

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
MEDIA AND COMMUNICATIONS LIST

B E T W E E N:

MICHAEL JAMES WALLACE ASHLEY

Claimant

-and-

TIMES NEWSPAPERS LIMITED

Defendant

STATEMENT IN OPEN COURT

[Leading] Counsel for the Claimant

1. My Lord/Lady, I appear for the Claimant in this matter, Michael Ashley. [] appears for the Defendant, Times Newspapers Limited.
2. Mr Ashley is the chief executive officer and majority shareholder of Frasers Group plc, formerly Sports Direct International plc.
3. Times Newspapers Limited, is the publisher of the daily newspaper, The Times, and its associated website, www.thetimes.co.uk.
4. In a series of articles published in hard copy and online on 17 and 18 July 2020, entitled "Stars' phone records "fixed", "How co-owner tries to mine Ashley court case" and "Two arrested in "phone fixing" case", the Defendant reported, in the context of an investigation into the activities of the mobile telephone company Sport Mobile, that its founder had claimed that his company had "protected" Mike Ashley's phone records in the context of the 2017 High Court proceedings involving Mr Ashley and Jeffrey Blue.
5. The coverage was the lead story on the front page of The Times on 17 July.
6. Following libel proceedings brought by Mr Ashley, the Court found that the articles were defamatory of him. The Court found that in the articles it was alleged that there are grounds to suspect that Sport Mobile helped Mr Ashley

to avoid the disclosure in High Court proceedings of potentially relevant text messages and phone records, which Mr Ashley had told the Court he could not produce whilst knowing Sport Mobile could in fact have obtained them.

7. The Defendant confirmed it did not intend to make these claims. It made a formal Offer of Amends that was accepted by Mr Ashley. It has published an apology and retraction and it has agreed to pay substantial damages to Mr Ashley as well as his legal costs.
8. The Defendant, through its apology published in the print edition of The Times and online, has accepted that any allegations of wrongdoing by Mr Ashley in his litigation with Jeffrey Blue are untrue.

Solicitor/Counsel for the Defendant

9. My Lord/Lady, on behalf of the Defendant, I confirm all that my friend has said. Times Newspapers Limited did not intend to make the allegations that the court found the articles to bear. It accepts that the allegations are untrue and withdraws them and apologises to Mr Ashley.

[Leading] Counsel for the Claimant

10. My Lord/Lady, on that basis, I ask for leave to withdraw the record.