

IN THE COUNTY COURT AT CENTRAL LONDON
BEFORE HHJ BAUCHER

Case No: H17YJ963

Date: 18TH January 2024

ADEL MOTLAGHI SAYAHI
(Otherwise known as Kamal Taei)

First Claimant

AMINEH MOHAVI
(Otherwise known as Emina Taei)

Second Claimant

- and -

TESCO STORES LIMITED

Defendant/Part 20 Claimant

-and-

REYHAN SAFI

First Part 20 Defendant

Mr Fidler (Solicitor) for the Claimants
Mr Aaron Pulford (instructed by Keoghs LLP) for the Defendant/ Part 20 Claimant

Hearing dates: 15TH January 2024

HHJ BAUCHER:

1. The Claimants issued proceedings against Tesco Stores Limited (Tesco) in relation to a collision on 16 September 2019 between a Land Rover registration LM18 XVU and an Iveco Daily Van registration BA15 DGV driven by Reyhan Safi, the First Part 20 Defendant. For ease of reference, I shall refer to the parties by name throughout this judgment.
2. Tesco paid an interim payment of account of £34,385. On 13 April 2021 Mr Sayahi and Ms Mohavi served a Claim Form, Particulars of Claim, Schedule of Special Damages and medical reports of Dr Jeremy Harris (dated 15.11.2019), Mrs Rachana Shah (dated 06.01.2020, 13.01.2020 and 02.03.2020), in which they sought to recover general damages for personal injury and special damages in respect of the loss of their vehicle and credit hire. The value of the claims was limited to £75,000. On 21st May 2021 Tesco filed and served a Defence, Counterclaim and Part 20 Additional Claim. Tesco challenged the veracity of the claim, pleading that Mr Safi intentionally drove into collision with Mr Sayahi's vehicle and alleging deceit and conspiracy on the part of Mr Sayahi, Ms Mohavi and Mr Safi.
3. On 27 September 2021, following a failure to respond to proceedings, judgment was entered against Mr Safi. On 22 September 2022 the claims of Mr Sayahi and Ms Mohavi were struck out and judgment was entered on the counterclaim. The matter was accordingly listed for an Assessment of Damages hearing in relation to the Counterclaim and Part 20 proceedings.
4. Tesco identified a further litigated 12 cases which are linked to this action and other non-litigated linked cases. All the claims are set out in the table below:

CASE NUMBER	LITIGATED ACTIONS
1	Mazlum Bahceci v Tesco Stores Limited v Samatar Jama

2	Mohamed Namdar v Tesco Stores Limited v Manish Parmar
3	Hanaa Alghafagi v Tesco Stores Limited v Donovan Rose (1) Zhraa Alghafagi (2) Zina Alghafagi (3)
4	Shireen Morgan v Sunil Shah (1) Tesco Stores Ltd (2)
5	Tesco Stores Limited v Shimaa Khattawi (1) Darran Taylor (2)
6	Adel Motlaghi Sayahi (1) Amineh Mohavi (2) v Tesco Stores Limited v Reyhan Safi
7	Shahin Majid Mouradi v Tesco Stores Limited v Manish Parmar (1) Tawfeeq Abdulwahid Tawfeeq (2) Jumana Nusseibeh (3)
8	Grzegorz Collins v Tesco Stores Limited v Darran Taylor
9	Alexander Reed v Tesco Stores Limited v Mubarik Quaje
10	Safaa Jasim v Tesco Stores Limited v Darran Taylor
11	Hashim Al- Hashim (1) Zainab Mohamed (2) v Tesco Stores Limited v Darran Taylor
12	Mohamed Baktiyar Abdulla v Tesco Stores Limited v Manish Parmar
13	Eda Yaman v Manish Parmar (1) Tesco Stores Limited (2) v Mustafa Zada
	PRE-LITIGATED ACTIONS

14	Bower Lally v Tesco Stores Limited (Tesco Driver – Ramy El-Fayoumi)
15	Bower Lally v Tesco Stores Limited (Tesco Driver – Owen Reason)
16	Rinas Ahmed v Tesco Stores Limited (Tesco Driver – Rakesh Lakhman)
17	Bernardo Picari (1) Guxim Symltaj v Tesco Stores Limited (Tesco Driver – Rakesh Lakhman)
18	Waleed Hayder Mohamed v Tesco Stores Limited (Tesco Driver – Samatar Jama)
19	Saman Hussain v Tesco Stores Limited (Tesco Driver – Donovan Rose)
20	Abdul Gader Allenizi (1) Richard Feghaly (2) v Tesco Stores Limited (Tesco Driver – Donovan Rose)
21	Mohamed Almaki (1) Salem Almaki (2) v Tesco Stores Limited (Tesco Driver – Donovan Rose)
22	Oktan Yagli v Tesco Stores Limited (Tesco Driver – Reyhan Safi)
23	Ahmed Khalil v Tesco Stores Limited (Tesco Driver – Samatar Jama)
24	Hayder Garousi v Tesco Stores Limited (Tesco Driver – Reyhan Safi)
25	Florin Danila v Tesco Stores Limited (Tesco Driver – Darran Taylor)

26	Ali Al- Shamary v Tesco Stores Limited (Tesco Driver – Reyhan Safi)
27	Ibrahim Nour v Tesco Stores Limited (Tesco Driver – Ajay Bangar)
28	Florin Danila V Tesco Stores Limited (Tesco driver- Manish Parmar)
29	Monika Rogaliwicz (1) Sebastian Rogaliwicz (2) v Tesco Stores Limited (Tesco Driver – Rachidy Alkilmaki)
30	Tariq Faris (1) Rawan Abbas (2) v Tesco Stores Limited (Tesco Driver – Rachidy Alkilmaki)
31	Habib Said (1) Mwenye Madasheeky (2) v Tesco Stores Limited (Tesco Driver – Samatar Jama)
32	Uwe Kirschner v Tesco Stores Limited (Tesco Driver – Mubarik Quaje)

