

## SUPREME COURT

1<sup>st</sup> named - Respondent's Notice

Supreme Court record number	70/2016
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[Title and record number as per the High Court proceedings]

Joseph LAVERY	v	Judge SEAN M <sup>AC</sup> BRIDE / Judge JOHN O'HAGAN
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Date of filing	
Name of respondent <sup>1<sup>st</sup></sup>	Sean Mac BRIDE (Retired Judge)
Respondent's solicitors	Michael J. Ryan, Athbarr House, CAVAN
Name of appellant	Joseph LAVERY
Appellant's solicitors	

## 1. Respondent Details

Where there are two or more respondents by or on whose behalf this notice is being filed please also provide relevant details for those respondent(s)

1<sup>st</sup> Respondent's full name

Sean Mac BRIDE (Retired Judge)
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<sup>1<sup>st</sup> named</sup> The respondent was served with the application for leave to appeal and notice of appeal on date

June 2016.
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<sup>1<sup>st</sup> named</sup> The respondent intends :

to oppose the application for an extension of time to apply for leave to appeal

not to oppose the application for an extension of time to apply for leave to appeal

to oppose the application for leave to appeal

not to oppose the application for leave to appeal

to ask the Supreme Court to dismiss the appeal

to ask the Supreme Court to affirm the decision of the Court of Appeal or the High Court on grounds other than those set out in the decision of the Court of Appeal or the High Court

Other (please specify)

If the details of the respondent's representation are correct and complete on the notice of appeal, tick the following box and leave the remainder of this section blank; otherwise complete the remainder of this section if the details are not included in, or are different from those included in, the notice of appeal.

Details of respondent's representation are correct and complete on notice of appeal:

<sup>1st</sup> <sup>Appl</sup>  
Respondent's Representation

Solicitor				Michael J. Ryan			
Name of firm		Michael J. Ryan, Solicitors					
Email		michael@ryan-solicitors.com					
Address		ATHBAXA HOUSE, CAVAN		Telephone no.		01914332555	
				Document Exchange no.			
Postcode		H12 P8C2		Ref.		MR/M <sup>SC</sup> B	
<b>How would you prefer us to communicate with you?</b> <input type="checkbox"/> Document Exchange <input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Post <input type="checkbox"/> Other (please specify)							

Counsel			
Name			
Email			
Address		Telephone no.	
		Document Exchange no.	
Postcode			

Counsel			
Name			
Email			
Address		Telephone no.	
		Document Exchange no.	
Postcode			

If the Respondent is not legally represented please complete the following

Current postal address
Telephone no.
e-mail address

How would you prefer us to communicate with you?			
<input type="checkbox"/> Document Exchange		<input type="checkbox"/> E-mail	
<input type="checkbox"/> Post		<input type="checkbox"/> Other (please specify)	

2. Respondent's reasons for opposing extension of time

<p><b>If applicable, set out concisely here the respondent's reasons why an extension of time to the applicant/appellant to apply for leave to appeal to the Supreme Court should be refused</b></p> <p><i>It is respectfully submitted, that the proceedings/leave to appeal/appeal, are vexatious/frivolous - have no chance/basis, to succeed, in fact and/or in law -</i></p>
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3. Information about the decision that it is sought to appeal

**Set out concisely whether the respondent disputes anything set out in the information provided by the applicant/appellant about the decision that it is sought to appeal (Section 4 of the notice of appeal) and specify the matters in dispute:**

The applicant has not responded to the 1<sup>st</sup> named Respondent's letter of the 9<sup>th</sup> June 2016 - Documents have not been furnished. It is submitted, even on the limited information available - that there are no 'bonafide' basis in fact or in law for the appeal, being an abuse of process.

4. Respondent's reasons for opposing leave to appeal

**If leave to appeal is being contested, set out concisely here the respondent's reasons why:**

*In the case of an application for leave to appeal to which Article 34.5.3° of the Constitution applies (i.e. where it is sought to appeal from the Court of Appeal)-*

- \* the decision in respect of which leave to appeal is sought does not involve a matter of general public importance
- \* it is not, in the interests of justice, necessary that there be an appeal to the Supreme Court

*In the case of an application for leave to appeal to which Article 34.5.4° of the Constitution applies (i.e. where it is sought to appeal to the Supreme Court from the High Court)-*

- \* the decision in respect of which leave to appeal is sought does not involve a matter of general public importance
  - \* it is not, in the interests of justice, necessary that there be an appeal to the Supreme Court
- there are no exceptional circumstances warranting a direct appeal to the Supreme Court.

See Reply to para. No. 3.

\*delete where inapplicable

5. Respondent's reasons for opposing appeal if leave to appeal is granted

**Please list (as 1, 2, 3 etc in sequence) concisely the Respondent's grounds of opposition to the ground(s) of appeal set out in the Appellant's notice of appeal (Section 6 of the notice of appeal):**

see Reply to Section 3 herein

**Name of counsel or solicitor who settled the grounds of opposition (if the respondent is legally represented), or name of respondent in person:**

Michael Ryan, solicitor.

6. Additional grounds on which decision should be affirmed

**Set out here any grounds other than those set out in the decision of the Court of Appeal or the High Court on which the Respondent claims the Supreme Court should affirm the decision of the Court of Appeal or the High Court:**

Are you asking the Supreme Court to:

**depart from (or distinguish) one of its own decisions?**

Yes

No

**If Yes, please give details below:**

**make a reference to the Court of Justice of the European Union?**

Yes

No

**If Yes, please give details below:**

**Will you request a priority hearing?**

Yes

No

**If Yes, please give reasons below:**

Signed:

  
(Solicitor for) the respondent (1<sup>st</sup> named respondent).

Please submit your completed form to:

**The Office of the Registrar to the Supreme Court  
The Four Courts  
Inns Quay  
Dublin**

**This notice is to be lodged and served on the appellant and each other respondent within 14 days after service of the notice of appeal.**