

**From:** Ben Foat  
**Sent:** Fri, 6 Dec 2019 18:27:35 +0000  
**To:** Cooper, Tom - UKGI  
**Cc:** Watson, Richard - UKGI  
**Subject:** RE: GLO - Mediation Update - confidential and legally privileged

Hi Tom

Apologies Tom - You're right. Technically the offer I make on Monday of [REDACTED] +5.5m will be subject to your approval. Therefore, you don't have to approve that over the weekend. The subsequent (final) offer which is envisaged to be made on Monday will require your formal approval. Of course, it is not currently possible to know what that is. It is likely to manifest by the mediators requesting the parties to split the difference. Once it is known then I will seek your formal approval (but will update Richard and yourself throughout the day).

Richard – we have again made the point about the funders authority to the otherside. The response is that “there is authority in the room” but it remains unclear (ie there is no actual confirmation) that the litigation funders have approved the deal. I appreciate that puts some uncertainty around their offers and that is part of the reason for our cautious approach to the offers.

Hope that helps.

Happy to discuss.

Kind regards  
Ben



**Ben Foat**  
Group General Counsel  
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**Mobile :** [REDACTED] **GRO**

**From:** Cooper, Tom - UKGI [REDACTED] **GRO**  
**Sent:** Friday, December 6, 2019 6:02:42 PM  
**To:** Ben Foat [REDACTED] **GRO**  
**Cc:** Watson, Richard - UKGI [REDACTED] **GRO**  
**Subject:** Re: GLO - Mediation Update - confidential and legally privileged

Ben

I thought the idea was that you'd ask for approval for whatever the final number is - ie we'd only give approval once not potentially multiple times.

Tom

Sent from my iPhone

On 6 Dec 2019, at 17:36, Ben Foat [GRO] wrote:

Hi Richard

Apologies for not copying you in. I'm afraid we will need those instructions over the weekend as per the note below.

Do let me know if you'd like to discuss.

Kind regards  
Ben

Ben Foat  
General Counsel  
Post Office Limited

[GRO]

**From:** Ben Foat [GRO]  
**Sent:** Friday, December 6, 2019 5:18 pm  
**To:** Tim Parker; Cooper, Tom - UKGI; Nick Read  
**Cc:** Watts, Alan; Emanuel, Catherine; Rodric Williams; andrew.parsons; Patrick Bourke; Melanie Corfield; Lord, William  
**Subject:** GLO - Mediation Update - confidential and legally privileged

All

The parties have made little progress today. The mediators have spent the majority of the day with the claimants again.

The claimants are at [REDACTED] + 5.5m CIJ costs. Post Office remains at [REDACTED] + 5.5m.

We have made it clear that the mediation will end COB Monday (as we need to put pressure on the claimants to respond and these proceedings do in fact need to end at some point particularly with the election and authority issues which that may cause).

Next Steps

1. We will respond to their amended settlement deed over the weekend and we have requested the other side to have their finalised position in relation to the settlement deed by Monday morning. I will make sure that the joint statement is provided to Patrick as soon as they have provided it us. They are yet to do so.

2. The parties will provide what they say are their proposed final offers (which are not necessarily the final offer in reality) to the mediators on a confidential basis. We are likely to go to [REDACTED] +5.5m CIJ costs such that if the other side does the same ie [REDACTED] +5.5m CIJ costs then ultimately the parties could spilt the difference at [REDACTED] +5.5m CIJ costs. Consequently, I will need authority from Tom, Tim and Nick over the weekend or first thing on Monday to make the offer of [REDACTED]. You will note that these amounts are within the authority provided by the Board Sub-Committee. I will also need Tom, Tim and Nick to be available to make any subsequent offers throughout the day on Monday.

Do let me know if you have any further queries in the meantime. Happy to discuss later this evening or over the weekend if you need.

Kind regards  
Ben

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