
From: Tom Wechsler[/O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=TOM WESCHLERB6B453BC-4132-4D59-815B-2562634EEA6B49C]
Sent: Mon 19/01/2015 4:36:32 PM (UTC)
To: Mark Underwood; [GRO] Patrick Bourke; [GRO] Belinda Crowe; [GRO] Rodric Williams
Subject: RE: Options

On your final option, we'd have to close the scheme to do that. There's no way JFSA or Second Sight would agree to denying applicants Second Sight's astonishing insights to their case. And I think (but don't presume to know) that Tony would want equality of treatment for applicants despite him probably wanting out of this Scheme too. So in reality, your option is Patrick's 5th option.

I still think we should get a handle on the numbers we would mediate under this option though. If large enough it might give the Board some comfort / resolve.

Tom Wechsler
[GRO]

From: Mark Underwood
Sent: 19 January 2015 16:30
To: Tom Wechsler; Patrick Bourke; Belinda Crowe; Rodric Williams
Subject: RE: Options

Hello,

Have any of these options below (or others?) been definitively refused by the board before? Or has it just been a case that they have said other options were better for the time being but that in the future they could potentially re-consider?

Just wary we don't offer options they have said 'no not ever' to again – if they exist?

The only thing I would add to the options below is, as noted by Tom, the exclusion of criminal cases or anyone who has acted in bad faith throughout. If we did include some kind of monetary related option – and though with no substance behind it - I would be minded to offer 10K. I think offering the extra 5K in the grand scale of things would be worth it when compared against the increased number of people accepting it that it would attract. 10K sounds far more weighty than 5k?

Or alternatively a new scenario whereby they can **either** accept 10k as a payout or 5K to litigate i.e. a merging of options 3 or 4.

One other option to consider – to speed things up and save on the operating costs – as POIRs are now all complete, could we identify any we think are suitable for mediation and offer to mediate prior to receiving any CRR from SS? Or are they too few and far between for this to be worthwhile?

Mark

From: Tom Wechsler
Sent: 19 January 2015 15:54
To: Patrick Bourke; Belinda Crowe; Mark Underwood1; Rodric Williams
Subject: RE: Options

I rather agree although would be keen to know how many we might offer mediation to and who they are (especially if

they've gone public).

I don't think the payout option works, especially in criminal cases and the continuing the status quo is unthinkable (at least it is for me)

Tom Wechsler

GRO

From: Patrick Bourke
Sent: 19 January 2015 15:50
To: Belinda Crowe; Tom Wechsler; Mark Underwood; Rodric Williams
Subject: RE: Options

Third time lucky....

From: Patrick Bourke
Sent: 19 January 2015 15:47
To: Belinda Crowe; Tom Wechsler; Mark Underwood
Subject: RE: Options

Copying Rod

I am beginning to think the last of these may in fact be the least worst option...no war chest for Edwin Coe LLP being a significant plus.

P

From: Patrick Bourke
Sent: 19 January 2015 15:42
To: Belinda Crowe; Tom Wechsler; Mark Underwood
Subject: Options
Importance: High

So, lucky old us – another options paper.

Having reviewed old work and blended it with what we know Paula thinks it must contain, I think I would focus on 5:

- Status Quo – all processes and approaches maintained
- Mediate all cases – or all cases except criminal as a variant
- Payout - £5k or more to settled all and any claims you may against POL. Any which don't take up, litigate as BAU
- 5K and litigate - £5k or more for the purposes of obtain professional support in the preparation of a claim against POL (or where convicted, an appeal and claim)
- Close Scheme but mediate those which we think ought to be – defend all against ensuing litigation as BAU

Other suggestions ? Thoughts ? Preferences ?

Cheers

P

Patrick Bourke

GRO