6. Mr Pulford appeared for Tesco. Mr Fidler represented Mr Sayahi and Ms Mohavi. Mr Sayahi attended court with an interpreter. There was no appearance by Mr Safi. At the outset of the hearing Mr Fidler advised his clients had made a series of Admissions by a signed document whereby they agreed to reimburse Tesco for the costs of the investigation in the sum of £2,552.27, the payment on account of £34,385 and £15,000 each in respect of exemplary damages. I allowed time for that agreement to be explained in Arabic. Mr Pulford did not seek to go beyond the terms of the Admissions. Whilst I could have proceeded to assess the exemplary damages in relation to Mr Sayahi and Ms Mohavi, notwithstanding the Admissions, I advised Counsel they would be assessed on that basis. Mr Pulford therefore proceeded to present Tesco’s case in respect of Mr Safi alone. I am grateful for Mr Pulford’s diligent preparation, and careful

written opening note, which I have no doubt had considerable bearing on the admissions made and consequent saving in court time.

Dramatis Personae

7. The following individuals featured in the claim:

Name	Title	State of Proceedings	Role	Position
Adel Motlaghi Sayahi	Claimant	Assessment of Damages	Defendant	Driver
Amineh Mohavi	Claimant	Assessment of Damages	Defendant	Passenger
Reyhaneh Safi	P20 Defendant	Assessment of Damages	Defendant	Tesco Driver
Mohamed Suleman	/	/	Witness	Tesco Driver
Stalin Salazar	/	/	Witness	Tesco Driver
Krzysztof Palenta	/	/	Witness	Tesco Driver
Graham Douglas	/	/	Witness	Fraud Analyst
Julie Hawkins	/	/	Witness	Tesco Fleet Legal Manager

Julie Plumb	/	/	Witness	Tesco Insurable Risk Manager
Peter Etherington	/	/	Expert Witness	Forensic Expert Engineer

8. Tesco relied upon written evidence from Mr Suleman, Mr Palenta, Mr Salazar, Mr Douglas, Mr Hawkins, Ms Plumb and Mr Etherington pursuant to the directions given in this matter and the associated actions.
9. Tesco's case is that this accident was staged by Mr Sayahi and Mr Safi assisted by other, unknown individuals, and this accident was but one of a series of staged targeted accidents involving drivers employed at the Greenford depot to recover compensation from Tesco.
10. I handed down judgment in the cases of Yaman [2023] EW Misc 15 (CC), Mouradi [2023] EW Misc 16 (CC), Morgan [2023] EW Misc 17(CC), Bahceci [2023] EW Misc 18(CC) and Alghafagi [2023] EW Misc 18 (CC) on 17th November 2023. In those actions the torts of conspiracy and deceit were contested by various parties. In those judgments there was an extensive review of the evidence relied upon by Tesco. Tesco succeeded in all actions. I found those cases and the other linked actions were part of an extensive conspiracy to defraud Tesco. In the light of my detailed findings in those cases in relation to the evidence of Mr Suleman, Mr Palenta and Mr Salazar there is no purpose to be gained from a further review of that evidence in this action.
11. Tesco also relied upon expert evidence from Mr Etherington, Forensic Collision expert, whose evidence I unequivocally accepted in the cases of Yaman, Morgan, Bahceci and Alghafagi. In his report for the instant case Mr Etherington did not quantify any repairs to the Range Rover as he did not consider any damage claimed had arisen as a result of any contact with Tesco's Iveco vehicle. Further, there was damage to the roof rail which was not caused in the accident.

Similar Fact Evidence

12. Graham Douglas provided two witness statements setting out details of the linked cases and the links relating to this claim. Those links were summarised by Mr Pulford and are attached as Appendices 1 and 2 to this judgment. The links set out the extent of the conspiracy in so far as it relates to Mr Sayahi, Ms Mohavi and Mr Safi and whilst the former's involvement is no longer a matter for assessment the extent of the conspiracy needs to be considered to understand the overall context.
13. In summary the relevance of the similar fact evidence is that Mr Sayahi's vehicle had incompatible damage. Inconsistent damage also features in Cases 1, 2, 3, 4, 9, 11, 13, 16. In particular, incompatible damage to the outer edge of the roof rail is reported in Cases 1, 2, 9, 13 and 16. Mr Safi whilst employed by Tesco had three other accidents; Yagli (Case 22), Garousi (Case 24) where the vehicle was stored and recovered to Logistic Solutions 613 Limited the same garage was used in Case 23. Mr Sayahi also had an accident with Mr Safi who also collided with Ali Al Shamary (Case 26) who in turn has collided with Florin Danila (Case 25) (a recurring claimant against Tesco) who used the same garages (Prime Auto Care in Cases 25 and 28) as two other claimants: Al Shamary (Case 26) and Uwe Kirschner (Case 32) which share the same address as Uwe Kirschner's own business Car Care Motors Limited, which is the same garage used by Al Shamary (Claimant in Case 26) and Uwe Kirschner (Claimant in Case 32). The same Ali Al Shamary had a collision with Florin Danila on 23rd October 2020 who is the Claimant in Cases 25 and 28. Mr Parmar who was employed by Tesco drove into Mr Danila's vehicle in Case 28. Mr Parmar has confessed to staged crashes in Cases 2, 7, 12, 13 and 28. Darren Taylor drove into collision with Florin Danilla in Case 25. Darren Taylor is the Tesco driver in Khattawi (Case 5), Collins (Case 8), Jasim (Case 10) and Al Hashimi (Case 11).
14. The vehicle in the instant case was also allegedly stored and inspected at Hano Autos which is linked to Cases 2, 4, 5, 13, 16, 19 and 29. The false reporting of the location of the storage and inspection of the claimant's vehicle is a feature in Cases 1, 2, 4, 5, 9, 13, 15, 16, 19, 27, 29 and 30. The links to Hano Autos extend to

Noel Khuashaba, Biar Hawaizi, Bower Lally, Ghaith Al-Waili, Mousa Issa and Rinas Ahmed. Of the 33 claimants who have pursued claims against Tesco drivers from the Greenford depot, 14 are Directors in the Motor trade/ industry- Cases 3,8,11,12,13,14,15,16,17,23,24,31 and 32.

