

Dublin firm secures freezing order over alleged failure to supply 1m facemasks

Lucan-based company has supplied masks to nursing homes and care facilities



Facemasks: it was agreed the Irish firm would pay €250,000 in advance, and a further €250,000 after the masks were delivered.
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A Dublin-based clothing supplier has secured a High Court order preventing a Dutch company reducing its assets below €250,000 as a result of its alleged failure to supply one million protective facemasks.

Uniformal Ltd secured various orders, including a mareva injunction, or freezing order, against Taurus Gemini Real Estate BV, known as the Gemini Group, based in Bergen in the Netherlands.

The order prevents the Gemini Group reducing its assets below €250,000. Uniformal claims its business has been damaged by the failure to supply the PPE or return the money it paid for the masks.

Purchase

The Lucan-based company has already supplied one million facemasks to various nursing homes and care facilities in Ireland since the Covid-19 outbreak began.

Represented by Arthur Cunningham, instructed by Peter Boyle & Company solicitors, Uniformal says it had agreed to purchase one million facemasks to be used as PPE from the Dutch company.

It was agreed the Irish firm would pay €250,000 in advance, and a further €250,000 after the facemasks were delivered.

The delivery was due to take place in late April.

The masks were to be sourced in China, and were to be delivered a few days after the first payment was made.

Uniformal says the masks never arrived and it was initially told by the Dutch company the original consignment from China was

very poor quality.

Uniformal said Gemini's CEO informed the Irish firm it had asked the Chinese manufacturers to send a new batch of facemasks as replacements.

Uniformal were unhappy with this proposal and asked for its money back.

Over the month of May the parties corresponded with each other on many occasions.

Uniformal said Gemini had said the masks would be delivered to Dublin Airport on May 10th and then May 22nd but they never arrived.

Refund

While the Gemini group was initially opposed to returning the money it subsequently said it was disposed to refund the Irish company its €250,000, Uniformal said.

The money has not been refunded, it said.

It is also alleged, in relation to the May 22nd date for arrival of masks, Gemini provided Uniformal documents that falsely claimed to be proof of customs clearance.

Uniformal have made a complaint to the Garda, and an investigation is under way.

Mr Justice Richard Humphreys granted, on an ex-parte basis, an injunction freezing Gemini's assets below €250,000 and returned the matter to later this week.

In its case, Uniformal is also seeking an order directing the defendant to return the €250,000 it paid for the facemasks, in accordance with an agreement of April 20th last.

<https://www.irishtimes.com/news/crime-and-law/courts/high-court/dublin-firm-secures-freezing-order-over-alleged-failure-to-supply-1m-facemasks-1.4273720>
