

Stephen Dilley

From: Tom Beezer
Sent: 24 November 2005 11:42
To: Stephen Dilley
Cc: Julian Summerhayes; Bob Heckford; Andrew Tobey; Simon Richardson
Subject: RE: Castleton - disclosure

good point
esp' the 2nd

bear it in mind and action (for my review) when reply from PO received.

I have spoken to other side on a WP basis.

A bit of a brutal but constructive call. He accepts (on a WP basis) that judgment will be set aside - he will "see what he can do" with his client - i.e. I think he now accepts that the full might of BP will wheel into action unless they consent to set aside. I think he would, but he has a stropy client to carry with him. We may...may...get somewhere on this in the next week or so.

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From: Stephen Dilley
Sent: 24 November 2005 11:36
To: Tom Beezer
Cc: Julian Summerhayes; Bob Heckford
Subject: Castleton - disclosure

Dear Tom,

I spent a huge amount of time yesterday going through every receipt we have received from the P.O with a fine tooth comb and attach a list of docs we have and are missing. As you can see from my earlier email of this morning, I've asked the P.O some questions about these docs.

There are 2 other points arising:

1. We have not sent to Mr C's solicitors all the receipts we are holding. However, we do appear have sent to them all those receipts that they have asked for and that we have received them from the P.O. This includes a limited number of daily balance snapshots. We could if we wanted to appear co-operative, volunteer further receipts, such as the Sales Reports and Miscellaneous Transactions etc listed in para 4 in the attached list.

2. More significantly, it is clear from both Castleton's experts reports that neither expert had seen the majority of the documents we sent to Castleton's solicitors as long ago as 16 February 2005. For example, we sent to them 14 weeks worth of cash accounts, 12 weeks worth of giro receipts and 12 weeks worth of declared cash receipts. Their expert only says he has seen a cash account for 1 week i.e week 49. This begs the question as to why they have not given their experts everything that we gave them. After all, their experts have asked for more info to be able to form a firmer view. This is a point we should raise with C's solicitors in correspondence BUT before we do so, I want the P.O to reply to my email today, so I can firstly bottom out whether the P.O did in fact remove more receipts from the Marine Drive branch than it has sent to us or whether we can deny that the P.O ever had the daily snapshots that Castleton alleges were removed.

24/11/2005

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To: Tom Beezer
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Attachments: DOC_1093098.DOC

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Kind regards.

Stephen Dilley
Solicitor
for and on behalf of Bond Pearce LLP

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