15. Mr Sayahi also sold his vehicle to Moussa Issa. Moussa Issa's garage has been used to store vehicles in Cases 27 and 30 and it shares an address with garages run by Noel Khuashaba and Biar Hiawazi.

Damages

16. I am satisfied, on the basis of the statement from Mrs Plumb Tesco is entitled to recover £ 850.75. I do not consider it appropriate to reduce those damages because Tesco employ persons in any event to investigate fraud. Had this conspiracy not been pursued those individuals could have been deployed on other tasks.
17. Tesco also seeks an award of exemplary damages. Mr Pulford relying on Axa Insurance Plc v 1) Financial Claims Solutions 2) Mohammed Aurangzaib 3) Hakim Mohammed Abdul [2018] EWCA Civ 1330 asked me to make an award of £15,000 for exemplary damages against Mr Safi.
18. Exemplary damages are an exception to normal tortious principles. Their award and a distillation of the principles and the law in cases such as this case is set out at paragraphs 25 – 35 of that judgment which I gratefully adopt. At paragraph 35 LJ Flaux said:

“As I have said, this case is a paradigm one for the award of exemplary damages. As to the amount of such damages, as was stated by Arden LJ in Ramzan v Brookwide at [82], the sum must be principled and proportionate. As in that case, given the need to deter and punish the outrageous conduct and abusive behaviour in the present context, the principled basis is to make a punitive award. The respondents have chosen not to place before the court any evidence as to their means so that it is not appropriate to limit the amount of any award by reference to ability or inability to pay Given the seriousness of the conduct of the respondents and the need to deter them and others from engaging in this form of "cash for crash" fraud, which has become far too prevalent and which adversely affects all those in society who are policyholders who face increased insurance premiums, I consider that the appropriate award of

exemplary damages is that each of the first, second and third respondents should be liable to pay £20,000.”

19. In that case one of the Respondents acted as if it were a firm of solicitors authorised to conduct litigation, which it was not, thereby committing a criminal offence under s14 of the Legal Services Act 2007. The Court of Appeal described the fraud itself as “sophisticated, well-planned and brazen” which “involved serious abuse of the process of the court.” It involved fictitious credit hire documents and medical reports in relation to five claims in respect of two separate accidents with two Axa insured drivers. Axa refused indemnity in each case. There are therefore some similarities but also differences with the instant case. The Court of Appeal was primarily concerned with the principle of making such an award but made an award of exemplary damages of £20,000 in respect of each of the three Respondents. Whilst Mr Pulford said the case is a “useful high watermark” I do not consider the decision should be taken as setting any particular benchmark. In every case it is for the judge to assess the extent of the outrageous conduct. However, any decision as to the amount of damages must be principled and proportionate as per Arden LJ in Ramzan v Brookwide Ltd [2011] EWCA Civ 985 at paragraph 82.
20. The evidence of Ms Nusseibeh in case 7 (see Mouradi) is that a vehicle owner pays monies to an unknown individual and then, as per the evidence of Mr Suleman, Mr Palenta and Mr Salazar, those individuals pay a Tesco employee deliberately to drive the Tesco delivery vehicle into the claimant’s vehicle. In accordance with that modus operandi Mr Safi remained parked on Ellesmere Road from 21.50 to 22.32. I find he did so as he was awaiting the arrival of Mr Sayahi’s vehicle. Mr Safi said in his report of the accident he had been reversing into a parking space, there was an oncoming vehicle, and he did not cross the line of the junction. That was manifestly untrue as was clearly demonstrated by the Dash Cam footage which I reviewed. From that footage it is apparent Mr Safi was simply reversing down Ellesmere Road. He was not looking to park the vehicle, there is no sign of any oncoming vehicle and he did cross the junction. When Mr Safi reported the accident, he also lied as to the nature and extent of the damage. I find that Mr Safi lied about the accident circumstances

and damage because he deliberately stage managed a crash with Mr Sayahi's car.

21. In stage managing this crash Mr Sayahi and Ms Mohavi, in collusion with others, persuaded a trusted Tesco employee to engage in unlawful acts. I find Mr Safi was induced to do so on the basis that he was to be paid for his illegal actions. There is no other explanation for the representations made by Mr Safi given the engineering evidence from Mr Etherington. He was therefore motivated by financial gain. He was in privileged position which he abused. Mr Safi's actions in deliberately crashing and lying about his involvement were a gross breach of trust which struck at the heart of Tesco's business, when their very business depends on its interface with their customers. On the evidence of Mrs Hawkins Tesco also updated their vehicles with all round cameras partly as a result of this investigation, which is a further, albeit unspecified, loss and an aggravating factor.
22. However, what distinguishes this case and the other linked actions from other matters which have proceeded to the courts for exemplary damages award is the wholesale nature of the fraud and the extent of the conspiracy which is set out in the Similar Fact Evidence. This is not a case of two accidents and five passengers as in Axa. This is a fraud and conspiracy of unprecedented scale which engaged this court in five weeks of continuous Tesco litigation involving the consideration and reference to 31 related matters embodied in 60,000 documents. After the conclusion of those five trials this court has been required to consider the Assessment of Damages claims in eight further matters where claims were pursued. The sheer scale of the fraud must be reflected in the amount of exemplary damages awarded.
23. Mr Safi has not provided any information as to his income or assets and his financial position is unknown to the court. Tesco sought an award of exemplary damages of £15,000. Whilst I take into account those representations, I do not consider that is sufficient to deter Mr Safi and others, from engaging in "cash for crash" fraud. I am satisfied that given the extent of the egregious conduct and the extent of this conspiracy as set out in the Similar Fact Evidence Mr Safi should pay £18,000. There will be judgment for Tesco accordingly. I shall leave

Counsel to draw the formal order for judgment on the basis of the Admissions of Mr Sayahi and Ms Mohavi on the Counterclaim.

