

GLW-B1473-18

FAI - Gary Arthur &amp; others

**Glasgow****5 February 2019****Sheriff Principal CD Turnbull****Appeared:****S.C.Smith QC & Lamont, advocate for the Procurator Fiscal****Jackson QC for Gordon Arthur****V. Young, advocate for Mary Kavanagh****K.D.Stewart QC & Mitchell, advocate for John McGarrigle Jnr****Arrol, advocate for James Diver****A. Sutherland, 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****Watts, advocate for Air Accidents Investigation Branch****B.T.Smith, advocate for Civil Aviation Authority****Clarke QC for European Aviation Safety Agency****Ms V.Pitt, solicitor for Scottish Fire and Rescue Service****Pugh, advocate for Scottish Ambulance Service****J.Reid, solicitor for Police Scotland****G.J.Anderson, advocate for British Airline Pilots' Association**

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. discharges the preliminary hearing previously assigned for **6 February 2019**;
2. assigns **3 April 2019** at 10 am within Hampden Park, Letherby Drive, Glasgow G42 9BA as a further preliminary hearing, the reason for fixing another preliminary hearing being to confirm the position regarding witnesses and productions and to address any outstanding issues in advance of the commencement of the inquiry;
3. appoints each participant to lodge with the sheriff clerk at Glasgow, by no later than 12 noon on **15 March 2019** either:
  - (a) all productions the participant intends to present to the inquiry; and / or a list of the witnesses the participant intends to adduce at the inquiry; or
  - (b) a letter confirming that the participant does not intend to present any productions and / or does not intend to adduce any witnesses.
4. a list of the productions the participant intends to present to the inquiry ; any list of witnesses required by paragraph 3(a) of this interlocutor ; and any letter required by paragraph 3(b) of this interlocutor shall be lodged with the sheriff clerk at Glasgow, by e-mail to CluthaFAI@scotcourts.gov.uk;
5. appoints any participant who wishes to intimate a notice to admit to do so by no later than 12 noon on **15 March 2019**, and, after intimation, to forthwith lodge a copy of the notice to admit with the sheriff clerk at Glasgow by e-mail to CluthaFAI@scotcourts.gov.uk;
6. appoints the procurator fiscal to lodge with the sheriff clerk at Glasgow, by e-mail to CluthaFAI@scotcourts.gov.uk, and to intimate to all participants in the inquiry, within 7 days of the date of this interlocutor:
  - (a) a list of the matters presently identified as likely to be in dispute at the inquiry: and
  - (b) a list of the matters contained within the report by the Air Accident Investigation Branch aircraft accident report 3/2015 with which issue is presently taken;
7. appoints any participant to the inquiry who identifies a matter likely to be in dispute at the inquiry (including any matter contained within the report by the Air Accident Investigation Branch aircraft accident report 3/2015) which is not identified in the lists ordered in terms of paragraph 6 of this interlocutor, to lodge a note of such matters with

the sheriff clerk at Glasgow, by e-mail to CluthaFAI@scotcourts.gov.uk, by no later than 12 noon **22 March 2019**, and to intimate such note to all participants in the inquiry.

Sheriff Principal C D Turnbull  
Sheriff Principal

**This document has been electronically authenticated and requires no wet signature.**