

Glasgow

3 October 2018

Sheriff Principal C D Turnbull

Appeared:

S.C.Smith QC & Lamont, advocate for the Procurator Fiscal

Jackson QC for Gordon Arthur

S. Grady, solicitor for John McGarrigle Jnr

Arrol, advocate for James Divers

D.Forbes, advocate for Ian O'Prey

Adams, advocate for Dr Lucy Thomas

R.W.Dunlop QC & Toner, advocate for Airbus Helicopters Deutschland GmbH

Gray QC for Babcock Mission Critical Services Onshore Limited

Brown QC for Safran Helicopter Engines

J.Thomson, solicitor for Air Accidents Investigation Branch

A.Bonomy, solicitor for Civil Aviation Authority

S.Phillips, solicitor for European Aviation Safety Agency

L.Allan, solicitor for Scottish Fire and Rescue Service

Pugh, advocate for Scottish Ambulance Service

J.Reid, solicitor for Police Scotland

J.S.Bain, advocate for David Young

The sheriff principal, having heard from senior counsel for the procurator fiscal and from the representatives of the participants to the inquiry, makes the following orders:

1. appoints each participant to lodge with the sheriff clerk at Glasgow, by e-mail to CluthaFAI@scotcourts.gov.uk, no later than 12 noon on **23 November 2018**:

(a) a note setting out-

(i) the matters considered likely to be in dispute at the inquiry, including, without prejudice to the foregoing generality, any matter contained within the report by the Air Accident Investigation Branch aircraft accident report 3/2015 with which issue is taken;

(ii) a list of any productions which it is considered might be used at the inquiry and a note of their relevance to the purpose of the inquiry;

(iii) a list of persons whom it is considered might be led as witnesses at the inquiry and a note of their relevance to the purpose of the inquiry; and

(iv) the matters which the sheriff principal might be invited to address in his determination;

and

(b) any note in accordance with rule 4.15 of the Act of Sederunt (Fatal Accident Inquiry Rules 2017) ("the Rules");

2. appoints any person who was not given notice under section 17(1) of the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 but who wishes to appear at the preliminary hearing previously assigned for 4 and 5 December 2018, and who has not yet made application to do so, to make application in accordance with rule 3.5 of the Rules by no later than **14 November 2018**;

3. assigns **21 November 2018** at 10 am within Glasgow Sheriff Court, 1 Carlton Place Glasgow G5 9DA as a hearing in respect of any application lodged pursuant to paragraph 2 hereof;

4. continues the inquiry to the preliminary hearing previously assigned for **4 December 2018** at 10 am within Hampden Park, Letherby Drive, Glasgow G42 9BA, the reason for fixing another preliminary hearing being to enable the participants to continue their preparations for the inquiry and to address the court fully on the matters set out in rule 3.8 of the Rules; and

5. specifies, in terms of rule 3.8(4) of the Rules, that the matters which will be considered at the preliminary hearing previously assigned for **4 December 2018** are (a) those set out within rule 3.8(2) of the Rules; (b) the application to participate in the inquiry by Anthony Stevens (no 5/3 of process); and (c) such other matters as to the court shall seem proper.

Sheriff Principal C D Turnbull
Sheriff Principal

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