24. Finally, this case, and others, would not have been brought to light without the diligence and forensic work undertaken by those instructed on behalf of Tesco. It is to their credit that they have worked tirelessly to ensure all the evidence is put before the court in a comprehensive objective manner. Further they have complied with all my directions in relation to that presentation thereby ensuring all the parties have had every opportunity to consider it and respond accordingly. Their endeavours have also enabled me to release the judgment at the earliest opportunity. I am grateful for their assistance.

Appendix 1

SIMILAR FACT EVIDENCE

REYHAN SAFI

1. Reyhan Safi while employed by Tesco has been involved in 4 collisions, as follows:
 - 1.1. Oktan Yagli (Case 22) 08/07/2019.
 - 1.2. Hayder Garousi (Case 24) 02/09/2019 (vehicle stored and recovered to Logistic Solutions 613 Limited Unit 3 14-16 Wadsworth Road, Perivale, Greenford, UB6 7JD.
 - 1.3. Sayahi & Mohavi (Case 6 – Index Matter) 16/09/2019 (vehicle stored and recovered to Hano Autos, 2 Creek Road, London, SE8 3EL.)
 - 1.4. Al Shamary (Case 26) 16/10/2019 (vehicle stored and recovered to Prime Autocare Limited 189D Brent Crescent, London, NW10 7XR.)

ALI AL SHAMARY

2. Ali Al Shamary brought a claim against Tesco (Case 26) for personal injury, physiotherapy treatment, vehicle damage, recovery and storage charges, and credit hire charges.
 - 2.1. The same Ali Al Shamary was involved in a road traffic accident on 23/10/2020 with Florin Danila.

FLORIN DANILA

3. Florin Danila is the Claimant in both Case 25 & Case 28, having had two collisions with two Tesco vehicles in two months.
 - 3.1. Manish Parmar drove into collision with Florin Danila. (Case 28)
 - 3.2. Manish Parmar has confessed to having staged collisions in exchange for the payment of money:
 - i. Namdar (Case 2) in which the Claimant's Vehicle was allegedly stored at Hano Autos, 2 Creek Road, London, SE8 3EL.
 - ii. Mouradi (Case 7) in which the Claimant's Vehicle was allegedly stored at Herdi Bikes, 35 Youngs Court, Charlotte Despard Avenue, Battersea, SW11 5JD.
 - iii. Abdulla (Case 12) in which the Claimant's Vehicle was allegedly stored at ROJ Motors, 20b Abbey Industrial Estate, Mount Pleasant, Wembley, HA0 1RE.
 - iv. Yaman (Case 13) in which the Claimant's Vehicle was allegedly stored at Hano Autos, 2 Creek Road, London, SE8 3EL.
 - v. Danila (Case 28) in which the Claimant's Vehicle was allegedly stored at Prime Autocare, 189D Brent Crescent, London, NW10 7XR.
 - 3.3. Darren Taylor drove into collision with Florin Danila in Case 25. Darren Taylor is the Tesco driver in Khattawi (Case 5), Collins (Case 8), Jasim (Case 10) and Al Hashimi (Case 11).
 - 3.4. Prime Autocare featured as the storage, recovery and repair garage in both collisions involving Florin Danila, Case 25 & Case 28.

- 3.5. Prime Autocare is the storage, recovery and repair garage in:
 - Case 25 Danila.
 - Case 26 Al Shamary.
 - Case 28 Danila.
 - Case 32 Kirschner.

- 3.6. The registered company address for Prime Autocare is 203 The Vale, London, W3 7QS.
 - 3.6.1. Uwe Kirschner, the Claimant in Case 32 is the director of Car Care Motors Limited (now Muth'Hilah Limited) which shares the registered address of 203-205 The Vale, London, W3 7QS.

4. Uwe Kirschner is also the director of Jag & Land UK Parts Limited which has a previous registered address of 14-16 Wadsworth Road, Perivale, UB6 7LD. This was the address given on the 'storage invoice' provided by JRJ Limited.

5. JRJ Limited features in:
 - 5.1. Case 14 Lally as the recovery and storage garage.
 - 5.2. Case 5 Khattawi as the Claimant's husband was an employee.

6. Uwe Kirschner was involved in a road traffic accident on 09/09/2020. The 'Third Party 3' is detailed as 'Florine Danila' (page 2).

HAYDER GAROUSI

7. Hayder Garousi (Case 24) the Claimant brought a claim for recovery and storage charges. The recovery and storage providers were Logistic Solutions 613 Limited of 14 – 16 Wadsworth Road, Perivale, UB6 7JD.
 - 7.1. Logistic Solutions 613 Limited provided storage and recovery in Case 23 (Ahmed Khalil). Caljam Engineers inspected the Claimants' vehicle in

Case 23 and advised that the vehicle was inspected at Johnson's Way, London, NW10 7PF.

- 7.2. The Companies House record for Logistic Solutions 613 Ltd shows the previous registered address is The Pavilion, Rosslyn Crescent, Harrow, HA1 2SZ.
- 7.3. Eagle Coachcrafts 007 Limited also has the registered address at The Pavilion, Rosslyn Crescent, Harrow, HA1 2SZ. Biar Hawaizi was the Company Secretary for this company.

