

COURT ROLL HEARING DECISION

Court of Northern Netherlands

Civil law

Seating place Leeuwarden

Casenummer: C/17/190788 / HA ZA 23-172

Court decision of 11. December 2024 in the main case

in the matter of

1. [REDACTED]
in Sneek,
2. [REDACTED],
in Sneek,
3. [REDACTED],
in Sneek,
4. [REDACTED],
in Doetinchem,
5. [REDACTED] **DAKKER**,
in Doetinchem,
6. **(LATE)** [REDACTED],
living in Zaandam during her lifetime,
7. [REDACTED],
in Leeuwarden,
plaintiffs,
hereinafter referred to collectively as: [REDACTED] c.s.,
lawyers: mr. P.W.H. Stassen and mr. A.G.W. van Kessel,

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 choosing residence in The Hague,
17. **DE STAAT DER NEDERLANDEN**,
seated in The Hague,
lawyers: mr. R.W. Veldhuis and mr. M.E.A. Möhring,



11. ALBERT BOURLA,

living in [REDACTED], lawyers:

mr. D. Roessing and mr. Bredenoord-Spoek,

12. GISELLE JACQUELINE MARIE-THÉRÈSE VAN CANN,

living in the municipality of [REDACTED],

13. PAUL EDWIN JANSEN,

living in the municipality of [REDACTED],

lawyers: mr. L. Broers and mr. R.H.W. Lamme,

16. AGNES CATHARINA VAN DER VOORT-KANT,

choosing place of residence in Amsterdam,

lawyer: mr. A.H. Ekker,

15. WILLIAM HENRY BILL GATES 111,

living in [REDACTED] [REDACTED]

lawyer: mr. W. Heemskerk.

defendants,

hereinafter referred to collectively as: Hofstra c.s.

1. The procedure

1.1. The further course of the procedure is apparent from:

- the incidental judgment of 16 October 2024
- the conclusion of answer of W.H.B. Gates (defendant sub 15).

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

1.3. The single-member chamber referred the case to the multi-member chamber pursuant to Article 15, paragraph 2, of the Code of Civil Procedure.

1.4. [REDACTED] et al. subsequently sent a deed of contribution of a copy of vaccination certificates pursuant to Article 85 paragraph 1 of the Code of Civil Procedure, as well as a deed of increase of claim pursuant to Article 130 of the Code of Civil Procedure, and a request for a preliminary hearing pursuant to Article 87 paragraph 2 sub d of the Code of Civil Procedure for today's hearing to the court (hereinafter: the deed).

2. Motivation

2.1. The court has decided to waive an oral hearing at this stage of the proceedings. It is of the opinion that it is important for a proper instruction of the case that the parties first respond to each other in writing. The court intends to determine an oral hearing after taking the conclusions of the reply and rejoinder.

2.2. Before the case is put on the roll for the taking of further conclusions, there must first be definitive clarity on the question of whether the heirs of the late M. Tieken wish to resume the proceedings. After all, suspension is only intended for some postponement, not for cancellation. The proceedings have been suspended since 10 January 2024, so that there has now been sufficient time to determine a position on the possible resumption. The court will therefore refer the case to the roll for a deed of statement of resumption by [REDACTED] et al. (read: the lawyers of the late M. Tieken). In the event that [REDACTED] et al. indicate in their deed

if the heirs wish to resume the proceedings, they must then act as prescribed in Article 227 of the Code of Civil Procedure. Hofstra et al. may, if desired, file a response.

2.3. Due to the closure of the registry on both December 25, 2024 and January 1, 2025, a period of four weeks will be maintained for the deed by █████ et al. Hofstra et al. can respond two weeks later.

2.4. In view of the above, the request to be allowed to take the deed is premature at this stage of the procedure. █████ et al. may, if desired, increase (the basis of) their claim in the reply and submit additional documents. There is currently no reason to hold a preliminary hearing. The deed will therefore be refused.

2.5. Furthermore, every decision is postponed.

3. The decision

The court

3.1. refers the case to the court roll hearing of Wednesday, January 8, 2025 for the taking of a statement of resumption by █████ et al., as referred to under 2.2, to which Hofstra et al. can, if desired, respond two weeks later by means of response documents,

3.2. refuses the deed,

3.3. reserves any further decision.

This court roll hearing decision was made by Mr. C.M. Telman, Mr. T.P. Hoekstra and Mr. P. van Eijk and given on 11 December 2024.



Voor/afschr. conf/m



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