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(Posted 1st CLASS
on Tuesday 2nd Aug 2011)
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Ms Noelle Klosterkotter-Dit-Rawe

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I managed to post a
(hurried) reply on
8 Aug, which was delivered
BEFORE the 1400
hearing. I also
showed it during hearing

2nd August 2011

Dear Madam

RE : Case Number : HQ11X01471
Ms Noelle Klosterkotter-Dit-Rawe v Office of Commissioner Of Police Of The
Metropolis and others

I am instructed by Master Eyre to send you a copy of his draft Order.

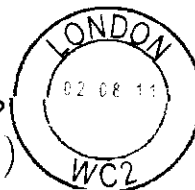
Yours faithfully

Mr T Pope
Case Management Section

First Class

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(Tuesday)



See my 7 Aug 11 reply.

I submit that this, subsequent final Order of 09.08.11 and events following my Appeal demonstrate **IRREBUTABLE** evidence of **COLLUSION***, **CORRUPTION*** and **CONNIVING*** between the MPS and Judiciary, and of their, Home Office and IPCC continued protection of Andrew David Ladsky. See London High Crt; (1) my 19.07.11 Witness Statement; (2) my 14.06.11 Reply to the MPS' 23.05.11 Defence; (3) my 17.10.11 Request for Oral Hearing of Permission to Appeal

**IN THE HIGH COURT OF JUSTICE,
QUEEN'S BENCH DIVISION,
Central Office**

Master Eyre

* (Dictionary definition of (i) **Collusion**: "To come to a secret agreement in order to deceive others; conspire"; (ii) **Connive**: "secretly allow (a wrongdoing); often as adjective, **conniving**, "conspire to do something unlawful or harmful"; (iii) **Corruption**: "Willing to act dishonestly in return for money or personal gain"; "evil or morally depraved")

draft ORDER

in

KLOSTERKOTTER-DIT-RAWE v COMMISSIONER &

Others

[HQ11X01471]

UPON The First Defendant's application for an order striking-out the claim-form and dismissing the action, alternatively summary judgment AND UPON hearing the Claimant in person and Mr. Wilcox of Counsel for the First Defendant

AND for ~~the reasons~~ set out below

IT IS ORDERED as follows:

- 1 As against the First Defendant, the claim-form and Particulars of Claim are struck out, and the action dismissed.
- 2 There is judgment for the First Defendant for costs, with liberty to seek a summary assessment.

Tuesday, 02 August 2011

REASONS

- 1 The Claimant is the tenant of a Mr. Ladsky, who lives in the same block of flats. She describes herself as being of Franco-German origin, and he describes himself as Jewish.
- 2 In 2002, there were proceedings before the Leasehold Valuation Tribunal which have left the Claimant with a burning sense of grievance towards Mr. Ladsky: indeed, she has recently described him as “that evil, greed-ridden monster.”¹
- 3 There followed various incidents resulting in -- among other -- these complaints to the police:
 - (1) 2002: The Claimant asked the First Defendant to investigate anonymous telephone-calls to her number, for which she believed that Mr. Ladsky was responsible. The First Defendant duly investigated the matter, concluded that there were no grounds for pursuing the complaint, and informed the Claimant accordingly.²
 - (2) 2003: Mr. Ladsky complained to the First Defendant that the Claimant had used abusive language towards him when they were at the premises. The Claimant admits having been irritated by a comment made to her by Mr. Ladsky as they passed each other, and says -- though without the least sign of shame -- that she reacted by using the most disgusting and undignified language towards him. The First Defendant took the matter no further.
 - (3) 2007: The Claimant had by now launched her own web-site.³ It consists of a single page of nearly 50,000 words, in other words the single page is as long as some published novels. The page is no more than a sustained tirade against Mr. Ladsky and his supposed allies. In it, she at first referred to Mr. Ladsky and his allies as “pigs and monkeys.” Mr. Ladsky, not very surprisingly in view of what he says is his racial background, took offence, and complained to the First Defendant, who took the matter up with the Claimant and the then web-host. The Claimant, who now says that the terms she used were not strong enough, changed the description to “morally depraved, despicable, beneath contempt scums” (sic). After unsuccessful attempts to get the web-host’s co-operation, the First Defendant took the matter no further, but -- again not surprisingly -- recorded it “as a racial incident and nothing more.”
 - (4) 2010: The Claimant reported to the First Defendant that she was being followed by individuals that she believed were acting on Mr. Ladsky’s

¹ Claimant’s witness-statement of 27/06/11, § 77.

² Particulars of Claim, § 30 to 47.

³ <http://www.leasehold-outrage.com>.

instructions. The First Defendant recorded the matter, but took no action.

4 On 19/04/11, the Claimant brought this action to compel the First Defendant to correct its record of Incident (1), to delete its records of (2) and (3) and to compensate her for its failure in relation to (4).

5 The Claimant takes no fewer than 139 paragraphs to set out her case against the First Defendant alone, citing the Data Protection Act 1998, the Convention on Human Rights, the Criminal Procedure and Investigation Act 1996, the Police Reform Act 2002, the Malicious Communications Act 1988 and the Protection from Harassment Act 1997, to say nothing of alleging malice, conniving with Mr. Ladsky, intimidation, misfeasance in public office, &c. She claims for various forms of relief, including some £70,000 in damages.

6 Counsel for the First Defendant points out that:

(1) On the authorities, there is as a matter of general principle no right to bring a private-law action in relation to a breach of statutory duty.

(2) Even if this could be viewed as a possible private-law action for breach of statutory duty, it would be clear for all of the reasons set out in the First Defendant's Defence that the Claimant's allegations are misconceived and unfounded.

7 There can be no answer to those objections.

8 However, there is also this: the action against the First Defendant amounts to no more than a most obvious attempt to re-write history, and is completely devoid of merit.

9 For those reasons, the First Defendant's application must be granted.