JOHNSON HOUSE / MARTAZA AL HAMADI

- 7.4. Perivale Motor Group's registered address is PMG House, Johnsons Way, London, NW10 7PF. Martaza Al Hamadi provided his correspondence address as 44 Bideford Avenue, Perivale, Greenford, UB6 7PP.
- 7.5. Martaza Al Hamadi was Director of Logistic Solutions 613 Ltd.
 - 7.5.1. Martaza Al Hamadi is also listed as the Director of Perivale Motor Group.
 - 7.5.2. 44 Bideford Avenue, Perivale, Greenford, UB6 7PP is the address for the following companies controlled by Noel Khuashaba, Biar Hawaizi, and Bower Lally as follows:
 - i. B H Car Repairs Ltd.
 - ii. A1 Performance Solutions Ltd.
 - iii. B & L Bodywork Ltd.
 - 7.5.3. Johnson House, Johnsons Way, London, NW10 7PF is the address at which recovery, storage or MOT Inspections took on the following cases: -
 - i. Case 7 Shahin Mouradi.
 - ii. Case 10 Safaa Jasim.

- iii. Case 23 - Caljam Engineers inspected the Claimants' Vehicle in Case 23 and advised that the vehicle was inspected at Johnsons Way, London, NW10 7PF.

7.5.3.1. In Case 23 Logistic Solutions 613 Limited provided invoices with the address of "Unit 3 14-16 Wadsworth Road, Perivale, Greenford, UB6 7JD". This is not the registered address of Logistic Solutions 613 Limited.

7.5.3.2. Unit 3 14-16 Wadsworth Road, Perivale, Greenford, UB6 7JD is however a formerly registered addresses of "BH Cars Limited" a business directed by Biar Hawaizi.

ADEL SAYAHI AND AMINEH MOHAVI

8. The Claimant's vehicle LM18 XVU was subject to a Personal Contract Purchase (PCP) agreement with a date of interest of 27/04/2018 for a period of 49-months.
9. On 30/12/2009 a DPA response from KGM confirmed claims were intimated by Kamal Taei and Emina Taei (The Defendant submits these are aliases used by the Claimants). The National Insurance numbers provided in that claim by Kamal Taei and Emina Taei are the same numbers as those used by Adel Sayahi and Amineh Mohavi.

PREVIOUS ACCIDENTS

- 9.1. A number of searches and 4 Data Protection Act requests were made to Insure2Drive (x2) AXA and KGM. The responses to those searches and requests revealed the following:

- 9.1.1. On 03/09/2019 (thirteen days before the collision with the Tesco Driver) the First Claimant reported to his insurer, Sabre, a hit and run incident when the Claimant's Vehicle LM18XVU

was parked and unattended. No claim was made against the policy: no third party details were provided.

9.1.2. A Cache search confirms the vehicle registration as LM18XVU in the accident.

9.1.3. The index accident took place on 16.09.2019.

9.1.4. The Claimant retained the Claimant's Vehicle LM18XVU until 10/02/2020 (5 months after the index accident).

9.1.5. The Claimant's Vehicle LM18XVU was acquired by a new keeper on 10/02/2020. That new keeper was W3 Car Repairs Limited, address given as Rear of 5 Sabichi House, Wadsworth Road, Perivale, Greenford, UB6 7JD.

9.1.5.1. W3 Car Repairs Limited is directed by Moussa Mohammad Issa.

9.1.6. A DPA response from AXA confirmed that on 23.02.2020 Adel Sayahi intimated a claim to AXA (using Sovereign Solicitors), when he was driving a Range Rover Sport, WJ19BKG, the vehicle was inspected by Blake Assessors at Hano Autos, with the address given as Unit 4-6 Abbey Industrial Estate, Wembley, HA0 1QT. Vehicle was declared a total loss.

9.1.7. On 22/11/2021 the Claimant's Vehicle LM18XVU was acquired by Larini Car Sales Ltd of Unit 4/8 Logic House, Belvue Road, Northolt, UB5 5QJ.

9.1.7.1. Larini Car Sales Ltd is a company also directed by Mousa Issa.

9.1.7.2. Prestige Wrap a company run by Gregorz Collins (the Claimant in Case 8) – which has previously operated from Unit 4/8 Logic House, Belvue Road, Northolt, UB5 5QJ.

9.1.7.3. Wish Lounge Limited has been identified as operating from Logic House, Belvue Road, Northolt, UB5 5QJ.

9.1.7.3.1. Reed (the Claimant in Case 9) was a Director of Wish Lounge Limited.

9.1.7.3.2. Ghaith Al Waili is the current Director.

MOUSA MOHAMAD ISSA

9.2. W3 Car Repairs Limited is a company directed by Mousa Mohamad Issa and has a registered address of 5 Sabichi House, Wadsworth Road, Perivale, Greenford, UB6 7JD.

9.2.1. W3 Car Repairs Limited was formerly registered at 7 Essex Park Mews W3 7RJ.

9.2.2. W3 Car Repairs Limited was the garage in:

i. Faris (Case 30) where the Claimant's vehicle was reported to be stored at W3 Car Repairs Limited 7B Essex Park Mews W3 7RJ as was confirmed in the Claimant's engineers (Blake Assessors) report.

ii. Nour (Case 27) where the Claimant's vehicle was reported to be stored at W3 Car Repairs Limited 7B Essex Park Mews W3 7RJ as was confirmed in the Claimant's engineers (Blake Assessors) report.

9.3. Mousa Mohamad Issa is the director of Larini Car Sales Ltd.

- 9.3.1. On 22/11/2021 the vehicle LM18XVU owned by Sayahi, Claimant in Case 6 was acquired by W3 Car Repairs Limited before being transferred to Larini Car Sales Ltd of Unit 4/8 Logic House, Belvue Road, Northolt, UB5 5QJ.
- 9.3.2. Mousa Mohamad Issa therefore purchased the Claimant in Case 6's vehicle following the collision with a Tesco Driver.

