

Message

From: Andrew Parsons [GRO]
Sent: 05/11/2017 21:29:18
To: Rodric Williams [GRO]; Jane MacLeod [GRO]; Mark Underwood [GRO]
Subject: RE: Counsel [BD-4A.FID26896945]

Rodric

Bringing in new Counsel now will inevitably shift the emphasis of POL's defence – this may be very minor or may be more material; its difficult to predict.

From the Court's perspective this will be manageable and any changes in approach / presentation will be understood because the Judge knows that he caused the problem with Tony's availability.

My greater concern is that these changes will not be understood at POL. There are lots of ways to present a case and a change of direction now may be misunderstood as meaning that the previous way was incorrect. I could see this causing quite a few headaches.

My view is that the potential benefits of a consistent approach with Tony outweigh the benefits of stability brought by bringing in Daniel now. I would therefore wait until later before picking a horse.

Andy

Andrew Parsons

Partner

Womble Bond Dickinson (UK) LLP

d: [GRO]
m: [GRO]
t: [GRO]
e: Andrew.Parsons [GRO]



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From: Rodric Williams [GRO]
Sent: 03 November 2017 17:33
To: Andrew Parsons; Jane MacLeod; Mark Underwood [GRO]
Subject: RE: Counsel [BD-4A.FID26896945]

One of my big pros for keeping Tony is that he settled the pleadings (including the two admitted implied terms) and set the strategy to give us the best chance of having our pleaded case prevail at trial. Against that is a new QC will have his views on how he would like the case to be shaped.

Andy - how real a concern do you think that is?

From: Andrew Parsons [GRO]
Sent: 03 November 2017 16:16
To: Jane MacLeod [GRO]; Rodric Williams [GRO]; Mark Underwood [GRO]
Subject: RE: Counsel [BD-4A.FID26896945]

Jane

Understood.

We'll prepare the pros and cons document.

A

Andrew Parsons

Partner

Womble Bond Dickinson (UK) LLP

d: **GRO**
m: **GRO**
t: **GRO**
e: Andrew.Parsons@wbd.com **GRO**



womblebond Dickinson.com



From: Jane MacLeod **GRO**
Sent: 03 November 2017 16:05
To: Andrew Parsons; Rodric Williams; Mark Underwood **GRO**
Subject: Counsel

Have just spoken to Paula – she is very nervous about taking any risk on Tony not being available, and wants to know why we wouldn't just change now?

I have said that there is a lot to do over the next few months and changing to a new counsel at this point would be problematic; timing is slightly quieter in May (when we would find out) and we believe there is sufficient time to get Daniel embedded then (although clearly there is risk with him continuing to be available).

Paula would like a further briefing – I suggest that we do a 'pros and cons' based on the WBD paper we looked at this morning. She is concerned that we will need to explain this at the November board and wants to make sure we have the right answers.

Sorry



Jane MacLeod

Group Director of Legal, Risk & Governance
Ground Floor
20 Finsbury Street
LONDON
EC2Y 9AQ

Mobile number: **GRO**

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