

Message

From: Parsons, Andrew [Andrew.Parsons@bond-dickinson.com] **GRO**
Sent: 28/11/2016 18:12:09
To: Jane MacLeod [jane.macleod@bond-dickinson.com] **GRO**
CC: Rodric Williams [rodric.williams@bond-dickinson.com] **GRO**; Mark Underwood [mark.underwood@bond-dickinson.com] **GRO**; Patrick Bourke [patrick.bourke@bond-dickinson.com] **GRO**; Rob Houghton [Rob.Houghton@bond-dickinson.com] **GRO**; Thomas P Moran [thomas.p.moran@bond-dickinson.com] **GRO**; Prime, Amy [Amy.Prime@bond-dickinson.com] **GRO**; Lukas, Elisa [Elisa.Lukas@bond-dickinson.com] **GRO**
Subject: RE: Letter to Freeths - legally privileged [BD-4A.FID26896945]
Attachments: _DOC_34439504(3)_Rider re Remote Access.DOCX

All

Please find attached the updated version of the Remote Access section for approval.

Kind regards
Andy

Andrew Parsons
Partner
Bond Dickinson LLP

Bond Dickinson

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Mobile: **GRO**
Office: **GRO**
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From: Parsons, Andrew
Sent: 28 November 2016 12:41
To: 'Jane MacLeod'
Cc: Rodric Williams; Mark Underwood@bond-dickinson.com; Patrick Bourke; Rob Houghton; Thomas P Moran; Prime, Amy; Lukas, Elisa
Subject: RE: Letter to Freeths - legally privileged [BD-4A.FID26896945]

All

Please find attached the updated "remote access" wording. The general direction of your comments was to be less apologetic in tone and less repetitive, both of which we've tried to accommodate in the attached.

The key issue is how far we want to go in accepting that incorrect statements have been made in the past. I believe that some of the drafting / tone changes are coming out of us not having a settled view on this issue. May I suggest that we discuss this point at 5pm with Tony and then we can finalise the drafting after that?

Kind regards
Andy

From: Jane MacLeod [mailto:jane.macleod@bond-dickinson.com] **GRO**
Sent: 28 November 2016 07:42
To: Parsons, Andrew
Cc: Rodric Williams; Mark Underwood@bond-dickinson.com; Patrick Bourke; Rob Houghton; Thomas P Moran; Prime, Amy; Lukas, Elisa
Subject: Re: Letter to Freeths - legally privileged [BD-4A.FID26896945]

Andy

In light of the comments received overnight, is it possible to look at 'just' the remote access wording and re-circulate that this morning? I would prefer not to circulate the wording from yesterday's draft more widely (Paula, Al, Mark D, Angela etc)

Could you let me know if this is possible?

Thanks

Jane

Jane MacLeod
General Counsel
The Post Office

GRO

Sent from my iPad

On 27 Nov 2016, at 09:39, Parsons, Andrew GRO wrote:

All

Please find attached a draft Letter to Freeths in response to their last substantive letter (copy also attached). This incorporates comments from Tony and Rod.

The majority of this letter addresses legal and procedural points. The key substantive area is section 9 on Remote Access (in particular, Rob, I'd be really grateful if you could review this section).

Following feedback from Deloitte, we cannot definitively say that PO (as distinct from FJ) never had the ability to change Horizon data because Deloitte and the current staff at FJ just don't have enough knowledge of Old Horizon to confirm this. This was a point made in an early draft but it has now been removed.

We have (I hope) now found a formulation of words that avoids having to overtly throw FJ to the wolves and avoids any risk of waiving privilege in any documents, but still gives us a fair story to tell. We have also toned down the admissions of making incorrect statements, though they are still there. I hope this might make it easier to get this letter cleared through GE and FJ.

We have a call scheduled for 5pm tomorrow with Tony which we can use to run through any comments. Comments by email before then are also welcomed.

The final version of the letter will be thoroughly proof read before sending so please ignore any typos.

Kind regards
Andy

Andrew Parsons
Partner
Bond Dickinson LLP

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<Letter of Response.pdf>

<_DOC_34430591(1)_Response to Letter of Reply_ 27 November 2016.DOCX>

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