



Confidential

Brent House
15 Heron Road
BELFAST
BT3 9LE
M: GRO

Mr Damian McCartan

GRO

Date: 28/07/2015

Our Reference – POLTD/1213/0193

Dear Mr McCartan

RE: Ballynafeigh Post Office, 230 Ormeau Road, BELFAST, BT7 2FZ.

Following your interview with the Post Office Security team on 22nd November 2013, the papers were forwarded to our Criminal Law team for advice.

Having received that advice, the decision has been made that no further action will be taken in respect of your case. The security investigation has now concluded and the matter is now closed. However the Post Office may review its decision if further evidence comes to light in the future.

Under the terms of your contract with Post Office Ltd, you are responsible for the repayment of all losses incurred at your branch and as the debt associated with this matter is still outstanding Post Office Ltd will be contacting you in due course regarding repayment.

Yours sincerely,

Simon Hutchinson
Post Office Ltd.
Security Team

Security Manager: This form to be e mailed to Operational Team Leader and Post Office Security (separate closure report to also be submitted where deemed applicable).

Post Office Security: This form (and closure report where applicable) to be emailed to Fraud Risk SLT, SLG, Operational Team leader, Grapevine, Helen Rose, Elaine Spencer, Lynne fallowfield (if r integrity issues), Former SPMR Accounts and Stakeholder for the area concerned (e.g. Contract M - Network, Regional Support Advisor - Crown, Depot Manager - CViT, etc.).

Financial Crime Team: This form (and closure report where applicable) to be emailed to any other Stakeholder deemed relevant (e.g. Product Manager, Relationship Manager, etc).

Case reference:	POLTD/1213/0193
Date case set up:	11/01/2013
Branch Name / Location:	Ballynafeigh
Branch Code:	168704
Enquiry Type:	Audit Shortage
Name of Person(s) Interviewed: (if applicable)	Damien McCartan
Subject type / Grade:	SPMR
Loss:	£45,555.22
Recovery:	£715.84
Confiscation case:	No
Non Crown cases: has SPMR been made aware of loss?:	Yes
Is there a Financial Investigation still ongoing? (if yes, this form must be emailed to relevant Financial Investigator as case will remain open within their remit):	No
Final outcome [to include disciplinary/conduct/other action]:	Case review meeting with NI Solicitor held in Belfast on 21/01/2015 regarding the unresolved Horizon issue concerning a prosecution in this case. John Scott, Rob King, Simon Hutchings and Ernie Waterworth in attendance. Due to Human Rights issues surrounding the potential delay to trial it has been recommended to close the case at this time.
Prosecution Outcome (Include court, date & sentence):	None
Costs / Compensation awarded:	None
Debarment (Confirm completed and date forwarded to Intelligence Transaction Manager):	None
Business / Procedural failings (e.g. basic lack of security, procedural weakness, audit control, anomalies in ONCH, lack of CCTV, supporting documentation not retained, Horizon, weaknesses, etc):	SPMR procedural failures: • Basic lack of security • Poor processes and procedures regarding cash stock accounting • Poor site cleanliness and repairs
Were there any Mail Integrity issues associated with this case? [irrespective of case type] If so please provide details:	No
Any other comments:	Case to be closed on direction from Senior Security Manager Rob King
Security Manager:	Simon Hutchinson
Operational Team Leader:	Helen Dickinson

Date Completed:

28/05/2015

Graham Hodson



Security
Admin Team

Finsbury Dials,
20 Finsbury Street,
London EC2Y 9AQ,

GRO

GRO

For Government Security Classifications
OFFICIAL please use:

GRO

Simon



Simon Hutchinson
Security Manager

Brent House
15 Heron Road
Belfast BT3 9LE

GRO

GRO

*For Government Security Classifications
OFFICIAL please use:*

GRO

From: Dawn L Colclough
Sent: 09 June 2015 12:55
To: Simon I Hutchinson; Helen Dickinson
Cc: Michelle Stevens
Subject: FW: Case closure Ballynafeigh

Hi Simon/Helen

I have received the case closure for Ballynafeigh, and I will now need to pursue Mr McCartan for repayment of the debt.

Are there any issues I need to be aware of in advance of this?

What is the unresolved Horizon issue, as I was not aware this case was in the mediation scheme? The report also refers to Human Rights issues, can you please expand on the details.

Regards



Dawn Colclough
Former Agent Accounting Team

1st Floor West,
Future Walk,
Chesterfield S49 1PF

GRO

From: Post Office Security
Sent: 29 May 2015 12:07
To: Denise Reid; Amy Quirk; Andy Hayward; Katie Barber; Kim Abbotts; Mike J Howard; Sue Hanson; John Bigley; John M Scott; Rob King; Sally Smith; Dave Posnett; Elaine Spencer; Former Agent Accounts; Fraud Risk; grapevine.admin; **GRO**; Helen Dickinson; Helen Rose
Subject: Case closure Ballynafeigh

Hello All

Case Closure Reporting

At the time of the 2013 audit the Field Support Advisors (FSA) reported that the office was in a messy, disorganised, filthy state with rubbish covering the floors, dirty desks, overflowing bin and bits of stamps, money and stock lying everywhere, drawers filled with rubbish, papers, old out of date stamps and used cups all over the floor. Damian McCartan was suspended and is now no longer employed by the Post Office.

On Friday 18/01/2013 Post Office Security carried out an interview, under caution and recorded, with Damian McCartan along with his National Federation of Sub Postmasters Representative (NFSP), Mr Stephen HARPER. Damian McCartan was challenged on his attitude regarding the Post Office as he had not recorded any losses or voiced his concerns to Post Office Ltd. Damian McCartan denied theft, however he admitted inflating the cash figures to disguise the loss as he was fearful of losing his job. Furthermore; Damian McCartan claims the losses were caused when the new pin pads were installed and he had not followed the POCA "withdraw limit" process correctly, even though information regarding the PIN pad installation was communicated to all branches; Damian McCartan admitted it was deceitful to disguise the loss; due to Transaction Credit Entries since the audit took place in 03/01/2013 the amount owing to Post Office Ltd at 29/01/2013 is **£44,839.18**.

On Friday 22/11/2013 Post Office Security carried out a second interview, under caution and recorded, with Damian McCartan and again along with his NFSP Representative, Mr Stephen HARPER. Recovery of the loss was discussed, with Damian McCartan explaining that he had not approached the bank for a loan as he had recently started work with a taxi company but due to being involved in a recent vehicle accident he is only working part time.

At the termination of this final interview, and after the tape recording had been switched off, Damian McCartan asked his NFSP representative, **if he should mention Horizon now**, and was advised not to.

The submission of the prosecution file to the Public Prosecution Service was put on hold pending a report from specialists to address the Horizon issues and as the Horizon issue remains unresolved, and it may be a further six to nine months before a specialist report will be available, the time period involved in this may well become a matter of adverse comment in relation to Mr McCartan's human rights. The Post Office Northern Ireland legal representative is in no doubt that Damian McCartan's defence team will raise an issue in that regard.

Damian McCartan's unresolved Horizon issue was not identified, nor did it go to mediation, but I believe we can surmise that he was going to blame Horizon on the identified loss. In terms of the Human Rights issues, this refers to the POL NI Solicitor pointing out that the delay in bringing this case to court may impact on Article 6 of the European Convention on Human Rights which is a provision of the European Convention which protects the right to a fair trial. In criminal law cases and cases to determine civil rights it protects the right to a public hearing before an independent and impartial tribunal **within reasonable time**.

I hope this informs.

Regards

Dawn L Colclough

From: Simon I Hutchinson
Sent: 28 July 2015 11:24
To: Dawn L Colclough; Helen Dickinson
Cc: Michelle Stevens
Subject: RE: Case closure Ballynafeigh
Attachments: NFA Letter-Damien McCartan.doc

Dawn

Regarding Ballynafeigh case closure, please see attached 'No Further Action' letter that I will be sending to the SPMR, Damian McCartan , today.

Regards

Simon



Simon Hutchinson
Security Manager

Brent House
15 Heron Road
Belfast BT3 9LE

GRO

GRO

For Government Security Classifications

OFFICIAL please use:

GRO

From: Simon I Hutchinson
Sent: 09 June 2015 14:30
To: Dawn L Colclough; Helen Dickinson
Cc: Michelle Stevens
Subject: RE: Case closure Ballynafeigh

Dawn

I can report the following:

This investigation relates to a cash shortage of £45,555.22 in the office accounts at Ballynafeigh Post Office Branch, BELFAST identified at audit on Thursday 03/01/2013 and the subsequent interviews with the Sub Postmaster, Mr Damian McCartan. A comprehensive report was prepared from which it appeared that there was no doubt that the Sub Postmaster stole £45,555.22 from the Post Office.

Ballynafeigh Post Office is a stand-alone office sited in South Belfast. Damian McCartan had been the Sub Postmaster for over eleven years and employed two Post Office assistants. The last previous audit conducted at Ballynafeigh Post Office was on 07/02/2008 and the result was a surplus of £87.14

Dawn L Colclough

From: Bayliss, Larissa <[GRO]>
Sent: 14 August 2015 10:07
To: Dawn L Colclough; Harris, Josh
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Dawn

By way of update, I confirm that proceedings have been issued by the Court in NI. The debtor now has 14 days to respond before we can enter default judgment against him.

I will keep you updated as to any further progress.

Regards

Larissa

Larissa Bayliss
Paralegal – Business Advisory Group
DAC Beachcroft LLP
Portwall Place, Portwall Lane
Bristol, BS1 6NA

T: [GRO]
M: [GRO]
E: [GRO]

From: Dawn L Colclough <[GRO]>
Sent: 14 July 2015 14:10
To: Bayliss, Larissa; Harris, Josh
Subject: FW: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Larissa/Josh,

The costs for the N.I agent have been approved by Michelle.

Can you please forward the case to them to obtain Judgement and a Charge.

Also, despite promise of a weekly payment of £30/£40 on 17.06.15, no payments have been received.

Regards

Dawn

From: Michelle Stevens
Sent: 10 July 2015 14:55
To: Dawn L Colclough
Subject: FW: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Dawn – let's proceed with this.

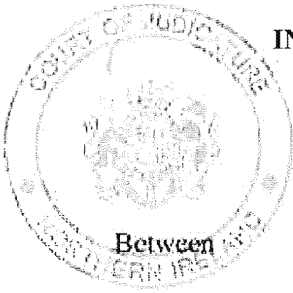
Many Thanks

Michelle



MICHELLE STEVENS
Former Agents Accounts
Missing Cheques &

15/076945



IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
QUEENS BENCH DIVISION

on Wednesday the 23rd day of September 2015

POST OFFICE LIMITED
FINSBURY DIALS 20 FINSBURY STREET LONDON EC2Y 9AQ

Plaintiff

and

PETER MCCARTAN

GRO

Defendant

No appearance having been entered by the defendant.

It is this day adjudged that the defendant do pay the plaintiff the following:

Amount £ 44,839.18

Costs £ 329.00

Interest £ 9,584.32

Making the total amount £ 54,752.50

Heather Gibson
Proper Officer

QBDJLD

Dawn L Colclough

From: Harris, Josh **GRO**
Sent: 01 October 2015 11:12
To: Dawn L Colclough; Bayliss, Larissa
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704
Attachments: Judgment.pdf

Hi Dawn

Our Belfast agents have now obtained Judgment against Mr McCartan. I attach a copy for your records.

If there has been no response to the Judgment within seven days, our agents will proceed with enforcement and I will update further in due course.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line

GRO

direct fax

jharris

GRO

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

Dawn L Colclough

From: Dawn L Colclough
Sent: 04 November 2015 11:16
To: 'Harris, Josh'; Bayliss, Larissa
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Josh

Is it too soon for an update yet please??

