

Message

From: Jane MacLeod [redacted]
Sent: 10/04/2019 16:52:24
To: Andrew Parsons [/o=Exchange-Org/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ad9ed344815e47e4aaa3c0e7e1740919-Andrew Pars]
CC: Rodric Williams [redacted]
Subject: RE: Recusal judgement [WBDUK-AC.FID26896945]

Wonderful – thank you (and very good news about Mia!)

Jane MacLeod

GRO

From: Andrew Parsons [redacted]
Sent: 10 April 2019 16:06
To: Jane MacLeod
Cc: Rodric Williams [redacted]
Subject: FW: Recusal judgement [WBDUK-AC.FID26896945]

Jane

See below. LGQC is sticking with "strong" prospects of success.

Ps. I'm ok for the meeting with AI tomorrow.

GRO

A

Andrew Parsons

Partner
Womble Bond Dickinson (UK) LLP

d: [redacted]
m: [redacted]
t: [redacted]
e: andrew.parsons@wbd.com [redacted]

[Manage your e-alert preferences](#)



womblebond Dickinson.com



From: Anthony Grabiner [redacted]
Sent: 10 April 2019 15:58
To: Andrew Parsons [redacted]
Cc: David Cavender [redacted]; Gideon Cohen [redacted]; Owain Draper [redacted]; Amy Prime [redacted]; Tom Beezer [redacted]; David Neuberger [redacted]
Subject: Re: Recusal judgement [WBDUK-AC.FID26896945]

Dear Andrew,

I haven't downgraded anything. 'Reasonable' was not my word. I believe we have a strong case because the

Judge decided more than he should have done or was necessary for him to decide at the Common Issues trial. He was asked on many occasions both before and during the trial to take great care not to trespass into the territory of the future cases and I believe that he wrongly failed to heed that request. Many of his observations are expressed as firm conclusions rather than cautious preliminary expressions of current thinking and that point was not seriously challenged by the other side in the recusal hearing. If he had case managed the litigation in a more disciplined way all this could have been avoided.

The latest recusal judgment is an aggressively strong defense by the Judge of his personal position. This is not surprising. He dug himself into it in the first place and he's now in the business of digging himself out. The collective view of the team - having observed him during the trial - was that this is what he would do and his refusal to recuse himself coupled with his refusal to give leave to appeal against that judgment was predicted by the team. As previously explained I also believe that in all the circumstances Post Office has no real alternative choice but to pursue appeals to the Court of Appeal against both the recusal and the Common Issues judgments.

All that said, and as previously advised, I cannot give a guarantee of success in the Court of Appeal. There are always risks associated with litigation. I think Lord Neuberger's view on prospects should also be sought by the clients.

Regards,

Tony

Lord Grabiner QC
One Essex Court,
Temple,
London, EC4Y 9AR

Tel **GRO**
Mob

On 10 Apr 2019, at 13:06, Andrew Parsons <**GRO**> wrote:

Tony – do you have any comment on the question below? If you read up from the bottom of this short email chain this should hopefully make sense.

Kind regards
Andy

Andrew Parsons
Partner
Womble Bond Dickinson (UK) LLP

d:
m:
t:
e: **GRO**

GRO
andrew.parsons **GRO**

Manage your e-alert preferences<<https://www.womblebond dickinson.com/uk/preferences>>

<image181b8d.PNG><<http://>>

womblebond dickinson.com<<https://www.womblebond dickinson.com>>

<imagec0c780.PNG><https://www.twitter.com/wbd_uk>

<image003136.PNG><<https://www.linkedin.com/company/womble-bond-dickinson-uk-llp/>>

From: Jane MacLeod

GRO

Sent: 10 April 2019 13:00

To: Andrew Parsons

GRO

Cc: Rodric Williams

Subject: RE: Recusal judgement [WBDUK-AC.FID26896945]

Hi Andy

Sorry to be petty – LGQC told me when I met him (feels like ages ago) that we had ‘strong grounds’ to bring the application for recusal. When I challenged him on what our prospects of success were, he said (not an exact quote) he wouldn’t say ‘strong grounds to bring the application’, unless there were strong prospects of success

That now seems to be down graded to ‘reasonable’If that is deliberate then I need to be able to explain to the Board why.

