

Edinburgh, 16 December 2016

Lord Justice Clerk  
Lord Malcolm  
Lord Glennie

Act: D. M. Thomson

Alt: *1<sup>st</sup> Respondents:-*

David Paterson (*present*), and on behalf of:-

John Freeman (*present*)

Mr Keatings (*present*), lay representative for:-

Garry Mitchell (*present*)

Robert Wallace (*present*)

Cecilia Gibson (*present*)

Dean Halliday (*present*)

Richard McFarlane (*present*), and on behalf of:-

Maureen McLeod (*absent*)

*2<sup>nd</sup> Respondent:-*

Arthur McManus Gemmell (*present*)

The Lords, having heard counsel for the petitioners and respondents, Mr Paterson, Mr Keatings and Mr McFarlane personally for the first named respondents and reclaimers and the second named respondent and claimer personally on the single bills; refuse the motions by Mr Paterson and Mr Keatings, made at the bar, for the Lord Justice Clerk to recuse herself from today's hearing; on Mr Keating's opposed motion, made at the bar, continue the hearing on the applications for permission to appeal to the Supreme Court and answers thereto to until **Tuesday 10 January 2017** at 10.00 am; allow the second named respondent and claimer's application for permission to appeal to the Supreme Court to be received late and marked No. 78 of process; appoint parties to lodge any documentation in support of the said applications and answers thereto by close of business on **Friday 30 December 2016** and direct that no late documentation will be accepted; appoint any answers to the second named respondent and claimer's application for permission to appeal to the Supreme Court to be lodged by Friday 30 December 2016; find the respondents and reclaimers liable to the petitioners and respondents in the expenses of the motion for review in the Inner House and the petition and proceedings in the Outer House on the party and party scale; remit the account thereof, when lodged, to the Auditor of Court to tax; further, refuse the motion, made at the bar, for modification of the expenses to nil.

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The Lords, decern against the respondents and reclaimers for payment to the petitioners and respondents of the expenses referred to in the foregoing interlocutor, of even date, as the same shall be taxed by the Auditor of Court.