

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

CLAIM NO : HQ05X02706

Master Turner

23rd day of October 2006



B E T W E E N:

POST OFFICE LIMITED

Claimant/Part 20 Defendant

And

MR LEE CASTLETON

Defendant/Part 20 Claimant

TERMS OF ORDER

UPON APPLICATION of the Claimant

AND UPON holding a further Case Management Conference

AND UPON HEARING Counsel for the Claimant and Counsel for the Defendant

AND UPON READING the documents recorded on the Court file as having been read

IT IS ORDERED that:

1. Judgement of 9 November 2005 against the Defendant/Part 20 Claimant be set aside.
2. The Claimant has permission to amend its Particulars of Claim and its Reply and Defence to Counterclaim in the form of the drafts initialled by the Master;

3. The Defendant have permission to make consequential amendments to his Defence and Counterclaim by 4pm on Monday 6 November 2006 and the Claimant have permission to make any further consequential amendments to its amended Defence and Counterclaim by 4pm on Monday 13 November 2006;
4. Any further disclosure by exchange of lists by 4pm on Monday 20 November 2006 with inspection 7 days thereafter;
5. The Claimant do pay to the Defendant its costs consequential upon the said amendments permitted under paragraph 1 above, such to be assessed on the standard basis if not agreed;
6. By no later than 4 pm on Monday 30 October 2006 the Defendant do either produce for inspection the documents listed in Schedule 1 hereto; or provide a Witness Statement explaining the Defendant's position in respect of those documents, not produced for inspection.
7. Statements of witnesses of fact be exchanged by 4 pm on Friday 10 November 2006;
8. There be sequential exchange of experts' reports, with the Defendant serving any expert evidence in the field of accountancy by 4pm on Friday 10 November 2006, the Claimant serving any reports in answer by 4 pm on Friday 24 November 2006 with discussion of experts of like disciplines to take place by no later than Wednesday 29 November 2006 and a signed agreed statement of areas of agreement and disagreement to be filed by no later than 4pm on Friday 1 December 2006;
9. The parties do have permission to restore
10. Save as provided for above, the costs be costs in the case.

Schedule

Document numbers 1, 2, 58, 62, 76 and 77 from Mr Castleton's disclosure list, being the following documents:

- (a) Daily cash declarations for week 41 (2 January 2004) to week 51 (11 March 2004);
- (b) Weekly suspense account reports relating to weeks 47 and 49;
- (c) Letter to Lee Castleton from National Savings and Investments dated 30 December 2004;
- (d) Letter to Mr Castleton dated 12 January 2005;
- (e) Error notice dated 23 May 2004; and
- (f) Marine Drive Post Office account.

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Claim No: HQ05X02706

His Honour Judge Seymour Q.C sitting as a High Court Judge
Monday 27th November 2006

BETWEEN:

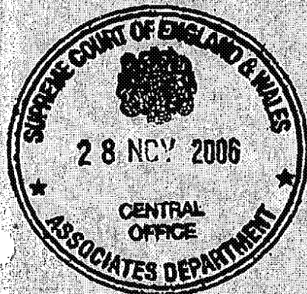
POST OFFICE LIMITED

Claimant

-and-

LEE CASTLETON

Defendant



ORDER

UPON the hearing of a Pre-Trial Review

AND UPON HEARING Counsel for the Claimant and the Defendant in person

AND UPON READING the documents recorded on the Court file as having been read

AND UPON the Defendant stating that he wishes his draft Amended Defence and Counterclaim to stand as his case at trial, subject to a correction at the end of paragraph 3 thereof so that "week 51" is changed to "week 52"

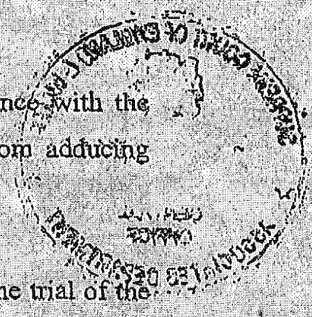
AND UPON the Claimant by its Counsel agreeing to serve the Defendant with the Claimant's witness statements and to provide the Defendant with a draft of its skeleton argument and copies of the cases referred to therein immediately following the conclusion of the Pre-Trial Review

IT IS ORDERED that:

1. The Defendant's application to adjourn the trial of the action herein be adjourned to the first day of the trial;

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2. There be no expert evidence at the trial of the action;
3. By 4.30 pm on Wednesday 29th November 2006 the Defendant do serve on the Claimant such signed witness statements and witness summaries from witnesses of fact upon whose evidence the Defendant wishes to rely at trial, such service to be effected by facsimile transmission by the Defendant to the Claimant's solicitors;
4. Save to the extent that the Defendant serves evidence in compliance with the terms of paragraph 3 of this Order, the Defendant be debarred from adducing evidence in support of his case at the trial of the action;
5. The Claimant have permission to serve and lodge trial bundles for the trial of the action herein by no later than 12 noon on Friday 1st December 2006;
6. The Claimant have permission to serve and file its skeleton argument by no later than 12 noon on Friday 1st December 2006;
7. The Defendant have permission to serve and file his skeleton argument by no later than 12 noon on Monday 4th December 2006;
8. The trial of the action herein be marked to start on Tuesday 5th December 2006 not before 10.30 am;
9. By way of preliminary directions, the initial stages in the trial of the action on Tuesday 5th December 2006 shall be as follows:
 - a. Any renewed application by the Defendant for an adjournment;
 - b. Claimant's opening, such to be not more than ½ day;
 - c. Such remaining part of 5th December 2006 to be set aside for Court reading, with the first witnesses to be called no earlier than Wednesday 6th December 2006;



10. The Claimant's witness summonses herein be varied to direct the attendance of witnesses at the trial hereof from 10.30 am on Wednesday 6th December 2006;
11. The costs of and occasioned by and/or thrown away in relation to the issue of expert evidence and the instruction of experts be reserved, but save to this extent the costs hereof be costs in case;
12. Permission to apply, including permission to the Defendant to apply to correct any terms of this Order.

Dated the 27th day of November 2006