

Message

**From:** Thomas P Moran [GRO]  
**Sent:** 03/11/2017 09:37:48  
**To:** Jane MacLeod [GRO]; Mark Underwood [GRO]; Rodric Williams [GRO]; Andrew Parsons [GRO]  
**Subject:** RE: PLSG meeting on Friday @10:00am in Moorgate (0.03)

Jane

Thanks – very helpful and I agree on each point.

Yours

Tom

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**From:** Jane MacLeod  
**Sent:** 03 November 2017 09:14  
**To:** Thomas P Moran [GRO]; Mark Underwood [GRO]; Rodric Williams [GRO]; Parsons, Andrew [GRO]  
[GRO]  
**Subject:** RE: PLSG meeting on Friday @10:00am in Moorgate (0.03)

Thanks Tom

**Availability of counsel**

Just to be clear – Paula was briefed on the outcome of the CMC including the risk to Tony's availability, immediately after the CMC, however I have not had the chance to update her with results of the 2<sup>nd</sup> application last week (which confirmed that the hearing would go ahead in November irrespective of Tony's availability and that the judge would have made that decision in any event), nor was the CMC discussed at the Board on Tuesday (although Paula's CEO's report suggested it would be).

I have a call with Paula this afternoon and will take her through the updated position, however I think we need to make a recommendation, and having been briefed on this previously, I recommend appointing a senior junior now (Jamie Goldsmith) and that we wait until the outcome of Tony's trial in May before making a decision on replacing him, noting that we have Danial Toledano on standby.

I agree that we should meet Jamie Goldsmith as part of his reading-in process.

**Active claimants –**

I agree we need input from key parts of the business as to what would be workable, and we should not be making a decision today without that input. However I don't believe that the paper requires a decision today, other than to scope further work in order that a more considered recommendation can be made.

**Selection process for lead claimants**

The recommendation is that we get buy in from relevant parts of the business to ensure that, to the extent possible, all aspects are covered in the selection process. I agree we should consider what the Freeths position would be, so that we can understand the 'worst case' options as well.

Jane

**Jane MacLeod**

Group Director of Legal, Risk & Governance  
Ground Floor



20 Finsbury Street  
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EC2Y 9AQ

Mobile number: [GRO]

**From:** Thomas P Moran

**Sent:** 02 November 2017 18:16

**To:** Mark Underwood [GRO]; Jane MacLeod [GRO]; Rodric Williams [GRO]; Parsons, Andrew [GRO]; [GRO]

**Subject:** RE: PLSG meeting on Friday @10:00am in Moorgate (0.03)

Dear All

Unfortunately I've had a long-standing commitment in Dublin (work, not play...) so can't attend the meeting on Friday. Apologies – I have got a full update from Rod and thank you, Jane, for agreeing to chair in my absence.

My comments and input are below on the decision papers, I would be grateful if you could pass these on.

#### Alternative Counsel

- This is far from ideal to put it mildly! I understand from Rod that we have briefed the Board and GE – please can you confirm that and, if not, I think we need to asap.
- Of the options set out I agree with the recommendation. However from now on in this case I think we should have a Steering Group rule which means that, whenever we choose an option which is not the most conservative we formally notify Paula and note to GE. This is to get buy-in and avoid any future challenge that we have made short-term 'false economies'. In this instance I do not think the recommendation is such.
- I would also like to meet Mr Goldsmith so he can get the broader business context direct. Can you add that action and arrange, please?

#### Claimant Selection

- These seem sensible. However having not been involved in earlier stages I would particularly like to make sure that Mark D, Angela and Tom W's views are sought, particularly on anything missing.
- There is also an obvious question of what happens when we start to choose, given that Freeths will want the complete opposite. Please can we map out what that will look like and the worst case (and the timetable)? I'd like that circulated under legal privilege to the PLSG, please.

#### Active Claimants

- This is complex and really important. I don't feel able to give a strong view without being involved in the discussion, again with Mark E and Angela particularly important on this. Please can we refer back to what we formally agreed in our processes at the start of this PLSG process?
- I sense from this we see some risk of our BAU teams potentially saying the wrong thing in good faith. We need to understand how real this risk is and absolutely mitigate it through extra resource if necessary.
- On the key question of whether WBD should now be point of contact I'm not sure (sorry!). Goes back to my first point but wouldn't rule it out.

Hope that helps

Tom

**From:** Mark Underwood [GRO]

**Sent:** 01 November 2017 11:59

To: Jane MacLeod <[REDACTED]>; Angela Van-Den-Bogerd <[REDACTED]>  
[REDACTED] Mark R Davies <[REDACTED]> Stuart Nesbit  
[REDACTED] Patrick Bourke <[REDACTED]>; Rob Houghton  
[REDACTED] Rodric Williams <[REDACTED]>; Thomas P Moran  
[REDACTED] Tom Wechsler <[REDACTED]> Parsons, Andrew  
[REDACTED] Mark Ellis <[REDACTED]> Melanie Corfield  
[REDACTED] Tom Wechsler <[REDACTED]>  
Cc: Kevin Morgan <[REDACTED]>; Amy Prime <[REDACTED]>; Elisa Lukas  
[REDACTED]

Subject: PLSG meeting on Friday @10:00am in Moorgate (0.03)

Dear all,

We have a PLSG meeting on Friday @10:00 am in Moorgate (0.03). Please do let me know if you are unable to attend / dial in as there are number of decisions that need to be made on Friday.

Ahead of Friday's meeting please find attached:

1. The Agenda
2. Decision paper on Alternative Counsel
3. Decision paper on Lead Claimants
4. Decision paper on Live Postmaster Claimants
5. *Decision paper on Security for Costs (to follow)*
6. *Decision paper on Striking Out Claimants (to follow)*
7. General update on CMC
8. General update on Deloitte
9. Open actions list as at 1 November 2017

Many thanks

Mark

[REDACTED]

Dial-in numbers:

[REDACTED]

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