

## Minutes of Meeting

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| GLO CONTINGENCY PLANNING GOVERNANCE                                                                                                                                                                               |  |
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| Finsbury Dials / Telephone Conference                                                                                                                                                                             |  |
| 8 July 2019 ; 16:00pm                                                                                                                                                                                             |  |
| <b>Attendees:</b> , Rodric Williams (RW), Ben Foat (BF), Angela Van Den Bogerd (AVDB), Aimee Daughters (AD), Alan Watts (AW), Tom Henderson (TH), Kate Emanuel (KE), Andy Parsons (AP) and Shushma MacGeoch (SM). |  |
| <b>Apologies:</b> Mark Underwood (MU) and Zoe Brauer (ZB)                                                                                                                                                         |  |

Agenda

|   |                                          |
|---|------------------------------------------|
| 1 | <b>Court Actions</b>                     |
| 2 | <b>Individual Claimant Case Profiles</b> |
| 3 | <b>Settlement</b>                        |
| 4 | <b>ARA</b>                               |
| 5 | <b>Operational Updates</b>               |
| 6 | <b>A.O.B</b>                             |

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| 1 | <p><b><u>Court Actions</u></b></p> <p><u>Horizon Issues Trial</u></p> <ul style="list-style-type: none"> <li>Few housekeeping items to be completed once Tony returns from leave, updates to be given when necessary.</li> </ul> <p><u>Further Issues Trial</u></p> <p>Position on directions ahead of 21/23.07.17</p> <ul style="list-style-type: none"> <li>Discussions ongoing as to agreed approach for proposed directions</li> <li>Need to consider whether we put more responsibility on claimants to provide more than just 'we shall look at it in September' response</li> <li>At the moment there are no directions in place regarding preparation of Trial Three from now until October which is a genuine concern. There simply isn't enough time to adequately prepare for a March trial if directions only start in October</li> <li>WBD and HSF have a meeting on 10 July to discuss Trial 3. On the back of this we can expect a proposal as to what the best direction is for Trial 3. <b>See Action 1.</b></li> </ul> <p>Merits Opinion on Limitation</p> <ul style="list-style-type: none"> <li>Being prepared in response to a request from the Board Subcommittee</li> <li>Merit paper on limitations of the issues of breach. TO be a structured note to help Post Office understand the issues and a rough framework of points on breach.</li> <li>BF has asked that this be delivered in final form for Monday 15 July in conjunction with Tom Cooper returning from leave.</li> <li>AP to check in with counsel regarding time line. <b>See Action 2.</b></li> </ul> |
| 2 | <p><b><u>Individual Claimant Case Profiles</u></b></p> <p><u>Common Issues Lead Claimants</u></p> <ul style="list-style-type: none"> <li>Four out of the six papers have been finalised, two are to follow (Stockdale and Sabir). Working drafts have been completed, AP to circulate by end of this week.</li> <li>Meetings being diarised to take Tom Cooper through the papers.</li> </ul> <p><u>Wider Claimant Group</u></p> <ul style="list-style-type: none"> <li>Deep dive review into the wider claimant group answers both a challenge from the Board and allows us to approach settlement from an informed stand points.</li> <li>WBD to finalise the paper by the COP 12 July.</li> <li>Quantum review – HSF to provide review that looks into what the claimants are claiming, against</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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|          | <ul style="list-style-type: none"> <li>heads of loss we think are legally recoverable and what those sums equal in reference to our own data. Currently working on data transfer, once received assumption of an 8 day turnaround.</li> </ul> <p><u>Criminal cases</u></p> <ul style="list-style-type: none"> <li>KE and RW picking up and putting in place a plan as to how best to proceed with the criminal cases.</li> <li>RW to circulate previous advice received from Counsel. <b>See Action 3.</b></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>3</b> | <p><b>Settlement</b></p> <ul style="list-style-type: none"> <li>WBD have received a response from Freeths to say that they are interested in mediation, however the will not be engaging until the Horizon judgment has been received and the result of permission to appeal.</li> <li>BF – this time should allow us the opportunity to complete the work that will allow us to be entirely prepared for settlement discussions e.g. wider claimant group review, how we deal with future claims etc</li> <li>RW – this work is to be completed in this period, however the concern is regarding Trial 3 and the directions. Work will have to be completed in parallel.</li> <li>There is concern that the claimants are using Horizon Judgment and Appeal permission as excuses to postpone mediation.</li> <li>AW – decision needs to be made as to whether we push back on the letter. Appreciate that they want to wait, however the process should be started. The September meeting should still go ahead as it can be used to set parameters and progress mediation rather than waiting until October to do anything, however if they don't agree to this unfortunately there is little we can do.</li> <li>AP - any pushback should include reference to the costs. J.Fraser has raised concern with rising costs and the sooner settlement discussions occur the more chance of putting a stop to various costs being incurred.</li> <li>AW – any prevention of settlement is likely to come from the claimants. They have repeatedly raised that they are restricted in regards to budget and resource and this is likely to come up again.</li> <li>RW – are we entirely sure the claimants want to mediate, there seems to be no pressure from the claimants and no impression from Freeths either.</li> <li>AP – a potential reason for current lack of interest could be budget restrictions. The £5.7million is locked in a client account until the appeal has been dealt with and they might not just have the funds for mediation over the summer.</li> <li>BF has emphasised the need to put the Settlement Plan together that needs to make clear to the Board the reasons that Post Office might not be successful in settlement.</li> </ul> |
| <b>4</b> | <p><b>ARA</b></p> <ul style="list-style-type: none"> <li>Constructive discussions with PWC are taking place.</li> <li>Although attempt has been made to make a provision in accounts, we just cannot justify that there will be a probable economic outflow.</li> <li>Likely that this decision will be tested, however confident that the paper produced provides clear evidence that by the date when the Board sign off the accounts, there won't be enough clarity over a settlement figure to make a provision in the accounts.</li> <li>RW – potential for this position to be furthered by evidencing Freeths letter that states they aren't looking to mediate until earliest October.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>5</b> | <p><b>Operational Updates</b></p> <ul style="list-style-type: none"> <li>Julie's team have contributed to GLO paper that sets out the operational timetable</li> <li>MU to circulate Board paper to SteerCo attendees. <b>See Action 4.</b></li> <li>Sarah Todd from Legal Team attended workshop at Chesterfield on 8 July to discuss the work to be completed on deductions from remuneration in regards to monthly shortfalls.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 6 | <p><b>A.O.B</b></p> <ul style="list-style-type: none"> <li>AP – bringing a paper to SteerCo group 11 January over clarity of counsel resourcing and the make up of the team.</li> <li>AP has confirmed that Helen is available for March Trial next year.</li> <li>23rd July Case Management Conference – junior counsel is having to attend as Helen and Tony not available.</li> </ul> <p><u>Resource management</u></p> <ul style="list-style-type: none"> <li>WBD – now that Horizon trial has come to an end, WBD team are happy with currently resource structure. This will need to be re-evaluated if a review of the wider claimant group is triggered.</li> <li>HSF – team are confident with current resource structure, but as above continue to monitor in light of work being received.</li> <li>BF – can we have a list of delegates to ensure there are no key person dependencies? <b>See Action 5.</b></li> </ul> |
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**Actions**