HANO AUTOS /AWARA MARIO

10. In the present claim Blakes Assessors report that the Claimant's Vehicle was allegedly stored and inspected at Hano Autos, 2 Creek Road London, SE8 3EL. This is disputed.

10.1. Hano Autos UK Limited's registered address is 7 Westmoreland House, Cumberland Park, Scrubs Lane, London, NW10 6RE:

10.1.1. Hano Autos UK Limited is directed by Niaz Saleh who filed a CH01 with Companies House having changed his name from Awara Saleh to Niaz Saleh on 19.02.2015.

10.2. There are two further companies bearing the name 'Hano':

10.2.1. Hano UK Limited registered address 7 Westmoreland House, Cumberland Park, Scrubs Lane, London, NW10 6RE.

10.2.2. Hano Autos Ltd registered address 7 Westmoreland House, Cumberland Park, Scrubs Lane, London, NW10 6RE.

10.3. Awara Mario in his LinkedIn profile alleges he is the director of Hano Autos Limited.

10.3.1. Awara Mario has a Facebook account in which he is friends with Nadim Jawaheri and on which he ‘loved’ a post made by Nadim Jawaheri.

10.3.1.1. Nadim Jawaheri is friends on Facebook with:

- i. Omar Alhashimi who is friends on Facebook with Hashim al Hashimi the Claimant in Case 11.
- ii. Adel Sayahi – the Claimant in the present matter (Case 6).
- iii. Rinas Ahmed-the Claimant in Case 16 and the Director of R & A Repairs Limited of 100 Welley Road, Wraysbury, Staines-upon-Thames, TW19 5HF.
- iv. Tariq Faris the Claimant is Case 30.

10.4. The three apparently distinct companies; Hano Autos UK Limited, Hano UK Limited and Hano Autos Ltd all share directors in Niaz/Awara Saleh/Awara Mario and Argosh Rasheed Nori and share the following addresses:

10.4.1. Unit 4-6 Abbey Industrial Estate, Mount Pleasant, Wembley, Middlesex, HA0 1QT. This has been identified via a DPA response from AXA Insurance dated 18/05/2021, received in this matter Case 6 (Sayahi) in respect of a road traffic accident which occurred on 23/02/2020. The engineers report (prepared by Blake Assessors) indicates that Sayahi’s vehicle was inspected at Hano Autos with a given address of Unit 4-6 Abbey Industrial Estate, Mount Pleasant, Wembley, Middlesex, HA0 1QT.

10.4.2. 7 Westmoreland House, Cumberland Park, Scrubs Lane, London, NW10 6RE.

10.4.3. 2 Creek Road, Deptford, SE8 3E Which is alleged inspection locations provided by Blake Assessors in the following:

- i. Case 1 Mazlum Bahceci.
- ii. Case 2 Mohammed Namdar.
- iii. Case 4 Shireen Morgan.
- iv. Case 5 Shimaa Khattawi.
- v. Case 6 Adel Motlaghi Sayahi (the index matter).
- vi. Case 13 Eda Yaman.
- vii. Case 16 Rinas Ahmed.
- viii. Case 19 Saman Hussain.
- ix. Case 29 Monika Rogalewicz.

10.4.4. In Case 15 Bower Lally provided an invoice from Hano Autos UK Limited for vehicle repairs showing the address 2 Creek Road, Deptford, London SE8 3EL. The Blake Assessors report alleged that the Claimant's vehicle in Case 15 was stored at Carter Motors, Unit 7 Sabre House, Belvue Road, London, UB5 5QJ.

10.5. Hano Autos therefore appears to operate from 4 addresses:

- i. 7 Westmoreland House, Cumberland Park, Scrubs Lane, London, NW10 6RE.
- ii. Unit 4-6 Abbey Industrial Estate, Mount Pleasant, Wembley, Middlesex, HA0 1QT.
- iii. 2 Creek Road, Deptford, London SE8 3EL.
- iv. Unit 7 Sabre House, Belvue Road, London, UB5 5QJ.

ROJ MOTORS

10.6. Unit 20b Abbey Industrial Estate, Mount Pleasant, Wembley, HA0 1NR is the address at which ROJ Motors is reported to operate from.

10.6.1. ROJ motors is alleged to have provided storage and repair services in the following:

- i. Case 11 Hashimi Al Hashimi.
- ii. Case 12 Bakiyar Abdulla and
- iii. Case 18 Waleed Hayder Mohamed.

10.6.2. Searches for ROJ Motors have produced no results whatsoever.

10.6.3. ROJ Motors is not a limited company, therefore there is no information available on the Companies House database.

10.6.4. Online searches for ROJ Motors have produced no results whatsoever.

10.6.5. An invoice for storage and recovery charges from ROJ Motors has been provided in Case 11, Case 12 and Case 18 on which the contact number “02089031259” was provided.

10.6.5.1. A Google search was carried out for the telephone number ‘02089031259’ which shows the owner of the telephone number is a business under the name of ‘JJ Motor Body Repairs’ located at 23a Abbey Industrial Estate, Mount Pleasant, Alperton, Wembley, HA0 1RA.

10.7. A further Google search was carried out for ‘20b Abbey Industrial Estate’:

10.7.1. A Google image show the address ‘20b’ on the Abbey Industrial Estate.

10.7.2. There is no signage to confirm that ROJ Motors operates from this location.

10.8. Unit 9B Abbey Industrial Estate, Mount Pleasant, Wembley, HA0 1NR is the address given for the storage and inspection location for the Claimant's vehicle in Case 3 and Case 20.

10.9. Unit 9a Abbey Industrial Estate Mount Pleasant Wembley HA0 1NR is the same address as Dimaa Motors Limited which was the garage used in Case 3:

10.9.1. Dimaa Motors Limited is directed by Zhraa Alghafagi, one of the three claimants in Case 3 and is also the garage used by the First Claimant in Case 3.

