To:

Mr. Martynas Bucas
2 Milligan St
London
E148AU

General Form of Judgment or Order

In the County Court at Dartford	
Claim Number	589MC614
Date	28 August 2025

MR. MARTYNAS BUCAS	**1st Claimant Ref**
LONDONIST DMC LTD	**1st Defendant Ref**

Before Her Honour Judge Catherine Brown sitting at the County Court at Canterbury, The Law Courts, Chaucer Road, Canterbury CT1 1ZA

This appeal has been transferred to the County Court at Canterbury and further directions in relation to the appeal will be given in due course.

All future correspondence concerning this appeal must be sent to the County Court at Canterbury and the canterburymulti-track@justice.gov.uk email address must be used unless the court otherwise orders. The correct appeal number and the name of the case must be given in any covering letter or the Subject line of any email. Correspondence, documents or emails sent to any other court or email address, or without the correct appeal number, may not be dealt with and may be treated as not filed with the court.

The Appellant is required to serve the sealed Appellant's Notice on the Respondent(s) as soon as practicable and in any event within 7 days of the Appellant's Notice being filed (namely, received by the court and accompanied by the appropriate fee or, if appropriate, by a fee remission application or certificate). Please note that the current version of Form EX340 is incorrect in stating that the court will serve the Appellant's Notice. The Appellant is required to serve the Appellant's Notice in accordance with CPR 52.12(3) and this order.

The Appellant must file a certificate of service of the Appellant's Notice in respect of each Respondent in accordance with CPR 52.2 and PD 52B.6.1 in form N215 no later than 14 days after the date of this order.

If the Appellant does not comply with paragraph 4 of this order, the Appeal will be struck out without further order of the court.

Since this order has been made without a hearing, the Appellant may apply to set aside, vary or stay the order providing that any such application is filed (namely, received by the court and accompanied by the appropriate fee or, if appropriate, by a fee remission application or certificate) within 7 days of service of this order on the Appellant.

28 August 2025

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Appellant's notice
(Small Claims Track only)

For Court use only	
Appeal Reference no.	(589MC614)
Date filed	28/8/2025

I wish to appeal against an order made in the Dartford County Court

I was the ☐ Claimant ☑ Defendant

Note: In the appeal you will be known as the 'appellant'

THE COUNTY COURT Seal

Section 1 Details of the claim

Claim number 589MC614

Help with Fees - Ref no. (if applicable) HWF-[ ][ ][ ]-[ ][ ][ ]

Name(s) of claimant(s)

Mr. Martynas Bucas

Name(s) of defendant(s)

Londonist DMC Ltd

Section 2 Details for the appeal

What is the name of the Judge who made the order(s) you are appealing?

Recorder Marsden (believed name; no written judgment pr

On what date was the order(s) you are appealing made?

18/08/2025

If only part of an order is appealed please say which numbered paragraphs of the order you wish to appeal against **or** if they are not numbered, set out the words of that part of the order.

The judgment requiring full refund of the accommodation fee, interest, and court costs.

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Section 3 Permission to appeal

Has permission to appeal been granted? ☐ Yes ☑ No

If permission to appeal has **NOT** been granted please tick the box opposite. ☑ I ask for permission to appeal

Section 4 Other information required

Does your appeal include any issues arising from the Human Rights Act 1998? ☐ Yes ☑ No

Are you asking for a stay of execution of any judgment against you? (If granted this means that no further action will be taken on the judgment until your appeal has been dealt with) ☑ Yes ☐ No

If you answer 'Yes' you must complete Section 7 Part A

Will you be lodging this appellant's notice with the court within 21 days of the date on which the Judge made his decision? ☑ Yes ☐ No

If you answer 'No' you must complete Section 7 Part B

Are you making any other applications? ☐ Yes ☑ No

If you answer 'Yes' you must complete Section 7 Part C

Section 5 Grounds for appeal

Please state in numbered paragraphs, why you say that the Judge who made the order you are appealing against was wrong.