| No | Description                                                     | Owner              | Status |
|----|-----------------------------------------------------------------|--------------------|--------|
| 1  | Proposal on approach to Trial 3                                 | HSF & WBD          |        |
| 2  | Check in with timeline for merit opinion of limitation          | Andy Parsons (WBD) |        |
| 3  | Circulate previous advice on criminal cases provided by Counsel | Rod Williams       |        |
| 4  | Board paper to be circulated to SteerCo attendees               | Mark Underwood     |        |
| 5  | Provide list of delegates                                       | HSF & WBD          |        |

Author of Minutes: AD

Date: 8 July 2019

| No | Description                                                                                                           | Owner                                    |
|----|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| 1  | Set up meeting with Programme Directors to walk through timetable and overlay UKGI timetable                          | Post Office (Mark Underwood/Katy Thorpe) |
| 2  | Set up meeting to take UKGI through Counsels opinion on applicability of Public Pay Sector Guidance to Post Office    | Post Office (Mark Underwood/Katy Thorpe) |
| 3  | Revised draft of Framework Agreement to be provided                                                                   | UKGI                                     |
| 4  | Once decision is made regarding HoldCo, provide UKGI with legal note to provide assurance for the decision to be made | Post Office                              |
| 5  | Provision of example wording for contextual paragraph on Board responsibilities                                       | UKGI                                     |
| 6  | Send Tom Cooper's appointment letter over to Ben Foat                                                                 | UKGI                                     |