Regards

Dawn

From: Harris, Josh [GRO]
Sent: 01 October 2015 11:12
To: Dawn L Colclough; Bayliss, Larissa
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Dawn

Our Belfast agents have now obtained Judgment against Mr McCartan. I attach a copy for your records.

If there has been no response to the Judgment within seven days, our agents will proceed with enforcement and I will update further in due course.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line [GRO]

direct fax: [GRO]

jharris [GRO]

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 Think of the environment. Do you need to print this email?

From: Dawn L Colclough [GRO]
Sent: 18 August 2015 09:56
To: Bayliss, Larissa
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Josh

Dawn L Colclough

From: Shane McVeigh GRO
Sent: 19 October 2015 14:29
To: Bayliss, Larissa
Subject: RE: Post Office Limited v. Peter McCartan

Hi Larissa,

I have received confirmation from the EJO that the Notice of Intent was served on the debtor on 16th October.

We will therefore be in a position to proceed with the Full Enforcement Application on 27th October 2015. In that respect I should be grateful for an update on the position of our outlay invoice when you get a moment.

Kind regards,

Shane McVeigh



Shane McVeigh
Solicitor

Carson McDowell LLP
Murray House, Murray Street Belfast, BT1 6DN

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 Fax: GRO

Direct line: GRO
GRO

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From: Shane McVeigh
Sent: 07 October 2015 15:08
To: 'Bayliss, Larissa'
Subject: RE: Post Office Limited v. Peter McCartan

Hi Larissa,

Hope you are well.

There has been no response from the debtor so we are in a position to proceed with enforcing the judgment.

I have prepare a Notice of Intention to Enforce which will be forwarded to the EJO by tomorrow at the latest.

In the meantime I attach herein a note of the outlay required to enforce the judgment via the Enforcement of Judgments Office. The Full Enforcement fee is calculated as being £645 for the first £10k and £1.80 for every £100 or part thereof above the initial £10k.

I should be grateful if you would arrange for this outlay to be discharged ASAP as there is a time limit of ninety days between lodging the Notice of Intent and making the Full Enforcement Application. If it passes we have to serve a fresh Notice of Intent.

Lastly I have carried out Landweb searches to prove to the EJO that the debtor is a homeowner. GRO

GRO

GRO

What this tells us is that we will be at least second in priority in enforcing against the debtor. We will be able to get an Order Charging Land without issue however in terms of recovery the priority creditor's debt will have to be paid before any money can be paid towards our client's judgment. Priority is dealt with on a first-come first-served basis.

I trust this is in order and look forward to hearing from you. If you have any further questions please let me know.

Kind regards,



Carson McDowell LLP
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[GRO]
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From: Shane McVeigh
Sent: 29 September 2015 16:02
To: 'Bayliss, Larissa'
Subject: RE: Post Office Limited v. Peter McCartan

Hi Larissa,

Further to previous correspondence I confirm that the Default Judgment has been issued by the High Court – copy attached for your records.

A copy has been served on the debtor by first class post today.

In the event that there is no response after seven days I shall make preparations for the Judgment to be enforced as per initial discussions. I will now prepare an invoice for all work up to this landmark and being all-in fee of £1k plus VAT which will be forwarded to you in the coming days.

If you have any questions please let me know.

Kind regards,



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From: Bayliss, Larissa [GRO]
Sent: 10 September 2015 16:39
To: Shane McVeigh
Subject: RE: Post Office Limited v. Peter McCartan

Hi Shane

That's great, thanks for all your help.

Look forward to hearing from you in due course.

Kind regards

Larissa

Larissa Bayliss
Paralegal – Business Advisory Group
DAC Beachcroft LLP
Portwall Place, Portwall Lane
Bristol, BS1 6NA

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]

From: Shane McVeigh [REDACTED]
Sent: 10 September 2015 16:37
To: Bayliss, Larissa
Subject: RE: Post Office Limited v. Peter McCartan

Hi Larissa,

All affidavits have been sworn, forms signed and the Default Judgment Application has been forwarded to the High Court by post today.

Once the Judgment has been received I will serve a copy on the Defendant and then issue a bill for all work up to that date in accordance with our agreed fee.

Kind regards,



Shane McVeigh
Solicitor

Carson McDowell LLP
Murray House, Murray Street Belfast, BT1 6DN

Tel: [REDACTED]
Fax: [REDACTED]
Direct line: [REDACTED]
[REDACTED]

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From: Bayliss, Larissa [REDACTED]
Sent: 07 September 2015 08:24
To: Shane McVeigh
Subject: RE: Post Office Limited v. Peter McCartan

Hi Shane

That's great, thanks. Look forward to hearing from you.

Kind regards

Larissa

Larissa Bayliss
Paralegal – Business Advisory Group
DAC Beachcroft LLP
Portwall Place, Portwall Lane
Bristol, BS1 6NA

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]

From: Shane McVeigh [REDACTED]
Sent: 04 September 2015 10:49
To: Bayliss, Larissa
Subject: RE: Post Office Limited v. Peter McCartan

Hi Larissa,

As you had forecast no response from the Defendant.

I am in the process of preparing a Default Judgment Application and will be in touch once the papers have gone to Court.

Kind regards,



Shane McVeigh
Solicitor

Carson McDowell LLP
Murray House, Murray Street Belfast, BT1 6DN

Tel: **GRO**

Fax: **GRO**

Direct line: **GRO**

GRO

www.carson-mcdowell.com

From: Bayliss, Larissa **GRO**
Sent: 14 August 2015 10:11
To: Shane McVeigh
Subject: RE: Post Office Limited v. Peter McCartan

Shane

Thank you for the update. I do not envisage we will see any response from the debtor so, as you suggest, please press on with obtaining Judgment when the 14 days expire.

Look forward to hearing from you in due course.

Kind regards

Larissa

Larissa Bayliss
Paralegal – Business Advisory Group
DAC Beachcroft LLP
Portwall Place, Portwall Lane
Bristol, BS1 6NA

T: **GRO**

M: **GRO**

E: **GRO**

From: Shane McVeigh **GRO**
Sent: 14 August 2015 10:05
To: Bayliss, Larissa
Subject: RE: Post Office Limited v. Peter McCartan

Good morning Larissa,

I confirm that our Writ of Summons was stamped at the High Court and returned to our office late yesterday afternoon (too late to make yesterday's post).

The Writ has been placed under a cover letter and will be served on the Defendant by post today.

He has fourteen days in which to enter an appearance, failing which we can apply for a Judgment in default. In circumstances where the debtor has engaged with us I would say that we should offer him a final warning after the seven days (by sending him a letter stating 'enter an appearance within seven days or we will mark judgment')

how given that he is not responding and there appears to be no defence I would suggest that we press ahead and submit default judgment papers.

If there is any response I will keep you posted.

Kind regards,



**CARSON
McDOWELL**

Shane McVeigh
Solicitor

Carson McDowell LLP
Murray House, Murray Street Belfast, BT1 6DN

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Fax: **GRO**

Direct line: **GRO**
GRO

www.carson-mcdowell.com

From: Bayliss, Larissa **GRO**
Sent: 10 August 2015 13:12
To: Shane McVeigh
Subject: RE: Post Office Limited v. Peter McCartan

Shane

Thank you for the update. I look forward to hearing from you further on this matter.

Regards

Larissa

Larissa Bayliss
Paralegal – Business Advisory Group
DAC Beachcroft LLP
Portwall Place, Portwall Lane
Bristol, BS1 6NA

T: **GRO**
M: **GRO**
E: **GRO**

From: Shane McVeigh **GRO**
Sent: 10 August 2015 12:36
To: Bayliss, Larissa
Subject: RE: Post Office Limited v. Peter McCartan

Dear Larissa,

Further to previous E-Mail I confirm that Mr. McCartan has not responded to our letter of 30th July.

I shall therefore draft a Writ of Summons and arrange for same to be stamped at the High Court and served on the Defendant by post thereafter. The High Court stamp fee in Northern Ireland is £200.00 as per outlay note forwarded last week.

As matters progress I shall keep you advised.

Kind regards,



Shane McVeigh
Solicitor

Carson McDowell LLP
Murray House, Murray Street Belfast, BT1 6DN

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GRO

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From: Shane McVeigh
Sent: 30 July 2015 14:47
To: 'Bayliss, Larissa'
Subject: RE: Post Office Limited v. Peter McCartan

Hi Larissa,

Acknowledged. Letter before action has been prepared and has just been placed in our outgoing mail.

As matters progress I shall keep you advised.

Kind regards,



Shane McVeigh
Solicitor

Carson McDowell LLP
Murray House, Murray Street Belfast, BT1 6DN

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From: Bayliss, Larissa **GRO**
Sent: 30 July 2015 13:33
To: Shane McVeigh
Subject: RE: Post Office Limited v. Peter McCartan

Hi Shane

Thank you for your email – all noted. I will arrange for the invoice to be dealt with.

Please proceed to send a letter before action and should you not get a response, please proceed with issuing the High Court Writ.

I look forward to hearing from you in due course.

Kind regards

Larissa

Larissa Bayliss
Paralegal – Business Advisory Group
DAC Beachcroft LLP
Portwall Place, Portwall Lane
Bristol, BS1 6NA

T: **GRO**
E: **GRO**

From: Shane McVeigh [GRO]
Sent: 30 July 2015 12:41
To: Bayliss, Larissa
Subject: RE: Post Office Limited v. Peter McCartan

Hi Larissa,

Many thanks for your paperwork which has now been received. I can confirm there is no internal conflict and we can therefore take this case forward.

In relation to the High Court Fee for the Writ of Summons I attach herein outlay note and should be grateful if you would arrange for same to be discharged at your earliest convenience.

I carried out some court searches against Mr. McCartan – [GRO]

GRO

I note from your paperwork supplied that during a phonecall on 17.06.15 Mr. McCartan agreed to repay the debt via instalments of £30/£40 a week. In the event he decides to defend this matter we may need a copy of the telephone attendance note (or if none exists an affidavit from Dawn Colclough) however we can cross that bridge when we get there.

I would suggest a letter before action from our office before issuing the High Court Writ however if the client wishes to proceed straight to the Writ then I'm happy to press on without further delay.

I trust this is in order and look forward to hearing from you in due course.

Kind regards,



Shane McVeigh
Solicitor

Carson McDowell LLP
Murray House, Murray Street Belfast, BT1 6DN

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Fax: [GRO]

Direct line: +44 [GRO]
[GRO]

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From: Bayliss, Larissa [GRO]
Sent: 27 July 2015 16:01
To: Shane McVeigh
Subject: RE: Quote - Mr Peter McCartan

Dear Shane

I refer to the below email and our telephone conversation a couple of weeks ago, in which you quoted the following fees:

- Issuing proceedings and obtaining Judgment (default, no defence etc.) : £1000 plus VAT.
- Obtaining a Charging Order: enforcement fee of £1300 and professional fees of £500 plus VAT. Enforcement fees can be recovered and added to the debt secured by the charge. Professional fees cannot.

I should be grateful if you would please proceed with the above. The debtor's name is Mr Peter Damian McCartan and he resides at [GRO]. The debt is owed to my client, Post Office Limited, in respect of debts accrued at the Ballynafeigh Post Office during his time as Postmaster.

I have put in the post to you some documents which explain the situation and which should be helpful for issuing the Claim. I should be grateful if you would kindly acknowledge receipt once you have received them.

I look forward to hearing from you with an update in due course and please do not hesitate to contact me should you have any queries.

Regards

Larissa

Larissa Bayliss
Paralegal – Business Advisory Group
DAC Beachcroft LLP
Portwall Place, Portwall Lane
Bristol, BS1 6NA

T: [REDACTED] GRO
E: [REDACTED] GRO

From: Bayliss, Larissa
Sent: 26 June 2015 14:15
To: 'Teresa McVeigh' [REDACTED] GRO
Subject: Quote - Mr Peter McCartan

Dear Teresa

Could I please have a quote for issuing proceedings and obtaining a Charging Order over a property in Belfast? The debt to be secured is £44,839.18. Please let me know if you need any further information for the quote.

