



GLO Litigation Activity Planning

Finsbury Dials / Telephone Conference

7 October 2019 ; 16:00pm

Attendees: Rodric Williams (RW), Kate Emanuel (KE), Shushma MacGeoch (SM), Angela Van Den Bogerd (AVDB), Zoe Brauer (ZB), Andy Parsons (AP), Amy Prime (AP), Alan Watts (AW)

Apologies: Ben Foat (BF), Aimee Daughters (AD), Mark Underwood (MU),

Agenda

1	Horizon Issues Trial - KEL Issue and Further Disclosure
2	Horizon Issues Trial - Judgment protocol
3	Horizon Issues Trial - Update on contingency planning
4	Board meeting on 29.10.19 – Quantum Analysis
5	Board meeting on 29.10.19 – Ops Workstream
6	Claimant Case Reviews
7	Permission to appeal
8	Mediation – Update ahead of Lawyers' Only meeting 10.10.19
9	Mediation – POL Participants
10	Mediation - Authority
11	Further Issues Trial (March 2020) - Disclosure
12	Further Issues Trial (March 2020) – Leading Counsel Selection
13	Further Issues Trial (March 2020) – Costs budgeting
14	Further Issues Trial (March 2020) – Security for Costs
15	Further Issues Trial (March 2020) – Particulars of Claim
16	SteerCo 10.10.19
17	AOB

1	<p>KEL disclosure</p> <ul style="list-style-type: none"> - WBD is currently checking the KELs for duplicates. The total number is expected to come down as a result of this exercise. - WBD to draft "chapter and verse" explanation as to why records are being deleted. - It was noted that there are concerns regarding accuracy of information as not all overwrites of the database has been accounted for. <p>Letter to Fujitsu</p> <ul style="list-style-type: none"> - Fujitsu have not appreciated the severity of the situation regarding the further disclosure. - It was agreed that this would be best landed if this were communicated CEO to CEO before a formal letter is sent to Fujitsu. - NRF has drafted a letter that reaches a "middle ground" between reserving our rights under contract and asking for assurances that this failure to disclose will not happen again. - HSF suggested that, if the Judge requires AP to submit another witness statement on this issue, a letter should be sent to Fujitsu to they are aware of this. - Sherrill recommended that the approach should be escalated to the Board. - Sherrill to draft an advice note to be handed to the Board including options and recommendations.
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Minutes of Meeting	Confidential / Legally Privileged/ Do not Share
2	<ul style="list-style-type: none"> - Judgment is not due until the end of October - Actions for the Judgment have been handed to board - Phone tree has been drafted by HSF who will distribute to the relevant contacts
3	<ul style="list-style-type: none"> - Communications are in progress. - Meetings are held weekly on Wednesdays. - Rod to send the Board report to AVDB and MU.
4	<ul style="list-style-type: none"> - HSF has drafted the Quantum Analysis. - HSF to provide to Rod for inclusion in the submission to the next board
5	<ul style="list-style-type: none"> - Work has progressed well on the Operations Workstreams but the report needs to be reformatted to be fit for purpose. - ZB and RW to discuss format offline.
6	<ul style="list-style-type: none"> - Progress report to be sent to RW by HSF.
7	<ul style="list-style-type: none"> - The plan of action needs to be submitted to the Sub-Committee and Board. - The dates for these are 22nd October and 29th October respectively. - It would need to focus on Lead Counsel's approach to the application.
8	<ul style="list-style-type: none"> - HSF and WBD to discuss on Wednesday 09.10.19 what should or should not be discussed at the premeeting and ensure attendees are on the same page - A good outcome from the premeet would be an understanding of the Claimant's governance processes, for example who has authority to settle the claim.
9	<ul style="list-style-type: none"> - HSF preference is that someone in the Operations/Branch Management teams is available on call to provide input if necessary - RW to discuss with AVDB attendance from POL
10	<ul style="list-style-type: none"> - No update
11	<ul style="list-style-type: none"> - RW has provided feedback on disclosure. - It was agreed that no further action needs to be made until Particulars of Claim have been made.
12	<ul style="list-style-type: none"> - The view is that Lead Counsel ought to be joined by a Junior - HSF to draft an explanation as to the decision of the Lead Counsel and confirm Lead's choice of Junior
13	<ul style="list-style-type: none"> - Budgets for the Further Issues Trial have been swapped between the parties. - Pushback from the Claimants is expected on the incurred costs for the witness statements given at the trial which did not come to light. - The deadline to challenge budgets is 16.10.19 – WBD to finalise our position and provide to POL for instruction.
14	<ul style="list-style-type: none"> - Agreed that this should not be submitted at this stage.
15	<ul style="list-style-type: none"> - Verbal update to be given to the Board which will allow any immediate challenge to be fielded. - AP to make a plan of updating the Board on this issue.
16	<ul style="list-style-type: none"> - Rod to circulate Agenda on Wednesday.
17	<ul style="list-style-type: none"> - Freeths sent a letter stating that a company claimant has assigned their claim to an individual. - WBD to investigate and follow up the letter.

Actions

Minutes of Meeting

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No	Description	Owner	Status
1	WBD to draft explanation for the deletion of duplicated KELs	AP	Ongoing
2	ST to draft advice note on discussing further disclosure with Fujitsu	ST	Ongoing
3	HSF to distribute Phone Tree to relevant contacts	KE	Ongoing
4	Rod to send the Board report to AVDB and MU	RW	Ongoing
5	HSF to provide Quantum Analysis to Rod	RW	Ongoing
6	ZB and RW to discuss format of the Operations Workstream offline.	ZB/RW	Ongoing
7	HSF to supply progress report on Claimant case review to Rod	KE	Ongoing
8	RW to discuss with AVDB to discuss who from POL (if anyone) should attend and who needs to be available for the mediation	RW/AVDB	Ongoing
9	HSF to draft explanation of choice in Lead Counsel and confirm Juniors attending	KE	Ongoing
10	WBD to finalise position on C's budget and provide to POL	AP	Ongoing
11	WBD to draft plan for when particulars of claim are received	AP	Ongoing
12	Rod to circulate Agend for SteerCo	RW	Sent on Wed 9 th October
17	WBD to investigate letter from Freeths re: company claimant		Ongoing

Author of Minutes: Alex Collins

Date: 7 October 2019