

Nicola McSherry

From: Anne.Chambers [GRO]
Sent: 16 December 2006 15:30
To: Stephen Dilley
Cc: Chambers Anne O; brian.pinder [GRO]; peter.sewell [GRO]
mik.peach [GRO]; mandy.talbot [GRO]; graham.c.ward [GRO]
Tom Beezer
Subject: Re: URGENT Post Office Limited -v- Lee Castleton

Dear Stephen,

I do not myself have direct access to the archived system (Tivoli) event logs; they are held by our Security team and I have not looked at the logs for Marine Drive since 2004 (before they were archived), apart from checking 1st April 2004 following one of your queries the week before last. Until that point I was not aware that they were available. Obviously when questioned about them in court, I had to acknowledge that they were still available, even if not rechecked by me.

I will make sure your request has been received by the Security team on Monday.

Regards,

Anne.

From: Stephen Dilley[SMTP:]
Sent: Friday, December 15, 2006 6:11:17 PM
To: Chambers Anne O
Cc: Pinder Brian; Sewell Peter (FEL01); mandy.talbot [GRO]
graham.c.ward [GRO]; Tom Beezer
Subject: URGENT Post Office Limited -v- Lee Castleton
Importance: High
Auto forwarded by a Rule

Dear Anne,

Firstly, many thanks to you and Andy Dunks for attending Court to give evidence this week which was helpful. The judge has reserved his judgment which will probably be given in the new year. Thanks also to Brian and his team for helpfully providing information about the Falkirk branch on short notice.

In any litigation, the parties involved have a continuing obligation pursuant to the Court rules to disclose all documents that may help or hinder their case or the other side's case. In this context, a "document" means anything in which information of any description is recorded, so it includes, just for example, a computer database. Previously, I had asked Fujitsu to let me have all the info it had and had been helpfully given HSH call logs, transaction logs and events logs. I was also recently told that there was a message store which had everything else on it and we invited Mr Castleton to look at it this, but he didn't take up the opportunity.

However, whilst giving evidence you told the Court that there was also a different sort of events log, not included on the message store, that we had not seen or disclosed for the Marine Drive branch. Mr Castleton has telephoned me today and asked for a copy of this to be supplied to him immediately.

29/12/2006

The Court has ordered Mr Castleton to make any application for a resumed hearing resulting from the P.O's late disclosure of this document by 19 December. Going back to Court now the trial appears to be concluded is the last thing we want, but we will do this if we need to. I am not sure what application Mr Castleton would make. Possibly he may say his case was prejudiced by not having this information made available earlier.

I anticipate that nothing will probably turn on the document you referred to because you said it didn't contain any errors that would cause the losses, but the P.O are nevertheless under an obligation to supply it and if we don't, could face court sanction. Please can I therefore ask for it to be emailed to me as soon as possible on Monday morning so that I can in turn send it to Mr Castleton.

I look forward to hearing from you.

Kind regards,

Stephen Dilley
Solicitor
for and on behalf of Bond Pearce LLP

GRO

www.bondpearce.com

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