NOEL KHUASHABA

10.10. The address of Sabre House, 1 Belvue Road, Northolt, UB5 5QJ used by Hano Autos is connected to Noel Khuashaba.

10.11. Noel Khuashaba was previously or is still the director of the following companies:

aa. First Fast Repairs Limited (Company Number 11311526) is registered at Unit 4 Sabre House, 1 Belvue Road, Northolt, UB5 5QJ.

bb. Fast Ten Limited (Company Number 09788865) is registered at Sabichi House 5 Wadsworth Road, Perivale, Greenford, Middlesex, UB6 7JD.

cc. Club 10 Limited (Company Number 14001416);

- dd. Fast Performance Limited (Company Number 09410193) is registered at Sabichi House 5 Wadsworth Road, Perivale, Greenford, Middlesex, UB6 7JD.
- ee. B H Car Repairs Limited (Company Number 09128288) is registered at 44 Bideford Avenue, UB6 7PP.
- ff. Expert Rock Limited (Company Number 09670400).

- 10.12. Fast Ten Limited carried out repairs and provided the invoice in Case 29. The contact number on that invoice “07551511515” is registered to Mousa Mohamad Issa.
- 10.13. Noel Khuashaba and Ghaith Al-Waili were both directors of Expert Rock Limited. The two are also ‘friends’ on Facebook.

GHAITH AL WAILI

- 10.14. Ghaith Al Waili is also a director of Wish Lounge Limited along with Alexander Reed, at the registered address of Unit 2 Belvue Road Belvue Road, Northolt, UB5 5QJ.
- 10.15. The advertised address of Wish Lounge Limited is Johnsons House, Johnsons Way, Coronation Road, Park Royal, London, NW10 7PF.
 - 10.15.1. An Instagram account for Wish Lounge Limited has been identified under the account @wishlounge.
 - 10.15.1.1. Wish Lounge Limited’s Instagram profile is friends with the following:
 - i. Biar Hawaizi;
 - ii. Noely.88 an Instagram account linked to Noel Khuashaba;

- iii. Berkeleymotorslimited;
- iv. Vip_supercars;
- v. Itzmazzz – This appears to be the same Instagram account for Mazlum Bahceci but he has amended the profile name from @mazlumbahceci to @itzmazzz.Document.

10.15.2. Ghaith Al-Waili is friends on Facebook with Samatar Jama (Tesco driver in Case 1).

10.15.3. Ghaith Al Waili is the project manager at Petrichor Designs Limited.

10.15.3.1. The Instagram account for Petrichor Designs Limited is @p.designsltd. It can also be seen from document that the Facebook profile, confirms that he is a project manager for Petrichor Designs Ltd.

10.15.3.2. The followers of Petrichor Designs Limited can be seen on the account. The account is followed by the following Instagram accounts: -

- i. Itzmazzz – account of Mazlum Bahceci. It can plainly be seen that all of the images, including the profile image of the account are of Mazlum Bahceci as can be cross referenced with those images of Mazlum Bahceci.
- ii. Mrswisss – account associated with Samatar Jama.
- iii. Mr_b1arx – account associated with Biar Hawaizi.

10.15.3.3. Mazlum Bahceci Claimant in Case 1 received a payment from Al-Waili GM in the sum of £81.90 on 01 August 2019.

10.16. The address for Wish Lounge, Belvue Road, Northolt, UB5 5QJ is the same address of B1 Capital Cars Limited which is controlled by Biar Hiawazi.

BIAR HAWAIZI

10.17. Biar Hawaizi is or has been the director of the following companies:

- aa. B1 Capital Cars Limited (Company Number 09739859) which is now registered at Sabichi House 5 Wadsworth Road, Perivale, Greenford, Middlesex, UB6 7JD.
- bb. Antonella Wine Bars Limited (Company Number 07002654).
- cc. A1 Performance Solutions Ltd (Company Number 07002654) which previously had a registered address of 44 Bideford Avenue, UB6 7PP.
- dd. BH Cars Limited (Company Number 09127857) which is now registered at Sabichi House 5 Wadsworth Road, Perivale, Greenford, Middlesex, UB6 7JD.
- ee. BH Car Repairs Limited (Company Number 09128288) which previously had a registered address of 44 Bideford Avenue, UB6 7PP.
- ff. Fast Ten Performance Limited (Company Number 09410193) which is registered at Sabichi House 5 Wadsworth Road, Perivale, Greenford, Middlesex, UB6 7JD.

- gg. Auto Empire Limited (Company Number 09961022) which is registered at Sabichi House 5 Wadsworth Road, Perivale, Greenford, Middlesex, UB6 7JD.
 - hh. Berkeley Motors Limited (Company Number 10472101) which is now registered at Sabichi House 5 Wadsworth Road, Perivale, Greenford, Middlesex, UB6 7JD.
 - ii. B1AR X Logistics Limited (Company Number 11309385) which is registered at Unit 4 Sabre House, 1 Belvue Road, Northolt, UB5 5QJ.
 - jj. Eagle Coachcrafts 007 Limited (Company Number 06597739) which previously had the registered address of 42 Bideford Avenue, UB6 7PP.
- 10.18. Eagle Coachcrafts 007 Limited which now has the registered address of The Pavilion, Rosslyn Crescent, Harrow, HA1 2SZ. Biar Hawaizi was the Company Secretary for this company.
- 10.18.1.1. The Companies House record for Logistic Solutions 613 Ltd shows the previous registered address is The Pavilion, Rosslyn Crescent, Harrow, HA1 2SZ.
- 10.18.1.2. Logistic Solutions 613 Limited is dealt with at 37.1.6.2 above.
- 10.18.1.3.44 Bideford Avenue, Perivale, Greenford, UB6 7PP is the address for the following companies controlled by Biar Hawaizi, Noel Khuashaba and Bower Lally as follows:
- i. B H Car Repairs Ltd
 - ii. A1 Performance Solutions Ltd
 - iii. B & L Bodywork Ltd.

