

Press Release

Carter-Ruck

Date: 31 January 2013

Elena Ambrosiadou – Court approves injunction as part of £50,000 privacy claim settlement

The High Court in London today heard how the privacy proceedings brought by Elena Ambrosiadou against her estranged husband Martin Coward have settled, after Mr Coward submitted to a permanent injunction and also agreed to pay £50,000 in damages, and costs.

Ms Ambrosiadou is founder and CEO of IKOS, a successful hedge fund. In 2010 she brought proceedings for an urgent privacy injunction after Mr Coward leaked to the press a document he had served in family proceedings which were ongoing between the parties in Greece. The document contained private and highly sensitive information about both Ms Ambrosiadou and her minor son.

In April 2011 the Court of Appeal agreed that the publication of private information contained in the Greek court document was unlawful. It approved an interim injunction to which Mr Coward agreed to submit which prevented him from publishing any further copies of the document, or any information concerning the marriage or personal relationship with Ms Ambrosiadou, or information concerning the private affairs of the parties' son.

Mr Coward has now formally admitted liability and has agreed to submit to a final injunction in similar terms to that approved by the Court of Appeal. He has also agreed to pay the sum of £50,000 in damages (which Ms Ambrosiadou is donating to the Greek SOS Children's Villages Association), together with costs.

A Statement in Open Court (below) recording the terms of settlement was today read before Mr Justice Tugendhat in the High Court.

Ms Ambrosiadou commented on the settlement:

"My overriding concern in this matter has always been to protect my son's privacy, in addition to protecting my own private information. I have been vindicated by the Court's decision that Mr Coward's conduct in publishing the Greek court document was unlawful and entirely unwarranted, and by its approval of a final injunction to prevent any future intrusions.

I am also pleased to be able to donate the damages to SOS Children's Villages in Greece, which provides vital support to orphaned and abandoned children."

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QUEEN'S BENCH DIVISION

BETWEEN:

Elena Ambrosiadou

Claimant

- and -

Martin Coward

Defendant

STATEMENT IN OPEN COURT

SOLICITOR-ADVOCATE FOR THE CLAIMANT

May it please you my Lord, I appear on behalf of the Claimant, Elena Ambrosiadou, in this action for misuse of private information and breach of confidence. Ms Ambrosiadou is a successful businesswoman. She is the Chief Executive Officer of the Hedge Fund Investment Structure IKOS. The Defendant, Martin Coward, is the estranged husband of the Claimant.

On 29 May 2010, the Defendant sent to a journalist working for the Daily Telegraph a copy of a 20-page court document (an Application Notice) recently served by him in family proceedings that were ongoing between the parties in Greece. This document contained certain information relating to the Claimant's personal and family life, and relating to the parties' son, that was of a private and confidential nature.

On 4 June 2010, having been asked by the Claimant to undertake not further to publish the Application Notice, the Defendant circulated a further copy by email to 107 addressees working for 53 organisations, most of them media organisations. Regrettably, although the copies circulated had been electronically 'redacted' in an attempt to cover up private information, the redaction process was not wholly effective.

Ms Ambrosiadou was forced to issue legal proceedings against the Defendant in order to prevent any further publication of the information that she sought to protect. In April 2011 the Court of Appeal held that much of the material redacted from the Application Notice contained information in respect of which the Claimant and the parties' son had a reasonable expectation of privacy. The Defendant submitted to an interim injunction restraining him from publishing or

disclosing any further copies of the Application Notice or any information concerning the marriage and personal relationship between the Claimant and the Defendant, or any information concerning the private affairs of the parties' son.

My Lord, the Defendant has recently admitted liability in these proceedings, and agreed to submit to a final injunction in similar terms to that ordered by the Court of Appeal. My client's prime concern has been to prevent intrusion into her and her son's privacy, and in order to assist in this the Defendant has agreed to write to the media informing them that they have no authority to publish the circulated material.

As part of the terms of this settlement he has also agreed to pay the Claimant the sum of £50,000 by way of damages, which she will be donating to charity. He will also pay my client's legal costs.

It gives my client no pleasure to have had to pursue these proceedings but in the light of the serious threat of intrusion into the private lives of both herself and her son she felt that there was no alternative. Now that her legal rights have finally been vindicated she is pleased that a line may be drawn under this matter, and takes this opportunity to make the terms of this settlement clear so that third parties should be in no doubt about the position.

Accordingly, all that remains is for me to ask for leave to withdraw the record.