

This case is being handled by solicitor A.G.W. van Kessel of the law firm Van Kessel Advocatuur, with offices at Orionweg 47E, Leeuwarden (8938 AG), and by solicitor P.W.H. Stassen, of the law firm Stassen & Kemps Advocaten, at 6 Nachtegaallaan, Eindhoven (5611 CV);

District Court of the Northern Netherlands, Leeuwarden

branch, Hearing: 8 January 2025

Case reference: C/17/190788

Case number: 23/172

PS/D100607 / AK 2023008

**DEED OF STATEMENT OF RESUMPTION
ALSO DEED SETTING OUT PROCEDURAL REQUESTS**

concerning:

Claimants:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]

Solicitors: Mr A.G.W. van Kessel and Mr P.W.H. Stassen

versus:

Defendants:

Bezoekadres: Nachtegaallaan 6 • 5611 CV Eindhoven **Postadres:** Postbus 7004 • 5605 JA Eindhoven

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Alle diensten en (andere) werkzaamheden worden verricht uit hoofde van een overeenkomst van opdracht met Stassen & Kemps Advocaten B.V. (KvK: 17225491).
Op de overeenkomst zijn onze Algemene Voorwaarden van toepassing waarin ondermeer een beperking van de aansprakelijkheid is opgenomen tot het bedrag van € 4.000.000,- per schadegeval.

(public officials)

1. Mr EVERHARDUS ITE HOFSTRA [REDACTED]
2. Mr JAAP TAMINO VAN DISSEL, [REDACTED]
3. Ms MARIA PETRONELLA GERARDA KOOPMANS, r [REDACTED]
AG) [REDACTED]
4. Mr MARK RUTTE, resid [REDACTED]
5. Ms SIGRID AGNES MARIA KAAG, [REDACTED]
6. Mr HUGO MATTHEÛS DE JONGE, residing [REDACTED]
7. Mr ERNST JOHAN KUIPERS, residing in [REDACTED]
8. Mr DIEDERIK ANTONIUS MARIA PAULUS JOHANNES GOMMERS,
residing i [REDACTED]
9. Mr WOPKE BASTIAAN HOEKSTRA, residing in [REDACTED]
[REDACTED]
10. CORNELIA VAN NIEUWENHUIZEN, residing at a confidential address;
Solicitors: Mr R.W. Veldhuis and Mr M.E.A. Möhring

(pharmaceutical industry)

11. Mr ALBERT BOURLA, residing in New York, United States of America;
Lawyer: D. Roessingh,

LL.B. (mass media)

12. Ms **GISELLE JACQUELINE MARIE-THÉRÈSE VAN CANN**,
residing at [REDACTED]

13. Mr **PAUL JANSEN**, of no known address;
Lawyer: Mr L. Broers

(non-governmental organisation (NGO, WEF))

14. Mr **FEIKE SIJBESMA**, residing at [REDACTED]
Lawyers: Mr R.W. Veldhuis and Mr M.E.A. Möhring.

15. Mr **WILLIAM HENRY BILL GATES III**, residing in Washington,
United States of America.
Lawyer: W.H. Heemskerk, LL.B.

(quasi-governmental organisation)

16. Ms **AGNES CATHARINA VAN DER VOORT-KANT**, of no known address;
Lawyer: Mr A.H. Ekker

(government)

17. THE **STATE OF THE NETHERLANDS**, a legal entity under public law,
having its seat in The Hague (“the State”) and with its registered office
at Korte Voorhout 8, The Hague (2511 CB);
Lawyers: R.W. Veldhuis, LL.M., and M.E.A. Möhring, LL.M.

The claimants, hereinafter referred to as: / [REDACTED] et al., hereby submit the following for **the DEED OF STATEMENT OF RESUMPTION:**

1. In connection with the death of claimant Monique Tieken †as a result of the effects of the Covid-19 injections the solicitors for [REDACTED] et al. requested your court, by deed dated 10 January 2024, to suspend the proceedings concerning Monique Tieken.
2. During the oral hearing on 18 September 2024 concerning the matter raised by William Henry Bill Gates III, the lawyers informed this court, upon enquiry, that they did not have a mandate from the heirs of Monique Tieken to continue with the proceedings.
3. In light of the above, the lawyers for [REDACTED] et al. note that they have been unable to establish who the legal successors or heirs of Monique Tieken are. Furthermore, the lawyers for [REDACTED] et al. are unaware whether an executor has been appointed to administer [REDACTED] estate. Nor do the lawyers for [REDACTED] et al. have a written statement regarding the existence or otherwise of a will by Monique Tieken (deceased). However, the lawyers for M [REDACTED] et al. are aware that [REDACTED] deceased left behind at least two children. In view of this, it must be assumed that there are several heirs and that legal succession applies.
4. Under procedural law, if a change occurs whilst proceedings are pending, Article 225 of the Code of Civil Procedure provides that proceedings may be stayed, followed by their continuation by the legal successor(s). In a case such as the present one, since the stay of proceedings was ordered on the grounds that the original party had died, it is necessary for all heirs to jointly take the initiative to resume the proceedings in order for the heirs to be able to continue the proceedings. To date, the solicitors for [REDACTED] et al. have not demonstrated any such initiative, or even an intention to take one, or

consideration of it has not, to date, come to the attention of the solicitors for [REDACTED] et al.

5. In the event of legal succession, which, as indicated above, must be assumed, proceedings may continue in the name of the deceased until the end of the relevant instance. Pursuant to Article 236 of the Code of Civil Procedure, the judgment delivered in that instance is also binding on the legal successors.
6. Pursuant to Article 7:410 of the Dutch Civil Code, the death of a client terminates a contract only if this is provided for in the agreement. Paragraph 2 of this article stipulates that even where the contract terminates due to the client's death, the contractor is nevertheless obliged to do everything that the circumstances require in the interests of the other party.
7. In view of the contract for services between the solicitors of [REDACTED] et al. and [REDACTED] (deceased), as well as the provisions and obligations under Article 7:410 of the Dutch Civil Code, the solicitors of [REDACTED] et al. will, in the event of the proceedings being continued in the name of the deceased, continue to act as litigation solicitors on behalf of [REDACTED] [REDACTED] deceased until further notice.
8. In view of the foregoing, [REDACTED] et al. consider it reasonable for your court to rule that the proceedings be continued in the name of [REDACTED] deceased in the state in which they were at the time of the adjournment.

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9. It has become sufficiently clear from the 'case management order' issued by your court on 11 December 2024 and the correspondence exchanged with your court both prior to and following this that your court will not permit an oral hearing of the case at this stage. It

It should be clear that the solicitors for [REDACTED] al. do not consider this to be in the interests of proper procedural order and maintain all the submissions and arguments they put forward at the preliminary hearing. This upholding of (procedural) submissions and arguments, as well as procedural time limits, also applies in a more general sense to the course of events whereby your court, on 11 December 2024, refused the document dated 11 December 2024¹ filed by Minks et al.

10. With regard to the reply submissions to be made by [REDACTED] t al. in the further course of these proceedings, in response to the defendants' six statements of defence, [REDACTED] t al. request that a period of 36 weeks be set for this purpose, so that [REDACTED] have sufficient time to address the defendants' detailed arguments set out in their six statements of defence and to to be submitted in such a way as to ensure proper conduct of the proceedings.

Duly noted!

Yours faithfully,



Mr P.W.H. Stassen



Mr A.G.W. van Kessel

¹ Submission of copies of vaccination certificates pursuant to Article 85(1) of the Code of Civil Procedure; also, a deed of 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.