Sorry

Jane

Jane MacLeod

GRO

From: Andrew Parsons

GRO

Sent: 10 April 2019 11:23

To: Jane MacLeod

GRO

Cc: Rodric Williams

GRO

Subject: RE: Recusal judgement [WBDUK-AC.FID26896945]

Jane

Counsel's view on the prospects of success on appeal has not materially changed following the recusal judgment. They continue to believe the appeal has a reasonable prospect of success. If anything, Fraser has said a few things in the judgment that may even help demonstrate apparent bias.

Kind regards

Andy

Andrew Parsons

Partner

Womble Bond Dickinson (UK) LLP

d:
m:
t:
e:

GRO

andrew.parsons@

GRO

Manage your e-alert preferences<<https://www.womblebonddickinson.com/uk/preferences>>

<image001.png><http://>

womblebonddickinson.com<<https://www.womblebonddickinson.com>>

<image002.png><https://www.twitter.com/wbd_uk>

<image003.png><<https://www.linkedin.com/company/womble-bond-dickinson-uk-llp/>>

From: Jane MacLeod <GRO>
Sent: 10 April 2019 07:50
To: Andrew Parsons <GRO>
Cc: Rodric Williams <GRO>
Subject: Recusal judgement

Andy

Now that the Counsel team have had a chance to review yesterday's judgment, is there anything in that which changes their view of the prospects on appeal? I have been specifically asked this by the Board so an early answer would be helpful!

Thanks

Jane

Jane MacLeod
Group Director Legal, Risk & Governance
Post Office

GRO

This email and any attachments are confidential and intended for the addressee only. If you are not the named

recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender by reply email and then delete this email from your system. Any views or opinions expressed within this email are solely those of the sender, unless otherwise specifically stated.

POST OFFICE LIMITED is registered in England and Wales no 2154540. Registered Office: Finsbury Dials, 20 Finsbury Street, London EC2Y 9AQ.

"Post Office Limited is committed to protecting your privacy. Information about how we do this can be found on our website at www.postoffice.co.uk/privacy<<http://www.postoffice.co.uk/privacy>>"

Please consider the environment! Do you need to print this email?

The information in this e-mail and any attachments is confidential and may be legally privileged and protected by law. jane.macleod [GRO] only is authorised to access this e-mail and any attachments. If you are not jane.macleod [GRO] please notify andrew.parsons [GRO] [GRO] as soon as possible and delete any copies. Unauthorised use, dissemination, distribution, publication or copying of this communication or attachments is prohibited and may be unlawful. Information about how we use personal data is in our Privacy Policy<<https://www.womblebond dickinson.com/uk/privacy-policy>> on our website.

Any files attached to this e-mail will have been checked by us with virus detection software before transmission. Womble Bond Dickinson (UK) LLP accepts no liability for any loss or damage which may be caused by software viruses and you should carry out your own virus checks before opening any attachment.

Content of this email which does not relate to the official business of Womble Bond Dickinson (UK) LLP, is neither given nor endorsed by it.

This email is sent by Womble Bond Dickinson (UK) LLP which is a limited liability partnership registered in England and Wales under number OC317661. Our registered office is 4 More London Riverside, London, SE1 2AU, where a list of members' names is open to inspection. We use the term partner to refer to a member of the LLP, or an employee or consultant who is of equivalent standing. Our VAT registration number is GB123393627.

Womble Bond Dickinson (UK) LLP is a member of Womble Bond Dickinson (International) Limited, which consists of independent and autonomous law firms providing services in the US, the UK, and elsewhere around the world. Each Womble Bond Dickinson entity is a separate legal entity and is not responsible for the acts or omissions of, nor can bind or obligate, another Womble Bond Dickinson entity. Womble Bond Dickinson (International) Limited does not practice law. Please see www.womblebond dickinson.com/legal<<http://www.womblebond dickinson.com/legal>> notices for further details.

Womble Bond Dickinson (UK) LLP is authorised and regulated by the Solicitors Regulation Authority.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>
