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concerning
subject

7 May 2026
Commercial law
C/17/190788 / HA ZA 23/172

Minks/Hofstra

Dear Sir/Madam,

In the above-mentioned case, I am writing to you – partly in response to requests from the claimants and the defendants Van Cann and Janssen – on behalf of the court as follows.

With regard to the wishes and requests of the claimants (see their statement of 9 January 2026) concerning the presence of M. Yeadon, C.A. Fitts, S. Latypova, K. Watt and J. Sansone during the oral hearing, the following applies. On 26 November 2025, the court rejected the claimants' request to hear the aforementioned persons under oath as expert witnesses or witnesses for the parties during the oral hearing. These persons may, of course, take their seats in the public gallery, but have no procedural status other than that of the rest of the public. Contrary to the claimants' view, the proper conduct of proceedings does not therefore require that their attendance be announced in good time; the announcement of their attendance in the claimants' statement of case therefore has no consequences under procedural law.

The court does not permit interpreting for the public in the courtroom, as interpreting during the hearing may be disruptive. This therefore also applies in so far as it concerns M. Yeadon, C.A. Fitts, S. Latypova, K. Watt and J. Sansone. The court is prepared to facilitate arrangements so that, should these individuals attend the oral hearing in person, they may follow the proceedings via a live stream with their interpreter in a separate room within the courthouse. The court will not arrange for this interpreter; the claimants or the individuals concerned must make their own arrangements. The court therefore only facilitates the provision of a room (and a live stream, as explained below). The oral hearing will (if desired) be (briefly) adjourned at a suitable time to allow for consultation between the claimants' solicitor and the persons mentioned above. The court wishes to hear from the claimants no later than two weeks before the oral hearing as to whether the persons mentioned above will attend the oral hearing in person with an interpreter, so that the court knows whether it needs to make the separate room mentioned above available.

The court wishes to note that *parties to the proceedings* who do not speak Dutch are, pursuant to Article 5.11 of the National Rules of Procedure for Civil Summons Cases before the

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commercial and magistrates' courts are permitted to bring an interpreter into the courtroom. The interpreting must then take place in the least disruptive manner possible.

As mentioned above, the court will provide a live stream of the oral hearing. Van Cann and Jansen raised objections to this in advance, but the court considers that, given the expected high level of public interest in this case and the limited space in the courtroom, a live stream in some form is appropriate. In this way, the aforementioned individuals, if they are unable to attend the oral hearing in person due to where they live, will also be able to follow the oral hearing online. Restrictions may be imposed on who can be heard and seen during a live stream. The court is giving the parties the opportunity to state in writing, by 1 June at the latest, whether they consider that such restrictions should be imposed, and if so, why and which ones. As regards the assessment framework, the court refers, amongst other things, to Chapter 4 of the Press Directive 2025, in which the court has regulated the live stream.

Van Cann and Jansen have, in the alternative, requested permission to attend the oral hearing via an online connection, should their request to restrict recordings be rejected. Before deciding on this, the court wishes to ascertain whether other parties have a similar need. The court therefore gives the other parties the opportunity to state, by 1 June at the latest, with reasons, whether they too wish to participate in the oral hearing via an online connection. The opposing parties may then respond to this by letter by 15 June at the latest. This applies only to the parties themselves. The parties' solicitors are expected to attend the oral hearing in person.

Van Cann and Jansen have also requested that safety and order be ensured by stipulating in advance that only a limited number of interested parties may be admitted to the oral hearing, and by asking the claimants to inform their supporters of this in advance. The following applies in this regard. The court's communications department will announce to the public later this year, via various channels, how the hearing may be attended. Due to available capacity and for safety reasons, certain restrictions will be imposed.

I trust that this provides you with sufficient information. You will be informed further once the court has received the parties' responses.

Yours faithfully,
the Registrar