



IN THE COURT OF APPEAL, CIVIL DIVISION

REF: A2/2015/3933



Mark Anthony Taylor –v– Anshu Jain (CEO of Deutsche Bank & Ors)

ORDER made by the Rt. Hon. Lord Justice Burnett

On consideration of the appellant's notice and accompanying documents, but without an oral hearing, in respect of an application for permission to appeal against the decisions of Haddon Cave J of 21 October 2015

Decision: Refused, as being totally without merit and the applicant may not request the decision to be reconsidered at an oral hearing.

Reasons

The applicant believes that he lost money on investments in precious metals as a result of a conspiracy involving many financial institutions. He litigated the matter in Germany and London and then sought to do so again in the Mercantile Court in Birmingham. Judge Simon Brown QC struck out his claim and made an ECRO against him. He sought to set aside the ECRO. That application was refused by Judge McKenna and it was a renewed application before Haddon Cave J which is the subject matter of this proposed appeal.

As the judge observed, there was in fact no right to an oral hearing but nonetheless a fully contested oral hearing was allowed to the applicant.

For the reasons given by the judge (and articulated in the respondents' skeleton argument before him) the application was misconceived.

There is no prospect whatsoever of this proposed appeal succeeding.

The grounds demonstrate a well-recognised feature of vexatious litigation namely that failure at any stage is followed by an attack on the integrity of the court. The applicant's grounds focus substantially on attacking the judge (just as he did in his appeal from Judge Simon Brown QC) for which there is no foundation. I should make clear that there was no basis for the judge to recuse himself, nor did the application before the judge call for the respondents to lodge evidence.

Information for the parties: This decision is final.

Where the Court of Appeal refuses permission to appeal without a hearing, it may, if it considers that application is totally without merit, make an order that the person seeking permission may not request the decision to be reconsidered at a hearing (see CPR 52.3(4A)(a)). Such an order has been made in this case. The appellant is therefore unable to request that an oral hearing be arranged.

The application for permission to appeal to this Court has been refused. No appeal may be made against this decision to the Supreme Court of the United Kingdom: see S54(4) of the Access to Justice Act 1999.

The Parties have exhausted the domestic appellate process.



Signed:

Jan Burnett

Date: 07 March 2016

By the Court