I look forward to hearing from you.

Regards

Larissa Bayliss
Legal Apprentice – Business Advisory Group
DAC Beachcroft LLP
Portwall Place, Portwall Lane
Bristol, BS1 6NA

T: [REDACTED] GRO
E: [REDACTED] GRO

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Carson McDowell LLP
Murray House, Murray Street
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DX 403 NR BELFAST

Tel: +
Fax: +
law: GRO
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DAC Beachcroft LLP
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Bristol
BS1 9HS

GRO

POL006-103/218

GRO

GRO

Received in Bristol At
- 8 OCT 2015

File Ref: **SMcV/8453/30**
Tax Point Date: 7th October 2015

VAT Reg No: 135 5343 25

Bill No:

To Post Office Limited	Outlay		Professional Charges	VAT	
				Rate %	Amount
Re: Peter McCartan					
OUTLAY INVOICE ONLY					
Landweb Search Fees	£19.	00			
Notice of Intent Fee	£20.	00			
Full Enforcement Fee	£1,451.	40			
Order Charging Land Registration Fee	£90.	00			
Total Outlay	£1,580.	40			
Professional Fee					
VAT					
Total sum due to Carson McDowell LLP	£1,580.	40			

To see the amount required to be paid please refer to the Remittance Slip on the last page

EFNV

CAR

FORM OF PAYMENT**Terms of settlement: 21 days**

Please select a method of payment from the two options below.

- 1.
- ☐
- I will make a BACS/CHAPS payment.

Details for BACS/CHAPS payments

Account Number:	GRO	Name:	Carson McDowell LLP Client A/C
IBAN:	GRO	Address:	GRO
Swift/BIC:	GRO	Ref:	SMcV/8453/30
Branch Sort Code:	GRO		

Please confirm payment by email to **accounts@GRO** quoting the reference number above.

- 2.
- ☐
- I will pay by cheque.

Please sign the remittance slip below and return along with a cheque for **£1,580.40** made payable to **Carson McDowell LLP**.

Please detach and return with remittance

**Carson
McDowell**

Carson McDowell LLP
Murray House, Murray Street,
Belfast, BT1 6ON
GRO
DX 403 NR BELFAST
GRO
www.carsonmcdowell.com

Please find enclosed the sum of **£1,580.40** in relation to the settlement of my bill.

Signed: _____ Date: _____

For Office Use Only	
File Ref:	SMcV/8453/30
Bill No:	

Dawn L Colclough

From: Harris, Josh <[GRO]>
Sent: 05 November 2015 11:52
To: Dawn L Colclough
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704
Attachments: Scan-to-Me from mfdbrs44.bwlaw.co.uk 2015-10-09 162813.pdf; RE: Post Office Limited v. Peter McCartan

Hi Dawn

As per the attached our agents are now in a position to lodge a full enforcement application to enable them to obtain a charge over the property.

However, in order to do so they are required to pay an enforcement fee to the Court and other disbursements totalling £1,580.40. I have raised a disbursement invoice for this and should have a copy for you shortly.

Is there any way this could be paid by return, in order that the agents can go ahead with the enforcement process?

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line [GRO]

direct fax [GRO]

jharris@dacbeachcroft.com [GRO]

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Dawn L Colclough <[GRO]>
Sent: 04 November 2015 11:16
To: Harris, Josh; Bayliss, Larissa
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh

Is it too soon for an update yet please??

Regards

Dawn

Dawn L Colclough

From: Harris, Josh [GRO]
Sent: 09 November 2015 09:42
To: Dawn L Colclough
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Thanks Dawn

I have arranged for a direct invoice to be raised and should have this hopefully tomorrow.

Regards

Josh

From: Dawn L Colclough [GRO]
Sent: 06 November 2015 13:53
To: Harris, Josh
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh,

The quickest way for us to get the money to you is for your company to invoice us directly for the amount in question, as you are already set up with our Accounts payable team.
If you need us to pay the NI agents directly, we will need to set them up in our system, I can do this but it will take longer to organise.

Which method is preferable to you?

Regards
Dawn

From: Harris, Josh [GRO]
Sent: 05 November 2015 11:52
To: Dawn L Colclough
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Dawn

As per the attached our agents are now in a position to lodge a full enforcement application to enable them to obtain a charge over the property.

However, in order to do so they are required to pay an enforcement fee to the Court and other disbursements totalling £1,580.40. I have raised a disbursement invoice for this and should have a copy for you shortly.

Is there any way this could be paid by return, in order that the agents can go ahead with the enforcement process?

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol

Dawn L Colclough

From: Harris, Josh <[GRO]>
Sent: 17 November 2015 13:28
To: Dawn L Colclough
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704
Attachments: RE: POL006-1031218

Hi Dawn

I attach a copy of the invoice which has also been sent direct to your accounts department.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line [GRO]

direct fax: [GRO]

jharris@ [GRO]

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Harris, Josh
Sent: 09 November 2015 09:42
To: 'Dawn L Colclough'
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Thanks Dawn

I have arranged for a direct invoice to be raised and should have this hopefully tomorrow.

Regards

Josh

From: Dawn L Colclough <[GRO]>
Sent: 06 November 2015 13:53
To: Harris, Josh
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Josh,

DAC beachcroft

INVOICE

Our reference: POL001
Date and Tax Point: 10 November 2015
Invoice Number: 4984

Post Office
 Accounts Payable
 PO Box 752
 CHESTERFIELD
 S49 1AD
 Vendor No. 300312

Administration Centre

Portwall Place
 Portwall Lane
 BRISTOL BS99 7UR
 Telephone: GRO
 DX : 7850 Bristol 1

VAT Reg No GB 108 2465 29

INTERIM ACCOUNT

PO No : 6500005371 (Debt Recovery)

Period to 31 October 2015

To our professional fees (See attached schedule)

4 matters

Disbursement (As shown on schedule)

Disbursements NOT incurring VAT

	CHARGES	VAT RATE	VAT
	322.50	20.0	64.50
	1,580.40	0.00	0.00
Total Excluding VAT	£ 1,902.40		£ 64.50
Total VAT	£ 64.50		
Total Due (GBP)	£1,966.90		

DAC beachcroft

REMITTANCE ADVICE

DAC Beachcroft LLP
Administration Centre
Portwall Place
Portwall Lane
BRISTOL BS99 7UR
DX 7850 Bristol 1

Our reference: POL001
Date: 10 November 2015
Invoice No: 4984

AMOUNT PAYABLE from Post Office Limited	£1,966.90
---	-----------

PAYMENT BY CHEQUE:

Please return this remittance advice with your cheque, payable to "DAC Beachcroft LLP".

If you would like a receipt, please tick this box.

☐

PAYMENT BY BACS:

Bank:	Lloyds Bank
Name of account:	DAC Beachcroft LLP Office Account
Account number:	GRO
Sort code:	GRO
SWIFT Code:	GRO
IBAN No:	GRO

Please quote the invoice number and our reference when supplying payment details to your bank and email these same details to our accounts department (accounts: GRO). This will help us credit your payment to the correct account.

Statutory Rights if you dispute our costs

If you consider that our charges are higher than they ought to be having regard to our agreement then please discuss this in the first instance with your relationship partner. In the absence of agreement you may make a formal complaint under our Complaints Procedure or may apply for an assessment by the court under sections 70, 71 and 72 of the Solicitors Act 1974. If all or part of the bill remains unpaid the firm may be entitled to charge interest.

Dawn L Colclough

From: Dawn L Colclough
Sent: 13 January 2016 16:05
To: 'Harris, Josh'
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Josh

Do you have an update in the enforcement process, or am I being too eager?

Regards
Dawn



Dawn Colclough
Former Agent Accounting Team
1st Floor West,
Future Walk,
Chesterfield S49 1PF

GRO

From: Harris, Josh **GRO**
Sent: 17 November 2015 13:28
To: Dawn L Colclough
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Dawn

I attach a copy of the invoice which has also been sent direct to your accounts department.

Regards
Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line

GRO

direct fax

jharris@

GRO

www.dacbeachcroft.com

Think of the environment. Do you need to print this email?

Stacey J Beresford

From: Stacey J Beresford
Sent: 06 April 2016 13:14
To: 'Harris, Josh' [GRO]
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh,

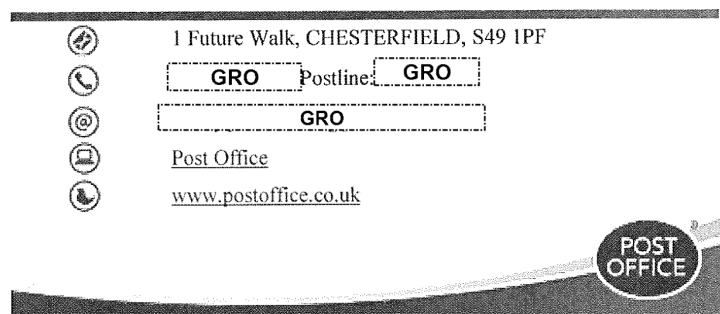
Hope you are well.

Can you provide an update for Mr McCartan? Have you heard from your Belfast office please?

Kind Regards

Stacey

Stacey Beresford | Former Agents Accounting Team



From: Dawn L Colclough
Sent: 20 January 2016 10:58
To: Stacey J Beresford
Subject: FW: Mr Peter McCartan - Ballynaveigh Post Office - 168704

From: Harris, Josh [GRO]
Sent: 14 January 2016 14:00
To: Dawn L Colclough
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Dawn

Not at all. Thanks for sorting payment of the disbursement.

The agents have now drafted and submitted an application for an order charging the land to the Enforcement of Judgments Office in Belfast.

We should shortly receive an update as to when the charge will be granted and I will update further as soon as this is received.

Regards

Stacey J Beresford

From: Dawn L Colclough
Sent: 20 January 2016 10:58
To: Stacey J Beresford
Subject: FW: Mr Peter McCartan - Ballynafeigh Post Office - 168704

From: Harris, Josh [GRO]
Sent: 14 January 2016 14:00
To: Dawn L Colclough
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Dawn

Not at all. Thanks for sorting payment of the disbursement.

The agents have now drafted and submitted an application for an order charging the land to the Enforcement of Judgments Office in Belfast.

We should shortly receive an update as to when the charge will be granted and I will update further as soon as this is received.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line [GRO]
direct fax [GRO]

jharris [GRO]

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Dawn L Colclough [GRO]
Sent: 13 January 2016 16:06
To: Harris, Josh
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Josh

Stacey J Beresford

From: Harris, Josh [GRO]
Sent: 12 April 2016 15:16
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Stacey

Good thanks.

Apologies for the delay. Yes, I have spoken with our Belfast agents and a Notice of intention to make an order charging land has been issued by the Enforcement of Judgments Office. If no objections are received it is expected that the order charging land will be issued in the next week or so.

I will update you as soon as I receive a copy of the order.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line [GRO]

direct fax [GRO]

jharris [GRO]

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Stacey J Beresford [GRO]
Sent: 06 April 2016 13:14
To: Harris, Josh
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Josh,

Hope you are well.

Can you provide an update for Mr McCartan? Have you heard from your Belfast office please?

Kind Regards

Stacey

Stacey J Beresford

From: Harris, Josh <[GRO]>
Sent: 09 May 2016 13:28
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704
Attachments: scanned-Shane McVeigh-20160504160910.pdf

Hi Stacey

Our Belfast agents have now obtained the Order Charging Land (copy attached for your records).

The agents will now arrange for the Deed and Memorial to be drafted and forwarded to Registry of Deeds as the Order does not have force of law until it has been registered.

