



Telephone attendance

Client: Royal Mail Group PLC Sub Postmaster Litigation

Matter: Mr Lee Castleton

Matter no: 348035.134

Attending:

Name: Thomas Bourne

Location: N/A

Date: 24 October 2006

Start time:

Units:

SJD3 attending OUT on Mandy Talbot from Counsel's chambers in London following the CMC Hearing.

SJD calling clients to update her on the position, that he had good news. SJD told MT about the other side's mistake over week 42, namely that they had thought there was a shortfall of £1,000 where in fact there had only been a shortfall of 60p. SDJ telling MT what the Master had said in relation to expert evidence to the Defendant's team, "you've nailed your colours to the mast." Telling MT that the Master was only letting the other side call expert evidence in relation to that week. SJD and MT agreed that that would cause the Defendant difficulties.

MT saying she could not believe the Defendant had got into this mess, and with their counter-claim too. Saying that the counter-claim hinged on the evidence of him being wrongfully dismissed.

MT telling SJD that she had learnt today about a witness called Bajaj in a case being dealt with by H James, currently giving evidence in a criminal trial listed for November. This was not a claim by the Post Office, he resigned with £8,000 outstanding but we have not issued as yet. As with others, we are waiting on the result of the Castleton case. MT saying that she thought this case was being bought by either the CPS or the Prosecution team, but on what basis she did not know. All agreeing that Bajaj is likely to pop up in our case as a witness for the other side.

MT recapped her understanding of the day's developments. SJD helping and saying that we are going to get BDO to get to grips with week 41 onwards. This will mean putting in the groundwork but being ready to respond to the other side's evidence when it is seen on 10 November. Nothing in this regard needs to be served by us until after we have seen the other side's evidence.

MT asking if there was any likelihood of receiving a settlement offer. Counsel replied that he had asked the Defendant's Counsel about our Part 30 offer, but that the other side's Counsel had not even heard about it. Counsel said that we would send a copy of it to the other side.

Richard Morgan saying that the Defendant's Counsel was very professional but was using the language of somebody with no belief in what he was saying. It seemed obvious to both sides that the counter-claim did not really stack up. Counsel also told MT that the High Court was happy to deal with this case, and that there was no need to have it transferred to the Central London County Court.

MT asking about the Defendant's insurance cover. SJD replying that it was before the event insurance, probably derived from the Defendant's household insurance cover; therefore there

was no premium to be recovered from us but the chance that we would be able to recover at least some of our costs or a higher proportion than we would have done having knowledge of his personal assets.

Telling MT that aside from our short time to respond to the Defendant's expert evidence, we were in a strong position. We would be able to restore and apply to vacate the trial date if we need more time to prepare on the basis that they have had months to prepare and we have only had 2 weeks to reply.

SJD then attending OUT on Geoff ? of BDO to give him the heads up re timetabling. SJD telling Geoff that the other side have been focussing on week 42 but that their expert is away for one week on holiday. SJD also telling of the timetable subsequent to the CMC.

SJD instructed Geoff to look at weeks 41-44 with a particular focus on 42. SJD saying that if Geoff had time to look further, that would be great. Warning Geoff that on 10 November we will forward the other side's report and that you will then have 2 weeks to respond. SJD requesting that Mike put in a budget for this work please. SJD warning that this whole process is not fixed in stone and that it could vary considerably when we see the report.

SJD saying that he will e-mail Geoff and Mike for confirmation of the above in writing.

Time engaged – including dictating – 2 units

TGB