

Message

From: Mark Underwood [GRO]
on behalf of Mark Underwood [GRO]
Sent: 02/04/2019 07:21:58
To: Rodric Williams [GRO]; Jane MacLeod [GRO]
CC: Ben Foat [GRO]
Subject: Re: Recusal Application - Claimants' Statement of Costs

Hi Rod,

My view is that the business understands we are at risk for the other sides costs in this litigation and all of the related hearings. As such, I do not believe anyone outside of this copy list needs to be involved. I will however flag it to Stuart Nesbitt as we have done previously.

In terms of what we include in our statement of costs. I would not include the Grabiner advisory work - I cannot see us being awarded costs for this hearing so do not see the upside of doing so - just criticism.

As an aside, previously it has been mentioned that Freeths have doubled their rates, specifically for this litigation - is that true? If it is, have we considered airing this somehow?

Speak later

Mark

Mark Underwood
Portfolio Director: Legal, Risk & Governance
[GRO]

From: Rodric Williams [GRO]
Sent: Monday, April 1, 2019 5:02 pm
To: Jane MacLeod; Mark Underwood [GRO]
Cc: Ben Foat
Subject: Recusal Application - Claimants' Statement of Costs

Jane, Mark,

We have just received the Claimants' Statement of Costs for the Recusal Application (copy attached). These are filed for any substantive hearing, so that the Judge can decide whether costs should be awarded against a party and if so how much once the Application has been heard.

The Claimants are claiming **£315k**. These looks frankly incredible given the limited time, documents and law involved in the application, irrespective of how serious it is. That said, ours are likely to be at least comparable, and even higher given Lord Grabiner's fees.

The external team will work up points of challenge to these costs. They are also preparing our Statement of Costs, on which they will need instructions before filing tomorrow, e.g. do we claim Lord Grabiner's advisory work as well as his appearance on the application itself.

Who needs to be sighted on this issue and involved in the decision making?

Rod



Rodric Williams

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