I will update you as soon as I have received confirmation from the agents that this has taken place.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line [GRO]

direct fax [GRO]

[jharris@\[GRO\]](mailto:jharris@[GRO])

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Harris, Josh
Sent: 12 April 2016 15:16
To: 'Stacey J Beresford'
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

Good thanks.

Apologies for the delay. Yes, I have spoken with our Belfast agents and a Notice of intention to make an order charging land has been issued by the Enforcement of Judgments Office. If no objections are received it is expected that the order charging land will be issued in the next week or so.

I will update you as soon as I receive a copy of the order.

THE ENFORCEMENT OF JUDGMENTS OFFICE
Laganside House, 23-27 Oxford Street, Belfast
BT1 3LA



CERTIFIED A TRUE COPY
OF THE ORIGINAL

Case No: C/16/00077

GRO

CHIEF ENFORCEMENT OFFICER

Your Reference SMCV/8453/30

Between

POST OFFICE LIMITED
AND
PETER MCCARTAN

Plaintiff/Applicant
Defendant/Respondent

ORDER CHARGING LAND

WHEREAS the sum of £56235.90 is recoverable under a judgment dated 23-Sep-15 in the above mentioned matter in favour of

POST OFFICE LIMITED, FINSBURY DIALS 20 FINSBURY STREET LONDON EC2Y 9AQ

the creditor(s) against

PETER MCCARTAN,

GRO

the debtor(s),

IT APPEARING that the debtor(s) is entitled to land or estate or interest in the land specified in the Schedule hereto,

AND Notice of Intention to make this Order having been sent to the debtor(s), the creditor and any other person having an interest in the land or estate on 03-MAR-16

AND no persons objecting to this Order being made

IT IS ORDERED that the land or estate or interests in land of the debtor(s), the said

PETER MCCARTAN

(otherwise known as PETER DAMIEN MCCARTAN)specified in the Schedule hereto, stand charged in favour of the creditor with the payment of £56235.90 together with £ 18.20 the costs and expenses of registration of this Order making in all the sum of **£56254.10** and interest on

THE ENFORCEMENT OF JUDGMENTS OFFICE
Laganside House, 23-27 Oxford Street, Belfast
BT1 3LA



the amount from time to time outstanding at the rate of 8per cent per annum from the date of such registration.

SCHEDULE

THE LAND AND PREMISES SITUATE AT AND KNOWN AS:

GRO

GRO

Sealed this 26th day of April 2016

Stacey J Beresford

From: Stacey J Beresford
Sent: 06 June 2016 15:46
To: 'Harris, Josh'
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh,

Thank you for the Order Charging Land its great progress.

Can we look at further enforcement options please?

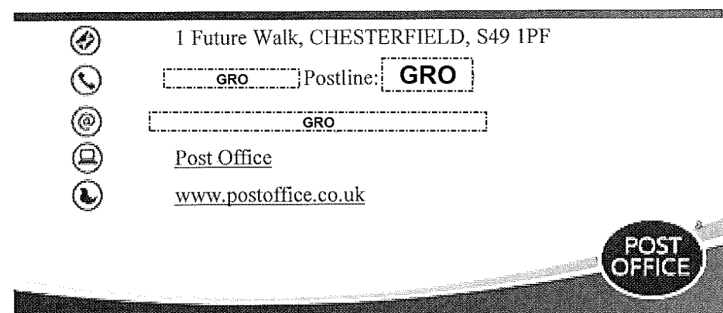
Can we now approach the debtor with the "we have secured the debt, what do you propose to pay or we may have to go for force of sale" type letter to see if we get a result? As the debt is a decent size it's not something we'd like to sit on at the moment.

I look forward to hearing from you.

Kind Regards

Stacey

Stacey Beresford I Former Agents Accounting Team



From: Harris, Josh [GRO]
Sent: 31 May 2016 13:30
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

As per the attached our agents have now received confirmation that the Order Charging Land has been registered against the property.

Our agents have enquired whether you require any further enforcement advice. Let me know if you do alternatively, if you are happy for let the charge remain in place I will ask them to close their file for now.

Regards

Josh

THE ENFORCEMENT OF JUDGMENTS OFFICE
Laganside House, 23-27 Oxford Street, Belfast
BT1 3LA



CERTIFIED A TRUE COPY
OF THE ORIGINAL

Case No: C/16/00077

GRO

CHIEF ENFORCEMENT OFFICER

Your Reference SMCV/8453/30

Between

POST OFFICE LIMITED
AND
PETER MCCARTAN

Plaintiff/Applicant
Defendant/Respondent

ORDER CHARGING LAND

WHEREAS the sum of £56235.90 is recoverable under a judgment dated 23-Sep-15 in the above mentioned matter in favour of

POST OFFICE LIMITED, FINSBURY DIALS 20 FINSBURY STREET LONDON EC2Y 9AQ

the creditor(s) against

PETER MCCARTAN,

GRO

the debtor(s),

IT APPEARING that the debtor(s) is entitled to land or estate or interest in the land specified in the Schedule hereto,

AND Notice of Intention to make this Order having been sent to the debtor(s), the creditor and any other person having an interest in the land or estate on 03-MAR-16

AND no persons objecting to this Order being made

IT IS ORDERED that the land or estate or interests in land of the debtor(s), the said

PETER MCCARTAN

(otherwise known as PETER DAMIEN MCCARTAN) specified in the Schedule hereto, stand charged in favour of the creditor with the payment of £56235.90 together with £ 18.20 the costs and expenses of registration of this Order making in all the sum of **£56254.10** and interest on



09-May-2016 20161370AN



THE ENFORCEMENT OF JUDGMENTS OFFICE
Laganside House, 23-27 Oxford Street, Belfast
BT1 3LA



the amount from time to time outstanding at the rate of 8per cent per annum from the date of such registration.

SCHEDULE

THE LAND AND PREMISES SITUATE AT AND KNOWN AS

GRO

GRO

Sealed this 26th day of April 2016

*I certify that this is
a true copy of the
original document.*

GRO

4/15/16

*Sharon McKeigh,
Solicitor, Carson McDowell*

Stacey J Beresford

From: Harris, Josh <[REDACTED] GRO>
Sent: 09 June 2016 14:52
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

I have asked the question regarding order for sale of our Belfast agents who have responded as follows:

'There is a Power of Sale contained within the Order Charging Land similar to a Mortgagee's charge however you need to apply to the Chancery Court for an Order of Sale.

Once that is obtained it would be up to the debtor to provide vacant possession of the property. If not possible then we would apply to the Enforcement of Judgments Office again to enforce a judgment, this time a Possession based order (as opposed to monetary).

Two things need to be considered. The first is equity. There is a mortgage in place which the debtor stated in his means examination has an [REDACTED] GRO

[REDACTED] GRO Therefore there would have to be £185k in value before we would recover anything as the third charge holder, and a value of circa £241k for us to recover the sum in full.

Although this is a very rough estimate the capital value of the property on Land & Property Services website is £275k. In a distressed sale it might well be lower.

The other factor is that The Judge will take into consideration the rights and prospect of hardship to the debtor's [REDACTED] GRO. So not only could the Judge refuse an Order of Sale but he could issue the Order suspended upon certain conditions, e.g. he can order repayments to be made at an affordable rate, or suspend the operation of the Order until the youngest of the children reach the age of eighteen.

Unfortunately we don't have any guidance or previous applications because it is rare that we would enforce an Order Charging Land to obtain a Power of Sale, the reason being that the judgments are usually for smaller amounts and we have taken the view that the Chancery Master is unlikely to allow a person's home to be repossessed on foot of a £20k Order Charging Land where he has dependents and where he is maintaining the mortgage payments. Quite often clients are reluctant to take that action also due to the possibility of adverse publicity. The sum involved here is much more significant however.

Costs will depend on whether the action is disputed or not, in which case several reviews before the Chancery Master are likely, but in a straightforward case costs are likely to be in the region of £2k (say £1,500 plus VAT and outlays).'

From this it appears they are saying there is a risk that a Judge in their jurisdiction may not grant an order due to the hardship which would affect his wife and children although it is not certain that this would be the outcome. The cost quoted does not seem unreasonable, given the amount of the debt, but it should be born in mind that if the action is defended this could increase significantly.

Let me know if you would like to discuss this and I will give you a call (I have given the agents full answer as I thought it would be useful but appreciate there is some terminology in there which is quite technical so I am happy to go through this if you are unsure of anything).

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive

Subject Data

Your Reference:

Name (Person 1): PETER MCCARTAN

Date Of Birth (Person 1):

Name (Person 2):

Location:

Email:

Residency

Name: MR PETER DAMIAN MCCARTAN

Date of Birth: GRO

Address: GRO

Telephone Directory: Telephone Directory Credits not available

Phonematch Mobile: Unavailable

Phonematch Landline: Unavailable

Email: No Match Found

Data Sources: ER1999-ER2002
ER2004-ER2006
ER2008-ER2016
Tracesmart Register - Other
Equifax
Experian

Occupancy Period: 1998-2015

Recency Date: 15/10/2015

Residency Score: Very High

Mortality Alert

Halo & GRO

Search Halo & GRO

Property

Property Location: GRO

Property Description: No Match Found

Council Tax Band: No Match Found

Socio - Demographic Code: Convivial Homeowners - Liberal Opinions

Property Sale Date: No Match Found

Property Sale Price: No Match Found

PRS Unavailable:

This address is not a valid PRS address as it is not in England or Wales

Companies House

Company Directorships

Search Company Directorships

Shareholders

No Match Found

Online

Online ID: No Match Found

Occupant

LexisNexis® (1997 - Current)

Name	Occupancy	Phonematch	Telephone Directory	Res. Score	DOB
 GRO	 1998-2013	Unavailable	Search	Very High	GRO

Thomson

No Match Found

Companies House

No Match Found

Address Links

LexisNexis® Smartlink

Search

Potential Links

Name	DOB	Recency Date	Address	Score	Distance
 <u>PETER MCCARTAN</u>	GRO	15/10/2015	GRO	50%	35

Stacey J Beresford

From: Stacey J Beresford
Sent: 19 July 2016 11:20
To: 'Harris, Josh'
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh,

I've been through your email with Michelle and we've both agreed it's unlikely we're going to go for Force of Sale but we do think he must have some form of income and there's nothing negative on a quick search wave done on him and his paying his mortgage comfortably so we ought to be seeking repayments.

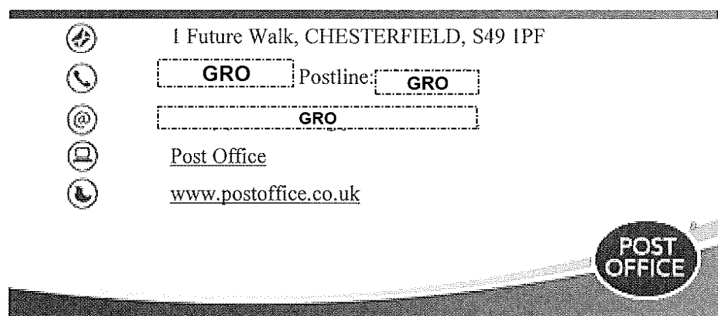
Can we write to him and invite his proposals?

I look forward to hearing from you.

Kind Regards

Stacey

Stacey Beresford I Former Agents Accounting Team



From: Harris, Josh [GRO]
Sent: 07 July 2016 11:14
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

Just a quick check to see if you have had chance to consider the below?

Happy to discuss if required.

