friend and a £500m deal over dinner" published: (a) on the front page and page 2, and on pages 8 and 9 of the edition of the Daily Mail dated 22 May 2010; (b) online at [www.dailymail.co.uk](http://www.dailymail.co.uk) from about 21 May 2010 and continuing to date; and (c) on electronic databases including LexisNexis from about 21 May 2010 and continuing to date.

(2) An injunction to restrain the Defendant whether by itself, its officers, servants or agents or otherwise howsoever from publishing the words complained of or any similar words defamatory of the Claimant.

### Value

The Claimant is unable to say how much he expects to recover.

The Claimant's claim must be issued in the High Court by virtue of section 15(2)(c) of the County Courts Act 1984 and CPR PD 7 para 2.9.

ASSIGNED TO MASTER Eastman

Defendant's  
name and  
address

ASSOCIATED NEWSPAPERS LIMITED  
NORTHCLIFFE HOUSE  
2 DERRY STREET  
LONDON  
W8 5TT

Amount claimed	£ UNSPECIFIED
Court fee	£1,930.00
Solicitor's costs	TBA
Total amount	UNSPECIFIED

The court office at

is open between 10 am and 4 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number  
N1 Claim form (CPR Part 7) (91.02)

Printed on behalf of The Court Service

Claim No.

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

☐ Yes

☒ No

Particulars of Claim (attached)(to follow)

Attached.

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 Allan Dunlavy

Name of claimant's solicitor's firm Schillings

signed [Signature]

position or office held Associate

\* ~~Claimant's~~ ~~Litigation friend~~ (Claimant's solicitor)

(if signing on behalf of firm or company)

\*delete as appropriate

Schillings  
41 Bedford Square  
London WC1B 3HX

DX No. 89265 (Soho Square 1)  
Email. allan.dunlavy@schillings.co.uk

Ref. RCM/AD/JE/R0147/003

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.

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

Claim No

BETWEEN:

THE HONOURABLE NATHANIEL PHILIP  
VICTOR JAMES ROTHSCHILD

Claimant

- and -

ASSOCIATED NEWSPAPERS LIMITED

Defendant

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PARTICULARS OF CLAIM

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1. The Claimant is a member of the well-known Rothschild banking family. He is a financier with substantial international business interests.
2. The Defendant is the publisher of the *Daily Mail*, a daily tabloid newspaper with a UK hard copy average daily readership in excess of 5 million and which is also published online at [www.dailymail.co.uk](http://www.dailymail.co.uk) ("the Website").
3. On the front page and page 2, and on pages 8 and 9 of the edition of the *Daily Mail* dated 22 May 2010, the Defendant published or caused to be published words defamatory of the Claimant in a two-part article headlined, respectively, "EXCLUSIVE Mandelson, an oligarch and a £500m deal" and "Mandelson, his Russian oligarch friend and a £500m deal over dinner" ("the Article"). A copy of the Article is annexed hereto. The Claimant complains of the entirety of the Article.
4. From about 21 May 2010 and continuing to date the Defendant published the Article on the Website and on electronic databases including LexisNexis
5. In their natural and ordinary meaning the words complained of meant and were understood to mean:

- (1) That, for the purpose of ingratiating himself with Russian oligarch Oleg Deripaska the Claimant took extraordinary steps to ensure the attendance of his friend, EU Trade Commissioner Lord Mandelson at a meeting between Oleg Deripaska and American aluminium executives which he must have known Lord Mandelson had no official reason for attending and which he must or ought to have foreseen would and did bring his friend's public offices and personal integrity into disrepute and exposed him to accusations of conflict of interest.
  - (2) That there were strong grounds to suspect that the Claimant had facilitated the attendance of EU Trade Commissioner Lord Mandelson at a meeting between Russian oligarch Oleg Deripaska and American aluminium executives so that Oleg Deripaska could close a £500 million deal by securing corrupt and improper disclosures and commitments concerning EU aluminium tariffs from Lord Mandelson.
6. By reason of the Defendant's publications the Claimant has been seriously damaged in his character and reputation and has suffered considerable distress, embarrassment and injury to his feelings.
7. In support of his claim for general and aggravated damages the Claimant will rely on the following facts and matters:
  - (1) The prominence and tone of Articles.
  - (2) The seriousness of the allegations made in the Articles.
  - (3) The fact that the Article was published in highly influential newspaper with a very substantial readership.
  - (4) The fact that the Articles purported to be the result of a "special investigation" by the Defendant's reporters, thereby giving the allegations extra credence.
  - (5) The fact that no attempt was made to contact the Claimant prior to the publication of the words complained of to check the accuracy of the allegations or to provide the Claimant with an opportunity to respond to them.
  - (6) The fact that the Defendant has failed to respond to the Letter of Claim dated 26 May 2010 in accordance with the Pre-Action Protocol for

Defamation but did not respond until 1 July 2010 when it failed to accept liability for the publication of the defamatory allegations in the Articles.

- (7) The fact that, the Defendant has not removed the Articles from the Website and has failed to take any or any adequate steps to ensure the removal of the Article from other electronic databases which carry its publications, despite receipt of the Letter of Claim on 26 May 2010 which, inter alia, expressly made such a request.
- (8) The failure of the Defendant to acknowledge that the allegations made were false or to apologise to the Claimant for having made them.
- (9) The fact that further reference to the Article was made by Richard Littlejohn on his comment page in the edition of the Daily Mail dated 25 May 2010, thereby drawing the Articles to the attention of a further group of readers who had not at that stage read the Articles. In the circumstances it is to be inferred that some readers would thereafter have located and read Articles on the Website or on the databases.

8. Unless restrained the Defendant will further publish or cause to be published the same or similar words defamatory of the Claimant.

AND the Claimant claims:

- (1) Damages, including aggravated damages, for libel.
- (2) An injunction restraining the Defendant whether by itself, its employees, agents or otherwise howsoever, from further publishing or causing to be published the same or similar words defamatory of the Claimant.

HUGH TOMLINSON QC  
LORNA SKINNER

**STATEMENT OF TRUTH**

The Claimant believes that the facts stated in these Particulars of Claim are true.

Signed...   
**ALLAN DUNLAVY**

Associate, Schillings, Solicitors for the Claimant

Dated this 7<sup>th</sup> day of July 2010