
From: Ben Foat [GRO]
Sent: Thur 23/05/2019 1:22:46 PM (UTC)
To: Alisdair Cameron [GRO]
Subject: Group Litigation- Legally Privileged - Highly Confidential

Hi Al

Just writing from the Court, Fraser J has unsurprisingly refused permission to appeal but perhaps more surprisingly will be allowing a cost order. After lunch, he will consider the basis of the costs order. The reason for making an order is that he wanted to exercise his discretion given the ultimate determination for claimants would not be until mid 2020. He took the view that although the action is not over (and therefore not determined) the common issue trial and what the contract means is over. We will find out the basis of the costs after lunch and then HSF and I are meeting Helen Davies QC later this afternoon. The relationship between Fraser and Cavanagh was strained at times. From what I saw told today a new QC will be needed for the remaining trials and Court of Appeal although we need to retain the corporate memory of Cavanagh in another way.

The concern (other than the obvious from the above) is that he will be publishing reasons which may again be another platform to comment adversely against Post Office.

Next steps:

1. Seek permission to Appeal (substantive appeal and costs potentially) to Court of Appeal ;
2. Resumption of the Horizon trial will continue

I will update you properly after today but thought you might appreciate the heads up.

Kind regards

Ben Foat
Legal Director
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[GRO]