Regards

Josh

Stacey J Beresford

From: Stacey J Beresford
Sent: 03 October 2016 11:13
To: 'Harris, Josh'
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Josh,

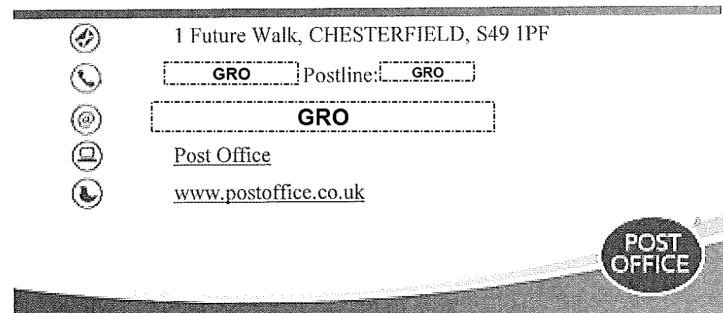
Hope you are well and have had a good weekend.

Have we received any response from Mr McCartan please?

Kind Regards

Stacey

Stacey Beresford I Former Agents Accounting Team



From: Harris, Josh [GRO]
Sent: 06 September 2016 09:44
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynafeigh Post Office - 168704

Hi Stacey

Good thanks. I hope all is well with you and the team.

Yes, our agents wrote to Mr McCartan on 8th August 2016. I will check to see if any response has been received.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line [GRO]

direct fax: **GRO**

jharris: **GRO**

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Stacey J Beresford: **GRO**
Sent: 01 September 2016 14:23
To: Harris, Josh
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh,

I hope you are well.

Were you able to get a letter out to Mr McCartan? I know we're slightly restricted now in terms of going forward and it may be as well to sit on the charge I think Michelle just wanted a last ditch attempt at some form of instalment from him.

At the least the debt is secured.

Thanks

Stacey

Stacey Beresford I Former Agents Accounting Team

 1 Future Walk, CHESTERFIELD, S49 1PF
 **GRO** Postline: **GRO**
 **GRO**
 Post Office
 www.postoffice.co.uk



From: Stacey J Beresford
Sent: 19 July 2016 11:20
To: 'Harris, Josh'
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh,

I've been through your email with Michelle and we've both agreed it's unlikely we're going to go for Force of Sale but we do think he must have some form of income and there's nothing negative on a quick search wave done on him and his paying his mortgage comfortably so we ought to be seeking repayments.

Stacey J Beresford

From: Harris, Josh [GRO]
Sent: 11 October 2016 10:24
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

Our agents have received no response from Mr McCartan.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 6NA

direct line [GRO]
direct fax [GRO]

[jharris] [GRO]

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Harris, Josh
Sent: 06 September 2016 09:44
To: 'Stacey J Beresford'
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

Good thanks. I hope all is well with you and the team.

Yes, our agents wrote to Mr McCartan on 8th August 2016. I will check to see if any response has been received

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place

Stacey J Beresford

From: Harris, Josh **GRO**
Sent: 24 November 2016 10:12
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

I have received a further update from our Belfast agents. As part of their process the Enforcement of Judgments Office issues a Conditional Order for the debtor to attend Court and give a statement of means (similar to an Information Order). Mr McCartan was asked to attend Court on 21 November 2016 to do this but failed to appear. As he is now in contempt of Court the EJO will issue a warrant for his arrest.

In practice, these are put hold pending his voluntary attendance or execution of the warrant by the police (these type of warrants are a low priority for them).

Therefore we have exhausted the enforcement process other than going down the Order for Sale route which I understand you do not wish to do at this point. Are you happy for our agents to close our file for the time being?

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 9HS

direct line

GRO

direct fax

[jharris@](mailto:jharris@dacbeachcroft.com)

GRO

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Harris, Josh
Sent: 11 October 2016 10:24
To: 'Stacey J Beresford'
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

Our agents have received no response from Mr McCartan.

Regards

Josh

Stacey J Beresford

From: Stacey J Beresford
Sent: 14 March 2017 09:16
To: Harris, Josh
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

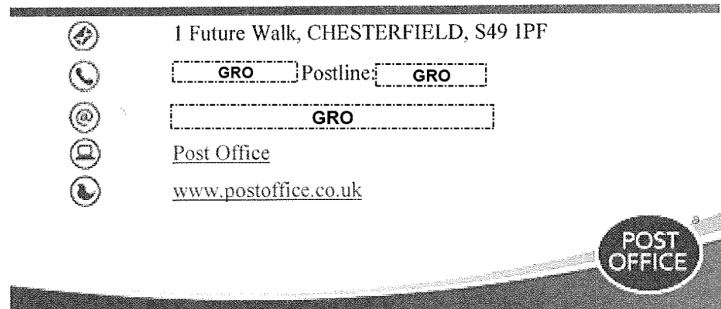
Hi Josh,

Was there a reason we couldn't go for an Order for Sale or was it just because we declined at the time?
We have since gone for two more so I don't see why we can't proceed with this one.
Can we send an initial letter stating that is what we are doing and then if no response, proceed?

Thanks

Stacey

Stacey Beresford I Former Agents Accounting Team



From: Harris, Josh [GRO]
Sent: 24 November 2016 10:12
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

I have received a further update from our Belfast agents. As part of their process the Enforcement of Judgments Office issues a Conditional Order for the debtor to attend Court and give a statement of means (similar to an Information Order). Mr McCartan was asked to attend Court on 21 November 2016 to do this but failed to appear. As he is now in contempt of Court the EJO will issue a warrant for his arrest.

In practice, these are put hold pending his voluntary attendance or execution of the warrant by the police (these type of warrants are a low priority for them).

Therefore we have exhausted the enforcement process other than going down the Order for Sale route which I understand you do not wish to do at this point. Are you happy for our agents to close our file for the time being?

Regards

Josh

Stacey J Beresford

From: Stacey J Beresford
Sent: 03 May 2017 09:47
To: 'Harris, Josh'
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

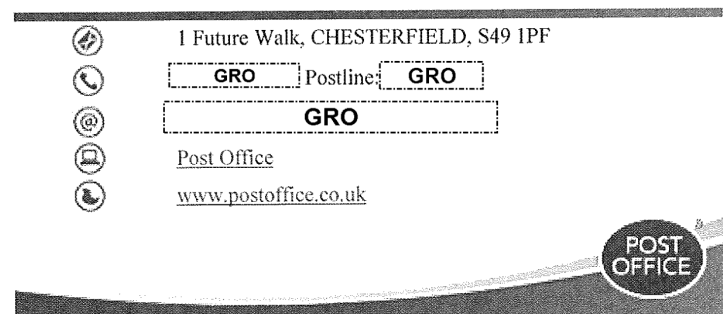
Hi Josh,

Did we receive a response from McCartan? I'm guessing not but I thought I'd check!
Did the Belfast agents come back with a quote for proceedings?

Thanks

Stacey

Stacey Beresford I Former Agents Accounting Team



From: Stacey J Beresford
Sent: 14 March 2017 12:23
To: 'Harris, Josh'
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh,

Yes please obtain the quote from the agents then I can show it Michelle and we can proceed.

Thanks

Stacey

Stacey Beresford I Former Agents Accounting Team





From: Harris, Josh [GRO]
Sent: 14 March 2017 12:22
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

There is no reason we can't go ahead with the order for sale.

Let me know if you would like to and I will obtain a quote from our Belfast agents?

I will get them to send a letter with the threat in any case.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 9HS

direct line [GRO]
direct fax [GRO]

jharris [GRO]

www.dacbeachcroft.com

Think of the environment. Do you need to print this email?

From: Stacey J Beresford [GRO]
Sent: 14 March 2017 09:16
To: Harris, Josh
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh,

Was there a reason we couldn't go for an Order for Sale or was it just because we declined at the time?
We have since gone for two more so I don't see why we can't proceed with this one.

Stacey J Beresford

From: Stacey J Beresford
Sent: 18 May 2017 11:48
To: Michelle Stevens
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Michelle,

We need permission to proceed with this one please.

It is a Northern Ireland case and we have an Order Charging Land for £56,235.90.
Mr McCartan hasn't responded to any correspondence stating we may pursue an Order for Sale.

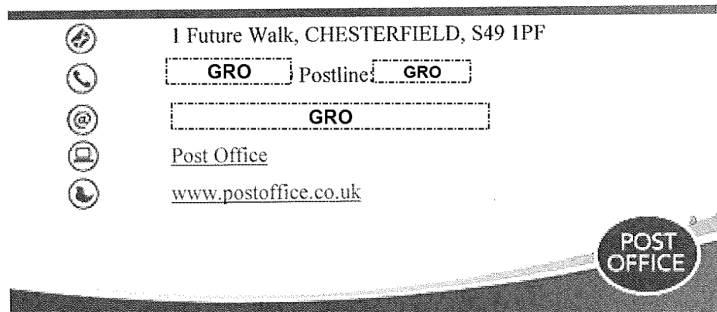
The costs are a lot less than a case in England but there is still an outlay – see below from Josh.

He came out in 2013 and has paid nothing to his account since. His customer line debt is £44,839.18.

Thanks

Stacey

Stacey Beresford I Former Agents Accounting Team



From: Harris, Josh: GRO
Sent: 04 May 2017 11:45
To: Stacey J Beresford
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Stacey

The agents have received no response from Mr McCartan.

In respect of costs they have quoted as follows:

'Costs will depend on whether the action is disputed or not, in which case several reviews before the Chancery Master are likely, but in a straightforward case costs are likely to be in the region of £2k (say £1,500 plus VAT and outlays).'

Regards

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 9HS

direct line: **GRO**
direct fax:

jharris: **GRO**

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Stacey J Beresford **GRO**
Sent: 03 May 2017 09:47
To: Harris, Josh
Subject: RE: Mr Peter McCartan - Ballynaveigh Post Office - 168704

Hi Josh,

Did we receive a response from McCartan? I'm guessing not but I thought I'd check!
Did the Belfast agents come back with a quote for proceedings?

Thanks

Stacey

Stacey Beresford I Former Agents Accounting Team

 1 Future Walk, CHESTERFIELD, S49 1PF
 **GRO** Postline: **GRO**
 **GRO**
 Post Office
 www.postoffice.co.uk

POST
OFFICE

From: Stacey J Beresford
Sent: 14 March 2017 12:23

Jenny Smith

From: Simon I Hutchinson
Sent: 11 May 2018 11:47
To: Jenny Smith
Cc: Helen Dickinson; Post Office Security
Subject: FW: Ballynafeigh Peter Damian McCartan 168704
Attachments: Action Log DT02.xlsx

Importance: High
Sensitivity: Confidential

Hi Jenny

Can you inform what actions, including dates, have been taken thus far to make contact with Mr McCartan?

Regards

Simon



2017 Winner of the
Global Postal Award
for Customer
Experience

Simon I Hutchinson
Security & Investigations Manager

Brent House
15 Heron Road
Belfast BT3 9LE

GRO

GRO

For Government Security
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GRO

*25/7/13
2/9/13
11/10/13
Guzanne Winkles involved.
passed to Simon
case on hold.
won't expect.*

*Casebourne.
Letter 9/6/15.
spoken phone
to attorney.
judgment
charge.*

From: Former Agent Accounts**Sent:** 03 May 2018 13:26**To:** Post Office Security { **GRO** }**Subject:** Ballynafeigh Peter Damian McCartan 168704

Hi,

Please find below details of the FSPM at Ballynafeigh Post Office. Would you be able to visit or make a phone to call (as it's in Belfast) please?

Ballynafeigh 168704 Debt £44,839.18

- We have judgment (23/09/15) and a charge on land for £56k (03/03/16) but in negative equity.
- Mr McCartan hasn't responded to any correspondence or made any payments.



Post Office Ltd
Security
Brent House
15 Heron Road
Belfast
BT3 9LE

30th May 2018

Peter Damian McCartan

GRO

RE: Ballynafeigh Post Office - Debt

Dear Mr McCartan

I have been asked to make contact with you regarding an outstanding debt concerning your previous employment as the Sub Postmaster of Ballynafeigh Post Office, Code 168704. I have called you on mobile number **GRO** on 18th and 25th May 2018 and left a message to contact me on both occasions.

