



IN THE COURT OF APPEAL, CIVIL DIVISION

REF: C3/2012/0785



TALKTALK TELECOM GROUP PLC -v- OFFICE OF COMMUNICATIONS & ORS

ORDER made by the Rt. Hon. Lord Justice Etherton

On consideration of the appellant's notice and accompanying documents, but without an oral hearing, in respect of an application for permission to appeal and to adduce fresh evidence.

Decision: **granted, refused, adjourned.** An order granting permission may limit the issues to be heard or be made subject to conditions.

Refused

Reasons

The appeal does not raise a point of law which has a real prospect of success.

Information for or directions to the parties

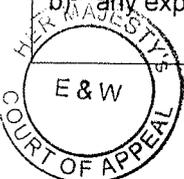
This case falls within the Court of Appeal Mediation Scheme automatic pilot categories*. Yes No

Recommended for mediation Yes No

If not, please give reason:

Where permission has been granted, or the application adjourned

a) time estimate (excluding judgment) 30 MINS
 b) any expedition



Signed: *[Signature]*
 Date: 27.7.2012

By the Court

Notes

- (1) Rule 52.3(6) provides that permission to appeal may be given only where –
 - a) the Court considers that the appeal would have a real prospect of success; or
 - b) there is some other compelling reason why the appeal should be heard.
- (2) Rule 52.3(4) and (5) provide that where the appeal court, without a hearing, refuses permission to appeal that decision may be reconsidered at a hearing, provided that the request for such a hearing is filed in writing within 7 days after service of the notice that permission has been refused. Note the requirement imposed on advocates by paragraph 4.14A of the Practice Direction.
- (3) Where permission to appeal has been granted, the appeal bundle must be served on the respondents within 7 days of receiving this order (see para. 6.2 of the Practice Direction to CPR Part 52). A letter of notification will be sent to the appellant or his solicitors, as soon as practicable (see para. 6.3).