

# ROL DECISION

## NORTHERN NETHERLANDS DISTRICT COURT

Civil law

Place of hearing: Leeuwarden

Case number: C/17/190788 / HA ZA 23-172



### Ruling of 11 December 2024 in the main proceedings

in the case of

1. [REDACTED]  
of Sneek,  
2. [REDACTED]  
of [REDACTED],  
Sneek,  
3. [REDACTED],  
in Sneek,  
4. [REDACTED],  
in Doetinchem,  
5. [REDACTED],  
in Doetinchem,  
(WIJLEN)  
who lived in Zaandam [REDACTED],  
7.  
in Leeuwarden [REDACTED],  
the claimants,  
hereinafter collectively referred to as:  
solicitors: Mr P.W.H. Stassen and Mr A.G.W. van Kessel,  
[REDACTED] C.S.,

against

1. EVERHARDUS ITE HOFSTRA,  
2. JAAP TAMINO VAN DISSEL,  
3. Maria Petronella Gerarda Koopmans,  
4. Mark Rutte,  
5. SIGRID AGNES MARIA KAAG,  
6. HUGO MATTHEÛS DE JONGE,  
7. ERNST JOHAN KUIPERS,  
8. DIEDERIK ANTONIUS MARIA PAULUS JOHANNES GOMMERS,  
9. WOPKE BASTIAAN HOEKSTRA,  
10. CORNELIA VAN NIEUWENHUIZEN,  
14. FEIKE SIJBESMA,  
all electing domicile in The Hague,  
17. THE STATE OF THE NETHERLANDS,  
with its seat in The Hague,  
solicitors: Mr R.W. Veldhuis and Mr M.E.A. Möhring,

11. **ALBERT BOURLA**,  
residing at [REDACTED] (United States of America), solicitors: D. Roessing and Bredenoord-Spoek,  
12. **GISELLE JACQUELINE MARIE-THÉRÈSE VAN CANN**,  
residing in the municipality of [redacted],  
13. **PAUL EDWIN JANSEN**,  
residing in the municipality of  
solicitors: Mr L. Broers and Mr R.H.W. Lamme,  
16. **AGNES CATHARINA** [REDACTED],  
**VAN DER VOORT-KANT**,  
having elected domicile in Amsterdam,  
lawyer: Mr A.H. Ekker,  
15. **WILLIAM HENRY BILL GATES III**,  
**residing at**  
lawyer: Mr  
W. [REDACTED] (United States of America),  
Heemskerk.  
the defendant parties,  
hereinafter collectively referred to as: Hofstra et al.

## 1. The proceedings

1.1. The further course of the proceedings is set out in:

- the interlocutory judgment of 16 October 2024
- the statement of defence submitted by W.H.B. Gates (defendant No. 15).

1.2. The case was subsequently adjourned for deliberation and oral hearing.

1.3. The single-judge chamber referred the case to the full bench pursuant to Article 15(2) of the Code of Civil Procedure.

1.4. ■ et al. subsequently sent a document to the court, comprising a copy of vaccination certificates pursuant to Article 85(1) of the Code of Civil Procedure, an amendment to the claim pursuant to Article 130 of the Code of Civil Procedure, and a request for a preliminary hearing pursuant to Article 87(2)(d) of the Code of Civil Procedure, for today's hearing (hereinafter: the document).

## 2. Reasons

2.1. The court has decided to refrain from holding an oral hearing at this stage of the proceedings. It considers that, for a proper examination of the case, it is important that the parties first exchange further written submissions. The court intends to schedule an oral hearing once the replies and rejoinders have been submitted.

2.2. Before the case is placed on the roll for the submission of further pleadings, it must first be definitively clarified whether the heirs of the late M. Tieken wish to resume the proceedings. After all, a stay of proceedings is intended merely to grant a postponement, not to terminate the proceedings. The proceedings have been adjourned since 10 January 2024, so there has now been sufficient time to determine a position on a possible resumption. The court will therefore place the case on the list for a statement of position on resumption by [REDACTED] et al. (i.e. the solicitors of the late M. Tieken). In the event that [REDACTED] et al. state in their submission

If the heirs wish to resume the proceedings, they must subsequently act in accordance with the provisions of Article 227 of the Code of Civil Procedure. Hofstra et al. may, if they so wish, file a statement of defence.

2.3. As the registry will be closed on both 25 December 2024 and 1 January 2025, a period of four weeks will be allowed for the pleading to be filed by [REDACTED] et al. Hofstra et al. may respond two weeks later.

2.4. In view of the considerations set out above, the request to be permitted to file the pleading at this stage of the proceedings is premature. [REDACTED] et al. may, if they so wish, expand (the basis of) their claim in their reply and introduce further documents into the proceedings. There is currently no reason to hold a preliminary hearing. The pleading will therefore be refused.

2.5. Furthermore, all other decisions are reserved.

### 3. The decision

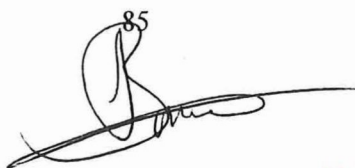
The Court

3.1. refers the case to the roll for **Wednesday 8 January 2025** for the filing of a statement of resumption by [REDACTED] et al., as referred to in 2.2, to which Hofstra et al. may, if they so wish, respond two weeks later by means of statements of defence,

3.2. rejects the statement,

3.3. reserves all further decisions.

This order was made by C.M. Telman, T.P. Hoekstra and P. van Eijk and delivered on 11 December 2024.

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Certified  
true copy  
11 DEC.  
2024  
The  
Registrar



**REGISTERED**

13 DEC. 2024