Post Office Ltd previously sent letters to you on 25th July 2013, 2nd September 2013 and 1st October 2013. Another letter was sent on 9th June 2015 and you subsequently spoke with a Post Office Ltd team member on the phone and said you would like to pay £30-£40 a week, however, nothing has been received. Post Office Ltd has obtained a Judgment and a charge on your property.

Current Debt stands at £44,839.18.

Please contact me as soon as possible to discuss this matter, I can be contacted by phone, letter or e mail, details below and above.

Yours sincerely,

Simon Hutchinson

Post Office Ltd
Security Team

GRO

GRO

www.postoffice.co.uk

Security Operations	
Debt Tasking Action Log	
Ref:	DT02
Branch Name:	Ballynafeigh
Branch Code:	168704
Date:	Action
02-May-18	To visit Peter Damian McCARTAN, DOB [GRO] GRO
11-May-18	Emailed Jenny Smith, Former Agents Debt Team, to supply details of any historical contact made with Mr McCartan.
14-May-18	Jenny Smith replies - letters sent to Mr McCARTAN on 25/07/13, 02/09/13 and 01/10/13. Another letter was sent on 09/06/2015 and Mr McCARTAN spoke to our team on the phone and said he would like to pay £30-£40 a week but nothing received. We obtained Judgment and a charge on his property but no contact since - Acknowledged by SH
18-May-18 13:00 hrs	Phone call made to Mr McCARTAN on his reported mobile number [GRO] no answer and message left to contact Simon Hutchinson.
25/05/2018 12:20 hrs	Phone call made to Mr McCARTAN on mobile number [GRO], again no answer and message left to contact Simon Hutchinson.
30/05/2018 13:50 hrs	Simon Hutchinson visited Mr McCARTAN 's home address at [GRO] No answer to the call, however, a letter was posted through the letter box by SH, see below. RE: Ballynafeigh Post Office - Debt Dear Mr McCartan I have been asked to make contact with you regarding an outstanding debt concerning your previous employment as the Sub Postmaster of Ballynafeigh Post Office, Code 168704. I have called you on mobile number [GRO] on 18th and 25th May 2018 and left a message to contact me on both occasions. Post Office Ltd previously sent letters to you on 25th July 2013, 2nd September 2013 and 1st October 2013. Another letter was sent on 9th June 2015 and you subsequently spoke with a Post Office Ltd team member on the phone and said you would like to pay £30-£40 a week, however, nothing has been received. Post Office Ltd has obtained a Judgment and a charge on your property. Current Debt stands at £44,839.18. Please contact me as soon as possible to discuss this matter, I can be contacted by phone, letter or e mail, details below and above. Yours sincerely, Simon Hutchinson Post Office Ltd Security Team [GRO] [GRO]
06/06/2018 19:00 hrs	SH received a phone call from Mr McCARTAN , who was given the gist of my previously delivered letter by his [GRO] Mr McCARTAN states that he has [GRO] who lives at the [GRO] address, and that they are in the process of selling the house in order to divide any forthcoming equity. Mr McCARTAN is now a taxi driver in Belfast. Mr McCARTAN will e mail SH a response as soon as he takes possession of the aforementioned letter, including his new address.
11-Jun-18	SH received the following e mail from Mr McCartan: Hi <i>Simon Re Ballynafeigh PO.</i> <i>As I said in my call to you I was involved in [GRO] as many hours as i wanted. However now I have recovered enough to increase my hours and should be able to pay the £40 per week at present and hopefully increase that [GRO]</i> <i>With regards to the house. The house is in joint names with my [GRO] and as we had increased the mortgage to carry out repairs/improvements I don't believe there is a great amount of equity on it. Also as it is in joint names with my [GRO] I'm sure if she does sell it she will be claiming at least 50% of any equity there may be.</i> <i>If you need to contact me you can phone me at the number you have, email me at this email or send mail to my sister's house at [GRO]</i>
14-Jun-18	SH acknowledged Mr McCartan's e mail and forwards same to Jenny Smith, Former Agents Accounting Officer along with updated Action Log.

Jenny Smith

From: Simon I Hutchinson
Sent: 07 June 2018 11:43
To: Jenny Smith
Cc: Post Office Security; Helen Dickinson
Subject: Debt Recovery Update - Ballynaveigh Peter Damian McCartan 168704
Attachments: Action Log McCartan.xlsx; Letter- Mr Damian McCartan May 2018.doc

Sensitivity: Confidential

Jenny

Please see attached log by way of an update to this particular case.

Regards

Simon



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Experience**

Simon I Hutchinson
Security & Investigations Manager

Brent House
15 Heron Road
Belfast BT3 9LE

GRO

GRO

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GRO

From: Jenny Smith
Sent: 14 May 2018 11:37
To: Simon I Hutchinson **GRO**
Subject: RE: Ballynaveigh Peter Damian McCartan 168704
Sensitivity: Confidential

Hi Simon,

We sent letters on 25/07/13, 02/09/13 and 01/10/13. Suzanne Winters was involved too.

This was then passed to yourself but was on hold awaiting an Horizon expert. We then received a case closure form.

Another letter sent on 09/06/2015 and Mr McCartan spoke to our team on the phone and said he would like to pay £30-£40 a week but nothing received.

We obtained Judgment and a charge on his property but no contact since.

Jenny

"Private & Confidential - Subject to Legal Privilege"

Jenny Smith

From: Simon I Hutchinson
Sent: 14 June 2018 11:35
To: Jenny Smith
Cc: Helen Dickinson; Post Office Security
Subject: Ballynaveigh Debt Former SPMR
Attachments: Action Log McCartan.xlsx

Jenny

Please see Damien McCartan's e mail below. He has offered to pay back £40 per week which he intends to increase going forward. Action log attached.

Name: Peter Damian McCartan

DOB: GRO

Address: GRO

Phone number in file: GRO

LDOS 03/01/2013

Debt made up of £45,555.02 Final account deficiency, £242 credit for Violet Giros and DFR taken on 29/01/2013 for £473.84.

Regards

Simon



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Simon I Hutchinson
Security & Investigations Manager

Brent House
15 Heron Road
Belfast BT3 9LE

GRO

GRO

**For Government Security
Classifications OFFICIAL please use:**

GRO

From: Simon I Hutchinson
Sent: 14 June 2018 11:17
To: 'Damian McCartan' <GRO>
Cc: Jenny Smith <GRO>
Subject: Ballynaveigh Former SPMR

Damien

Many thanks for this, I will now pass this information onto the Former Agents Accounting team who will contact you soon.

Regards

Jenny Smith

From: Simon I Hutchinson
Sent: 14 June 2018 11:17
To: Damian McCartan
Cc: Jenny Smith
Subject: Ballynafeigh Former SPMR

Damien

Many thanks for this, I will now pass this information onto the Former Agents Accounting team who will contact you soon.

Regards

Simon



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Experience**

Simon I Hutchinson
Security & Investigations Manager

Brent House
15 Heron Road
Belfast BT3 9LE

GRO

simon.i.hutchinson **GRO**
For Government Security
Classifications OFFICIAL please use:
simon.i.hutchinson **GRO**

From: Damian McCartan **GRO**
Sent: 11 June 2018 20:27
To: Simon I Hutchinson **GRO**
Subject: Your call/email

Hi Simon Re Ballynafeigh PO.

As I said in my call to you I was involved in **GRO** as many hours as i wanted. However now I have recovered enough to increase my hours and should be able to pay the £40 per week at present and hopefully increase that **GRO**

With regards to the house. The house is in joint names with my **GRO** and as we had increased the mortgage to carry out repairs/improvements I don't believe there is a great amount of equity on it. Also as it is in joint names with my **GRO** I'm sure if she does sell it she will be claiming at least 50% of any equity there may be.

If you need to contact me you can phone me at the number you have, email me at this email or send mail to my sister's house at **GRO**

Sent from Samsung Mobile on O2

Former Agent Accounts

From: Damian McCartan <[redacted]@GRO>
Sent: 18 July 2018 20:15
To: Former Agent Accounts
Subject: 're Ballynaveigh 168704

Sorry for not responding earlier but your email was sent to recycling as it was treated as junk mail.
Standing order for £40 Set up starting this week

Sent from Samsung Mobile on O2

Jenny Smith

From: Simon I Hutchinson
Sent: 27 July 2018 17:49
To: Jenny Smith
Cc: Helen Dickinson
Subject: Ballynafeigh Peter Damian McCartan 168704

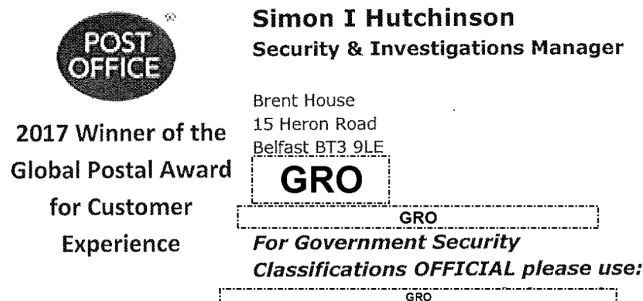
Jenny

FYI. Please see e mail below from the former SPMR of Ballynafeigh regarding a formal Judgment and a charge on his property concerning debt to POL.

I have replied to him stating that will pass the e mail to Former Agents Accounting.

Regards

Simon



From: Damian McCartan **GRO**
Sent: 27 July 2018 15:12
To: Simon I Hutchinson **GRO**
Subject: Hi Simon.

're Ballynafeigh P.O..

Regarding the order attached to my former home at **GRO**

My **GRO** has been in contact with me and has asked me to see if this order can be lifted.

She has stated that if she is unable to attain some equity from the house **GRO** will have no accommodation and will have to go to a hostel or move in with her parents and will not have a stable or secure home.

As I have stated previously the reason I was unable to keep the arrangement I had came to was due to being in **GRO** **GRO** to increase my hours and am now able to make these payments.

Damian

Sent from Samsung Mobile on O2

Former Agent Accounts

From: Former Agent Accounts
Sent: 06 August 2018 13:24
To: 'Harris, Josh' [GRO]
Subject: Ballynaveigh 168704
Attachments: jenny.smith_06-08-2018_11-26-57.pdf

Hi Josh,

Could you advise us on this one please?

Mr McCartan was in branch until January 2013 and has a debt of £44k. He had paid nothing until 3 weeks ago has started paying £40 a week.

His now [GRO] also had a debt as she was in branch before him but this has been paid.

We have a charge over their property which from his email looks like he is not living there now but his [GRO] has asked if the charge can be lifted as she needs some equity.

We don't want to remove the charge as I feel he will stop paying but is there anything his [GRO] can do with regards to her half?

Please see his email text below.

I'm Ballynaveigh P.O..

Regarding the order attached to my former home at [GRO]

My [GRO] has been in contact with me and has asked me to see if this order can be lifted.

She has stated that if she is unable to attain some equity from the house [GRO] will have no accommodation and will have to go to a hostel or move in with her parents and will not have a stable or secure home.

As I have stated previously the reason I was unable to keep the arrangement I had come to was due to being in [GRO] [GRO] to increase my hours and am now able to make these payments.

Damian

Thanks

Jenny

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**2017 Winner of the
Global Postal Award
for Customer
Experience**

Jenny Smith
Former Agents Accounting Officer

Former Agents Accounting Team,
2nd Floor, 1 Future Walk,
Chesterfield, Derbyshire,
S49 1PF

[GRO]
former.agent.accounts
[GRO]

Former Agent Accounts

From: Harris, Josh [GRO]
Sent: 07 August 2018 09:30
To: Former Agent Accounts
Subject: RE: Ballynafeigh 168704

Hi Jenny

I would leave the charge in place.

If you remove it you will have no security and there is no commercial reason for you to remove the charge for the benefit of his [GRO]. Also, as you mention, there will be nothing in place to compel him to make any further payments.