10.18.1.4. Logistical Solutions 613 Limited was also registered at 40 – 44 Bideford Avenue.

10.19. B H Car Repairs Limited and Fast Ten Performance Limited were both directed by Biar Hawaizi and Noel Khuashaba.

10.20. B1 Capital Cars Limited (run by Biar Hawaizi) had a policy of insurance on which vehicle registration KT15 USG was insured.

10.20.1. Alexander Reed (Claimant in Case 9) purchased vehicle KT15 USG on 02 November 2018.

10.20.2. KT15 USG is the vehicle Alexander Reed (Claimant in Case 9) was driving in his collision with the Tesco Driver Mubarik Quaaaje.

BOWER LALLY

10.21. Bower Lally and Biar Hiawazi both operate motor trade business from the address Belvue Road, Northolt, UB5 5QJ and 5 Sabichi House, Wadsworth Road, Perivale, Greenford, UB6 7JD, as set out below.

10.22. The address of Sabre House, Belvue Road, Northolt, UB5 5QJ and 42 & 44 Bideford Avenue, UB6 7PP are connected to Bower Lally as set out below.

10.23. Bower Lally is registered as the director of the following companies:

aa. BL Motors Limited registered address is Sabre House, Unit 1, Belvue Road, Northolt, UB5 5QJ. The company has previously had registered office address as follows:

- 100c Welley Road, Staines, TW19 5HQ between 13/11/2018 and 14/01/2019,

- Sabichi House, 5 Wadsworth Road, Perivale, Greenford, UB6 7JD between 14/01/2019 and 05/06/2019,
 - 7 Essex Park Mews W3 7RJ between 05/06/2019 and 29/09/2020.
- bb. HR Smith Limited registered at the address of Unit 1 Sabre House, Belvue Road, UB5 5QJ. Bower Lally was the sole director.
- cc. B & L Bodywork Limited registered at the address of 44d Bideside Avenue, Perivale, Uxbridge, UB6 7PP which does not appear to exist.
- However, upon searching the postcode it appears that the address is in fact 'Bideford Avenue UB6 7PP'.
 - 42 & 44 Bideford Avenue, UB6 7PP are registered office addresses for companies run by Noel Khuashaba and Biar Hawaizi as detailed above.
- dd. OK Valeting London Limited at the address of 36-39 The Green, Southall, UB2 4AN. The company remains active. Bower Lally is the sole director from the incorporation date until present.
- OK Valeting London Limited featured in the recent claim by Bower Lally against Tesco, accident dated 21/02/2022.
 - Carter Motors Limited.
- 10.24. Bower Lally is the Claimant in Cases 14 and 15. Bower Lally brought a further claim against Tesco in February 2022.
- 10.25. In Case 14 Bower Lally was driving a Mercedes Benz registration YE64 ZNT which he became the registered keeper of on 17.11.2014. Bower Lally entered into a finance agreement for the Vehicle on 20.05.2016.

- 10.25.1. On 16.01.2017 Bower Lally had a collision with a Tesco vehicle. Noel Khuashaba purchased the Mercedes Benz registration YE64 ZNT from Bower Lally on 31.03.2017.
- 10.26. In Case 15 Bower Lally provided an invoice from Hano Autos UK Limited for vehicle repairs showing the address 2 Creek Road, Deptford, London SE8 3EL. Blake Assessors reported the Claimant's Vehicle was stored at Carter Motors, Unit 7 Sabre House, Belvue Road, London, UB5 5QJ.
- 10.27. 100c Welley Road, Staines, TW19 5HQ is the address of BL Motors Limited (run by Bower Lally) and is also the registered address of R & A Repairs Limited which is directed by Rinas Ahmed.

RINAS AHMED

- 10.28. Rinas Ahmed is the Director of R & A Repairs Limited of 100 Welley Road, Wraysbury, Staines-upon-Thames, TW19 5HF which is the same address as BL Motors Limited (run by Bower Lally).
- 10.29. Rinas Ahmed is also the Claimant in Case 16 who collided with Tesco Driver Rakesh Lakhman.
- 10.29.1. R & A Repairs Limited is the name of the policy holder which insured vehicle registration M88 BWR which collided with Mohammed Namdar – Claimant in Case 2 in his previous accident on 20.04.2019.
- 10.29.2. In respect of the vehicles insured by R&A Repairs Limited it is worthy of note that:
- 10.29.2.1. A DPA from Aviva reveals that M88 BWR is a BMW 120 with which Namdar collided in the Aviva incident on 20/04/2019. M88 BWR was added to the Aviva

policy for R & A Repairs Limited on 12/03/2019 and was removed on 08/07/2019.

10.29.2.2. M88 BWR was also insured on an AXA Policy under policy number A19/07RR0073290 in the name of Bower Lally t/a B&L Motors' with an address of 4 Chatsworth Road, Hayes, UB4 9ES. The vehicle was marked as 'proposers own' and was insured on the AXA policy between 05/06/2019 and 06/06/2019.

10.29.2.3. W8 BWR a Mercedes C220 AMG was insured on the R & A Repairs Limited policy over 2 periods as follows: 12/03/2019 until 18/03/2019 and 13/05/2019 until 12/06/2019.

10.29.2.4. The same vehicle, a Mercedes C220 AMG registration number W8 BWR was also insured for Bower Lally t/a B&L Motors policy. The vehicle was marked as 'sales' and was insured on the policy between 22/02/2019 and 14/05/2019.

10.29.2.5. Rinas Ahmed and Bower Lally have therefore owned and insured the same vehicles M88BWR and W8BWR on policies of insurance with separate companies.

Appendix 2

