

**IN THE HIGH COURT OF JUSTICE**

**CL-2019-000157**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**COMMERCIAL COURT (QBD)**

**MRS JUSTICE FOSTER DBE**

**IN THE MATTER OF A PART 8 CLAIM**

**BETWEEN**

**AXA INSURANCE UK LIMITED**

**Claimant**

**-and-**

**EUI LIMITED (t/a ELEPHANT INSURANCE)**

**Defendant**

**ORDER**

**14.05.2020**

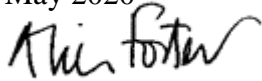
**Upon Hearing Leading Counsel for the Claimant and Leading Counsel for the Defendant  
And Upon the Part 8 Proceedings herein**

**IT IS ORDERED AND DECLARED THAT**

1. The Claimant's Part 8 Claim is dismissed.
2. The Defendant is under no liability to indemnify its insured, Gareth Clements, with respect to his liability (if any) arising out of an accident which occurred whilst Gareth Clements was driving a Vauxhall Astra registration no. DY54 XOW on 29 May 2016.
3. Such liability on the part of Gareth Clements (if any) shall be indemnified by the Claimant with no recourse for contribution against the Defendant.

4. The Claimant shall pay the Defendant's Costs of and occasioned by the Part 8 Proceedings, to be the subject of a detailed assessment on the standard basis if not agreed.
5. The Claimant shall pay the sum of £30,000 as an interim payment on account of costs within 14 days of the date of this Order.

14 May 2020

A handwritten signature in black ink, appearing to read "Alan Foster". The signature is written in a cursive style with a large initial 'A'.