It may seem harsh but his [GRO] finances are not really a concern for you as she should seek her own independent advice.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 9HS

direct line [GRO]
direct fax [GRO]

jharris@dacbeachcroft.com [GRO]

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Former Agent Accounts [GRO]
Sent: 06 August 2018 13:24
To: Harris, Josh
Subject: Ballynafeigh 168704

Hi Josh,

Could you advise us on this one please?

Mr McCartan was in branch until January 2013 and has a debt of £44k. He had paid nothing until 3 weeks ago has started paying £40 a week.

Former Agent Accounts

From: Simon I Hutchinson
Sent: 15 August 2018 11:09
To: Former Agent Accounts
Subject: Ballynaveigh - 168704 - Former SPMR Enquiry
Attachments: RE Hi Simon_27072018.eml

Hi

Please see e mail below from the former SPMR of Ballynaveigh - 168704 - regarding a formal Judgment and a charge on his property concerning debt to POL.

I have replied to him stating that I will look into the matter, can you address please.

Regards

Simon



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Simon I Hutchinson
Security & Investigations Manager

Brent House
15 Heron Road
Belfast BT3 9LE

GRO

simon.i.hutchinson@ GRO
For Government Security
Classifications OFFICIAL please use:
simon.i.hutchinson@ GRO

From: Damian McCartan <<GRO>>
Sent: 15 August 2018 10:46
To: Simon I Hutchinson <<GRO>>
Subject: RE: RE: Hi Simon.

Hi Simon.

My **GRO** has put the house up for sale but has been told by the Halifax that the deeds are with the post office solicitors and this could delay the sale. Could you please let me know if you can sort this out or if you can get back to me asap please with contact details and reference details.. Thanks

Sent from Samsung Mobile on O2

Former Agent Accounts

From: Former Agent Accounts
Sent: 15 August 2018 12:49
To: Simon I Hutchinson
Subject: RE: Ballynafeigh - 168704 - Former SPMR Enquiry

Hi Simon,

I have already responded to Mr McCartan to say that the charge will only be removed if the debt is paid off.

The Halifax will have to send us an undertaking that this will be cleared upon sale.

Jenny

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Jenny Smith
Former Agents Accounting Officer

Former Agents Accounting Team,
2nd Floor, 1 Future Walk,
Chesterfield, Derbyshire,
S49 1PF

GRO

former.agent.accounts

GRO

From: Simon I Hutchinson
Sent: 15 August 2018 11:09
To: Former Agent Accounts <GRO>
Subject: Ballynafeigh - 168704 - Former SPMR Enquiry

Hi

Please see e mail below from the former SPMR of Ballynafeigh – 168704 - regarding a formal Judgment and a charge on his property concerning debt to POL.

I have replied to him stating that I will look into the matter, can you address please.

Regards

Simon



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Global Postal Award**

Simon I Hutchinson
Security & Investigations Manager

Brent House
15 Heron Road
Belfast BT3 9LE

GRO

GRO

Former Agent Accounts

From: Simon I Hutchinson
Sent: 16 August 2018 12:51
To: Former Agent Accounts
Cc: Helen Dickinson
Subject: RE: Ballynafeigh - 168704 - Former SPMR Enquiry

Jenny

Many thanks for this. I have just had Damien's [GRO] on the phone (Damien must have given her my number) regarding the house sale and the difficulties due to our legal position etc. It appears Damien has not informed her of the issue you have mentioned below, 'The Halifax will have to send us an undertaking that this will be cleared upon sale'. I have verbally informed her of this and informed her that I will pass this to your department for advice due to the legalities surrounding the matter.

The property appears to be in both their names and [GRO] is looking to see how best she can sell the house.

[GRO]

[GRO]

- tel

[GRO]

Regards

Simon



Simon I Hutchinson
Security & Investigations Manager

Brent House
15 Heron Road
Belfast BT3 9LE

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Experience

[GRO]

[GRO]

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[GRO]

From: Former Agent Accounts
Sent: 15 August 2018 12:49
To: Simon I Hutchinson [GRO]
Subject: RE: Ballynafeigh - 168704 - Former SPMR Enquiry

Hi Simon,

I have already responded to Mr McCartan to say that the charge will only be removed if the debt is paid off.

The Halifax will have to send us an undertaking that this will be cleared upon sale.

Jenny

"Private & Confidential - Subject to Legal Privilege"

Former Agent Accounts

From: Simon I Hutchinson
Sent: 16 August 2018 12:53
To: Former Agent Accounts
Cc: Helen Dickinson
Subject: RE: Ballynafeigh - 168704 - Former SPMR Enquiry

Apologies

I believe [GRO] now refers to herself as [GRO].

Regards

Simon



**2017 Winner of the
Global Postal Award
for Customer
Experience**

Simon I Hutchinson
Security & Investigations Manager

Brent House
15 Heron Road
Belfast BT3 9LE

[GRO]

[GRO]

**For Government Security
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[GRO]

From: Simon I Hutchinson
Sent: 16 August 2018 12:51
To: Former Agent Accounts [GRO]
Cc: Helen Dickinson [GRO]
Subject: RE: Ballynafeigh - 168704 - Former SPMR Enquiry

Jenny

Many thanks for this. I have just had Damien's [GRO] on the phone (Damien must have given her my number) regarding the house sale and the difficulties due to our legal position etc. It appears Damien has not informed her of the issue you have mentioned below, 'The Halifax will have to send us an undertaking that this will be cleared upon sale'. I have verbally informed her of this and informed her that I will pass this to your department for advice due to the legalities surrounding the matter.

The property appears to be in both their names and [GRO] is looking to see how best she can sell the house.

[GRO]

[GRO]

- tel

[GRO]

Regards

Simon

Former Agent Accounts

From: Former Agent Accounts
Sent: 16 August 2018 14:18
To: Simon I Hutchinson
Subject: RE: Ballynafeigh - 168704 - Former SPMR Enquiry

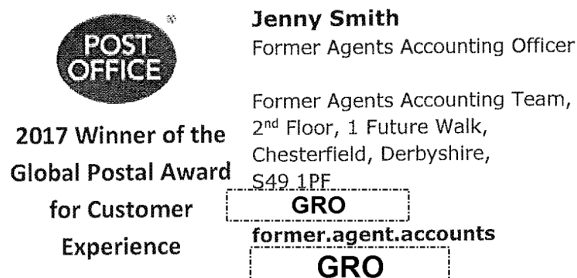
Hi Simon,

We don't necessarily need the undertaking as they won't be able to sell without having the charge removed anyway. We can let the Solicitors know how much debt is owed and they will pay us direct. We will then agree to the charge being removed. Do you know the name of the Solicitors they are dealing with please?

Thanks

Jenny

"Private & Confidential - Subject to Legal Privilege"



From: Simon I Hutchinson
Sent: 16 August 2018 12:51
To: Former Agent Accounts <former.agent.accounts@GRO>
Cc: Helen Dickinson <helen.dickinson@GRO>
Subject: RE: Ballynafeigh - 168704 - Former SPMR Enquiry

Jenny

Many thanks for this. I have just had Damien's [GRO] on the phone (Damien must have given her my number) regarding the house sale and the difficulties due to our legal position etc. It appears Damien has not informed her of the issue you have mentioned below, 'The Halifax will have to send us an undertaking that this will be cleared upon sale'. I have verbally informed her of this and informed her that I will pass this to your department for advice due to the legalities surrounding the matter.

The property appears to be in both their names and Mrs McCartan is looking to see how best she can sell the house.

[GRO] - [GRO] - tel [GRO]

Regards

Former Agent Accounts

From: Simon I Hutchinson
Sent: 16 August 2018 21:26
To: Former Agent Accounts
Subject: RE: Ballynafeigh - 168704 - Former SPMR Enquiry

Hi Jenny

Solicitor details as follows;

Alex Wong
Flynn & McGettrick Solicitors
9 Clarence Street
Belfast
BT2 8DY

Phone: [GRO]
E a.wong [GRO]

Regards

Simon



2017 Winner of the
Global Postal Award
for Customer
Experience

Simon I Hutchinson
Security & Investigations Manager

Brent House
15 Heron Road
Belfast BT3 9LE

GRO
simon.i.hutchinson [GRO]
For Government Security
Classifications OFFICIAL please use:
simon.i.hutchinson [GRO]

From: Former Agent Accounts
Sent: 16 August 2018 14:18
To: Simon I Hutchinson [GRO]
Subject: RE: Ballynafeigh - 168704 - Former SPMR Enquiry

Hi Simon,

We don't necessarily need the undertaking as they won't be able to sell without having the charge removed anyway. We can let the Solicitors know how much debt is owed and they will pay us direct. We will then agree to the charge being removed. Do you know the name of the Solicitors they are dealing with please?

Thanks

Jenny

Former Agent Accounts

From: Former Agent Accounts
Sent: 23 August 2018 10:07
To: a.wong [GRO]
Subject: Ballynaveigh 168704 Peter Damian McCartan - [GRO]
[GRO]

Hello Alex

Further to our telephone call this morning, I have contacted our Solicitors DAC Beachcroft LLP who will now contact our agents, Carson McDowell to check whether they hold the title deed to the above property. I have provided our Solicitor with your contact details and he will respond to you direct.

Once a sale has been agreed kindly contact DAC Beachcroft LLP who will provide you with a settlement figure and bank account details to enable you to remit funds.

Please see below contact details as requested.

Mrs Jenny Smith
Post Office Limited
Former Agents Accounting Team
2nd Floor
1 Future Walk
Chesterfield
S49 1PF
[GRO]

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 9HS
jharris [GRO]

Kind regards

Lynn Thompson

"Private & Confidential - Subject to Legal Privilege"

Former Agents Accounts
2nd Floor West, 1 Future Walk, West Bars, Chesterfield, S49 1PF
Telephone : [GRO]

[GRO]



 Jenny Smith

From: Former Agent Accounts
Sent: 23 August 2018 10:26
To: 'Harris, Josh' [REDACTED] 'Jenny Smith'
Subject: FW: Ballynaveigh 168704 Peter Damian McCartan - [REDACTED]
[REDACTED]

Hello Jen & Josh

Please see attached email I have sent to Flynn & McGettrick Solicitors.

She mentioned this morning that a sale had been agreed at £268,500 but she thinks the buyer may now have pulled out as sale has become very protracted as Solicitors have been unable to locate the title deeds.

Dawn has discussed the charging order with Alison this morning and Alison advises that she would like interest to be added in the first instance.

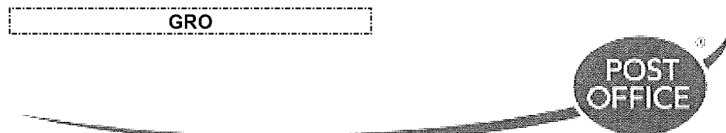
Looking through the file at this sale figure we should be repaid in full.

Lynn

Lynn Thompson

"Private & Confidential - Subject to Legal Privilege"

Former Agents Accounts
2nd Floor West, 1 Future Walk, West Bars, Chesterfield, S49 1PF
Telephone [REDACTED]
[REDACTED]



From: Former Agent Accounts
Sent: 23 August 2018 10:07
To: 'a.wong' [REDACTED]
Subject: Ballynaveigh 168704 Peter Damian McCartan - [REDACTED]

Hello Alex

Further to our telephone call this morning, I have contacted our Solicitors DAC Beachcroft LLP who will now contact our agents, Carson McDowell to check whether they hold the title deed to the above property. I have provided our Solicitor with your contact details and he will respond to you direct.

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Please see below contact details as requested.

Mrs Jenny Smith

Former Agent Accounts

From: Former Agent Accounts
Sent: 23 August 2018 10:35
To: GRO
Subject: Ballynaveigh 168704

Hello Damian

I have today made contact with Alex Wong of Flynn & Gettrick Solicitors and provided her with all necessary contact information.