1. Procedural unfairness due to late reinstatement The case was struck out on 25 July 2025 due to the claimant's failure to pay the hearing fee, and the defendant was notified on 30 July. The hearing was later reinstated on short notice (dated 31 July, received 6 August), following late payment. This deprived the defendant of adequate time to prepare, undermining procedural fairness.
2. Insufficient opportunity to present the defence On 18 August 2025, the case was first handled by a judge encouraging mediation, suggesting the defendant's partial admission was reasonable. After a lengthy session, the case was reassigned around 4:00 pm to a new judge who stated he had only 30 minutes to conclude. This sudden transition and limited time prevented a full and fair presentation of the defence.
3. Disproportionate remedy The court awarded a full refund, interest, and costs without giving sufficient weight to the defendant's mitigation efforts, including multiple alternative accommodation offers and genuine settlement attempts. These were not adequately considered, resulting in a disproportionate outcome.

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Section 6 What are you asking the Appeal Court to do?

I am asking the Appeal Court to:-
(tick the appropriate box)

- ☑ set aside the order which I am appealing
- ☐ vary the order which I am appealing and substitute the following order. Set out in the following space the order you are asking for:-

- ☑ order a new hearing

Section 7 Other applications

Complete this section **only** if you are asking for orders **in addition** to the order asked for in Section 6

PART A

I apply for a stay of execution because:

I apply for a stay of execution because I am filing an appeal within the permitted time limit and enforcement action before the appeal is determined would be prejudicial and disproportionate.

PART B (tick only one box)

- ☐ I do not need an extension of time for filing my appellant's notice because it has been filed within the extended time granted by the District Judge

- ☐ I apply for an extension of time for filing my appeal notice because (Set out the reasons for the delay. You must also set out in Section 8 what steps you have taken since the District Judge's decision)

PART C

I apply for an order that:

Because

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Section 8 Evidence in support

In support of my applications in Section 7, I wish to rely upon the following evidence:

I rely on the following:

- The case was initially struck out due to the claimant's failure to pay the hearing fee. (Attachment-1)
- The hearing was reinstated at short notice, giving the defendant limited time to prepare. (Attachment-2)
- The case was transferred to a new judge late in the day who had only 30 minutes to conclude.
- The judgment was delivered orally; no written reasons have been received.
- The defendant made reasonable efforts to resolve the matter but was ordered to pay full refund, interest, and costs, which is disproportionate in light of the facts.

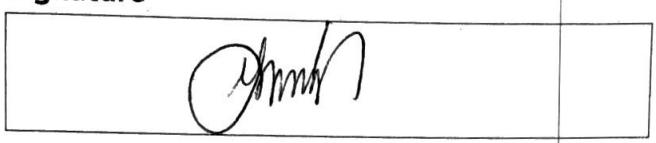
Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☑ **I believe** that the facts stated in section 8 are true.

☐ **The Appellant** believes that the facts stated in section 8 are true. **I am authorised** by the appellant to sign this statement.

Signature



← not signed.

☑ Appellant

☐ Litigation friend (where appellant is a child or a P.

☐ Appellant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
21	8	2025

Full name

ASIM ERTURK

Name of appellant's legal representative's firm

If signing on behalf of firm or company give position or office held

DIRECTOR

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Section 9 Documents in support of your appeal

Note: You **must** send to the court with this appellant's notice a copy of the order being appealed and where permission to appeal has already been considered by the court, a copy of Form N460 containing the reasons for the decision allowing or refusing permission to appeal.

Please note that your appeal cannot be processed until the court has received the document(s)

I attach (please tick)

☑ a copy of the Order being appealed

and

☐ a copy of Form N460 (see note above)

Permission to appeal was not considered at the hearing and no Form N460 has been issued. The appellant respectfully requests that permission be considered by the appeal court.

Signed DocuSigned by: Asim Ertürk AECE36E74E944C4... (Appellant/~~Appellant's Solicitor~~)

Dated 27/08/2025

Find out how HM Courts and Tribunals Service uses personal information you give when you fill in a form.

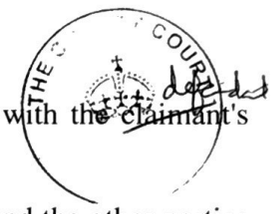
https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

Notice of Transfer of Proceedings

In the County Court at Dartford	
Claim Number	589MC614
Date	28 August 2025

MR. MARTYNAS BUCAS	**1st Claimant Ref**
LONDONIST DMC LTD	**1st Defendant Ref**

To all parties



This claim has been transferred to the County Court at Canterbury for that court to deal with the claimant's application for appeal.

That court will refer the application to a judge, or, if there is to be a hearing, will send you and the other parties notice of the time, date and place of hearing. You will be sent a copy of the judge's decision.

After the hearing the file will be returned to this court.