
From: Jane MacLeod: [REDACTED] GRO
Sent: Mon 17/12/2018 3:38:07 PM (UTC)
To: Paula Vennells: [REDACTED] GRO; Alisdair Cameron: [REDACTED] GRO
Cc: Rodric Williams: [REDACTED] GRO
Subject: Board Report re Litigation CONFIDENTIAL AND SUBJECT TO LEGAL PRIVILEGE - DO NOT FORWARD.
Attachment: Board Report v 2 (17.12.18).docx

Paula, Al

Attached for your information is a summary of the current position re the litigation which I propose to issue to the Board. It is very detailed, however there are a number of events that will happen between now and the next Board.

In particular, as you are aware, it is likely that we will receive the draft judgement during mid-late January and I have set out in the paper (see paras 4.7 and 4.8) proposals as to how any decision to appeal should be made (decision to be made by the Chairman, together with each of you, on advice from me and the legal team) . This process would be highlighted in the covering email. An equivalent report will be sent to UKGI.

The GC of UKGI – Richard Watson has asked us to summarise how we would reach this decision and we will arrange a briefing with him. While there are ‘limitless permutations’ of outcomes, and much will depend on the language and legal reasoning used by the Judge, we should be able to develop a matrix based on the contingency planning model as a guide as to how we would consider each finding.

The only challenge will be whether UKGI wants to be involved in the decision making, and I would welcome your thoughts on this. Ideally I would like to get this briefing to the Board before Friday.

Please let me have your thoughts.

Kind regards,

Jane



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