Kind regards

Lynn Thompson

"Private & Confidential - Subject to Legal Privilege"

Former Agents Accounts
2nd Floor West 1 Future Walk, West Bars, Chesterfield, S49 1PF
Telephone: GRO

GRO



 **ny Smith**

From: Harris, Josh <[GRO]>
Sent: 28 August 2018 10:44
To: Former Agent Accounts; Jenny Smith
Subject: RE: Ballynaveigh 168704 Peter Damian McCartan - [GRO]
[GRO]

Thanks Lynn

I have spoken to our agents in Belfast who have confirmed that they do not hold the deeds for the property but that they will contact Flynn & McGettrick to confirm this and liaise regarding payment of the charge upon sale of the property.

I will be in touch again as soon as I have heard back from our Belfast agents.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 9HS

direct line [GRO]
direct fax [GRO]

jharris; [GRO]

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Former Agent Accounts [GRO]
Sent: 23 August 2018 10:26
To: Harris, Josh; Jenny Smith
Subject: FW: Ballynaveigh 168704 Peter Damian McCartan - [GRO]
[GRO]

Hello Jen & Josh

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Dawn has discussed the charging order with Alison this morning and Alison advises that she would like interest to be added in the first instance.

Jenny Smith

From: Harris, Josh [GRO]
Sent: 13 September 2018 09:28
To: Former Agent Accounts; Jenny Smith
Subject: RE: Ballynaveigh 168704 Peter Damian McCartan - [GRO]
[GRO]

Hi Lynn

I have heard back from our Belfast agents who have been in contact with Flynn & McGettrick. The deeds are still missing so at present no sale can proceed but they are on notice to contact our agents for a redemption figure as and when it does.

I will let you know as soon as I hear from our agents again.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP
Portwall Place
Portwall Lane
Bristol
BS1 9HS

direct line [GRO]
direct fax [GRO]

jharris [GRO]

www.dacbeachcroft.com

 Think of the environment. Do you need to print this email?

From: Harris, Josh
Sent: 28 August 2018 10:44
To: 'Former Agent Accounts'; Jenny Smith
Subject: RE: Ballynaveigh 168704 Peter Damian McCartan [GRO]

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I will be in touch again as soon as I have heard back from our Belfast agents.

Regards

Josh

ny Smith

From: Shane McVeigh <[REDACTED] GRO>
Sent: 11 March 2019 12:21
To: Harris, Josh
Subject: RE: Post Office Limited v. Peter McCartan

CAUTION EXTERNAL EMAIL: This Message originated outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Josh,

Good news just in from the solicitor. The deeds have been located and sale has been agreed for £268.5k.

They have asked me for the redemption figure on the OCL which is £69,027.63 being the recoverable sum of £56,254.10 plus interest of £12,773.53. I have forwarded this figure to the vendor's solicitor and have asked her to update us on progress.

I will keep you posted. From memory Mr. McCartan was going to act for himself in this sale so if that is still the case this might not be as straightforward as we would hope, but I will check the position with [REDACTED] GRO solicitor.

Kind regards,

Shane

Shane McVeigh Associate

Direct: [REDACTED] GRO Secretary: +[REDACTED] GRO
Mob: +[REDACTED]
Murray House, Murray Street, Belfast, BT1 6DN



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Legal 500



From: Harris, Josh <[REDACTED] GRO>
Sent: 13 September 2018 09:29
To: Shane McVeigh [REDACTED] GRO
Subject: RE: Post Office Limited v. Peter McCartan

Hi Shane

Thanks - will wait to hear from you in due course.

Regards

Josh

 **Jenny Smith**

From: Harris, Josh [GRO]
Sent: 11 March 2019 14:45
To: Former Agent Accounts; Jenny Smith
Subject: RE: Ballynafeigh 168704 Peter Damian McCartan [GRO]
[GRO]
Attachments: RE: Post Office Limited v. Peter McCartan

Hi Lynn

Some positive news for a change! The deeds have been found and it appears that the sale is progressing.

I will keep you posted.

Regards

Josh

Josh Harris
Senior Chartered Legal Executive
DAC Beachcroft LLP

DAC BEACHCROFT

Portwall Place, Portwall Lane, Bristol BS1 9HS

T: + [GRO]

M: + [GRO]

jharris: [GRO]



dacbeachcroft.com

From: Harris, Josh
Sent: 13 September 2018 09:28
To: 'Former Agent Accounts' [GRO]; 'Jenny Smith' [GRO]
Subject: RE: Ballynafeigh 168704 Peter Damian McCartan [GRO]

Hi Lynn

I have heard back from our Belfast agents who have been in contact with Flynn & McGettrick. The deeds are still missing so at present no sale can proceed but they are on notice to contact our agents for a redemption figure as and when it does.

I will let you know as soon as I hear from our agents again.

Regards

Josh

Josh Harris FCILEx
Chartered Legal Executive
for DAC Beachcroft LLP

 **Shane Smith**

From: Shane McVeigh <[GRO]>
Sent: 28 March 2019 16:51
To: Harris, Josh
Cc: Bayliss, Larissa
Subject: RE: Post Office Limited v. Peter McCartan

CAUTION EXTERNAL EMAIL: This Message originated outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Josh,

Further to the below I've just received an update from the solicitor.

The property is selling at £268k and Halifax have finally confirmed their redemption of £208k, leaving £60k to play with.

There is a rates charge which was lodged before our action and therefore has priority over our charge. Vendor's solicitor will confirm the exact figure but it's looking like £5k or so, down to £55k. After costs of sale and agent's fees we're down to £52k or so.

We have submitted a claim of just over £69k, £54.7k of which is the judgment (£44.8k principal sum plus £9.6k in interest) and the rest is recoverable enforcement fees (approx. £1.5k) and interest on the charge (£12.7k).

So in terms of what we are likely to recover we are looking at the principal sum of £44.8k plus somewhere between £5k and £8k in interest. The vendor's solicitor will confirm these in due course.

Because we will not be recovering our full £69k however they need our consent to release the security. Based on the above figures are we happy to consent? I would be happy to recommend that we do on the basis that we would be recovering the full sum due plus an additional £5 - £8k in interest which will offset the client's cost. I don't see the merit in objecting as it will simply disrupt the sale and we're then back to square one.

As stated I will confirm actual figures once I have them from the solicitor but can you let me have your thoughts based on the above figures.

Kind regards,

Shane

Shane McVeigh Associate

Direct: [GRO] Secretary: [GRO]
Mob: [GRO]

Murray House, Murray Street, Belfast, BT1 6DN



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2017 & 2014
Legal 500**



Jenny Smith

From: Harris, Josh <[REDACTED] GRO>
Sent: 29 March 2019 10:06
To: Former Agent Accounts; Jenny Smith
Subject: RE: Ballynaveigh 168704 Peter Damian McCartan - [REDACTED] GRO
[REDACTED] GRO
Attachments: RE: Post Office Limited v. Peter McCartan

Hi Lynn

Please find a further update from our agents attached.

Due to the mortgage redemption figure and another charge it appears we will recover the whole of the principal debt but not all of the interest.

The agents will confirm definitive figures but based on the estimates provided are you happy for your security to be released at the appropriate time? You will see that are agents are recommending this.

I look forward to receiving your instructions.

Regards

Josh

Josh Harris
Senior Chartered Legal Executive
DAC Beachcroft LLP

DAC BEACHCROFT

Portwall Place, Portwall Lane, Bristol BS1 9HS

T: + [REDACTED] GRO
M: + [REDACTED] GRO
jharris [REDACTED] GRO



dacbeachcroft.com

From: Harris, Josh
Sent: 11 March 2019 14:45
To: 'Former Agent Accounts' [REDACTED] GRO; 'Jenny Smith' [REDACTED] GRO
Subject: RE: Ballynaveigh 168704 Peter Damian McCartan - [REDACTED] GRO

Hi Lynn

Some positive news for a change! The deeds have been found and it appears that the sale is progressing.

I will keep you posted.

Regards

Josh

Former Agent Accounts

From: Former Agent Accounts
Sent: 01 April 2019 10:44
To: Dawn Wall
Subject: FW: Ballynafeigh 168704 Peter Damian McCartan - [REDACTED] GRO
[REDACTED] GRO
Attachments: RE: Post Office Limited v. Peter McCartan

Hi Dawn,

We have a charge on Mr McCartan's property. For a while the deeds were missing so sale has been on hold but have now been found so the sale can proceed.

Full details are on the attachment but in short there is £52k left after mortgage redemption, another charge and sale and agent fees.

Our claim was submitted for £69k but we will now only get the original loss of just under £44 plus around £5-8k in interest. (Although looks like this will cover FSPM's Sols fees).

As it's not the full amount we submitted, Josh would like confirmation that we are happy to release the security.

Thanks

Jenny

"Private & Confidential - Subject to Legal Privilege"



Jenny Smith
Former Agents Accounting Officer

Former Agents Accounting Team,
2nd Floor, 1 Future Walk,
Chesterfield, Derbyshire,
S49 1PF

[REDACTED] GRO
[REDACTED] GRO

From: Harris, Josh [mailto:[REDACTED] GRO]
Sent: 29 March 2019 10:06
To: Former Agent Accounts [REDACTED] GRO; Jenny Smith <[REDACTED] GRO>
Subject: RE: Ballynafeigh 168704 Peter Damian McCartan - [REDACTED] GRO

Hi Lynn

Former Agent Accounts

From: Dawn Wall
Sent: 01 April 2019 11:03
To: Former Agent Accounts
Subject: RE: Ballynaveigh 168704 Peter Damian McCartan

GRO

GRO

Hi Jenny

I think it would be wise to ensure that Josh has liaised with Rodric regarding this case and whether the business is agreeable to release security given we will not receive the full funds relating to the claim.

In the current climate I feel we need to gain reassurance that we are dealing with all cases equally – whether they are registered with Freeths or not.

Regards



Dawn Wall

Former Agents Accounting &
Accounts Receivable Manager
Finance Service Centre
No1 Future Walk
Chesterfield
S49 1PF

GRO

GRO

"Private & Confidential - Subject to
Legal Privilege"

From: Former Agent Accounts
Sent: 01 April 2019 10:44
To: Dawn Wall
Subject: FW: Ballynaveigh 168704 Peter Damian McCartan

GRO

GRO

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Full details are on the attachment but in short there is £52k left after mortgage redemption, another charge and sale and agent fees.

Our claim was submitted for £69k but we will now only get the original loss of just under £44 plus around £5-8k in interest. (Although looks like this will cover FSPM's Sols fees).

Former Agent Accounts

From: Former Agent Accounts
Sent: 02 April 2019 08:55
To: 'Harris, Josh'
Subject: RE: Ballynafeigh 168704 Peter Damian McCartan - [REDACTED] GRO
[REDACTED] GRO

Good Morning Josh,

I have spoken to Dawn and she has asked if you would liase with Rodric regarding this case to see if the business is agreeable to release security given we will not receive the full funds relating to the claim.

Thank you

Jenny

"Private & Confidential - Subject to Legal Privilege"



Jenny Smith
Former Agents Accounting Officer
Former Agents Accounting Team,
2nd Floor, 1 Future Walk,
Chesterfield, Derbyshire,
S49 1PF

[REDACTED] GRO
[REDACTED] GRO

From: Harris, Josh [REDACTED] GRO
Sent: 29 March 2019 10:06
To: Former Agent Accounts [REDACTED] GRO > Jenny Smith [REDACTED] GRO
Subject: RE: Ballynafeigh 168704 Peter Damian McCartan - [REDACTED] GRO

Hi Lynn

Please find a further update from our agents attached.

Due to the mortgage redemption figure and another charge it appears we will recover the whole of the principal debt but not all of the interest.

The agents will confirm definitive figures but based on the estimates provided are you happy for your security to be released at the appropriate time? You will see that are agents are recommending this.

I look forward to receiving your instructions.

Regards