

# THE HIGH COURT

[2022] IEHC 388  
[Record No. 2019/121P]

BETWEEN

MICHAEL BUTLER

PLAINTIFFS

AND

THE MINISTER FOR JUSTICE AND EQUALITY, IRELAND AND THE  
ATTORNEY GENERAL

DEFENDANTS

## **SUPPLEMENTAL JUDGMENT of Ms. Justice Stack**

**delivered on the 24<sup>th</sup> day of June, 2022.**

### **Introduction**

1. This judgment is supplemental to a judgment delivered 4 May, 2022, in these proceedings and entitled “Michael Butler and William Butler, Plaintiffs, and the Minister for Justice and Equality, Ireland and the Attorney General”. I will refer to that judgment as the “principal judgment”.

2. At a hearing to deal with the costs of the proceedings which took place on 21 June, 2022, it was brought to my attention by counsel for the Defendants that, while the Amended Plenary Summons served on foot of an Order of the Master of this Court dated 16 February, 2020, and indeed the Order of the Master of 16 February 2020, both referred in their respective titles to Michael Butler and William Butler as plaintiffs, Mr. William Butler had never been joined as a party to the proceedings.

3. Working from the amended plenary summons, I entitled my principal judgment to refer to both Michael Butler and William Butler as plaintiffs and referred to them throughout my principal judgment as such.

4. Counsel for the Defendants points out that the Order of the Master does not purport to amend the title of the proceedings but only the general indorsement of claim. It would therefore appear that William Butler was erroneously named as co-plaintiff in the Order of the Master, the amended plenary summons, and subsequently the principal judgment.

5. Michael Butler appeared in person on 21 June 2022 and confirmed that William Butler, his brother, knows nothing about these proceedings and is entirely unaware of them.

6. I accordingly indicated that my principal judgment should be read as referring only to Michael Butler and that any Order made by me in these proceedings would be made against Michael Butler only, the sole plaintiff in these proceedings. I also indicated that I would put this decision in writing, which I am now doing in this supplemental judgment.