

You ref:
Our ref:
Please ask for:
Direct dial:
Direct fax :
E-mail:

8 November 2005
SJD3/FAC1/348035.134
MDT.113969
Mark Turner

GRO



Bond Pearce
Solicitors
DX 8251
PLYMOUTH

By DX and Fax

Without prejudice except as to costs

Dear Sirs

Our client: Mr L Castleton – Marine Drive Post Office, Bridlington
Your client: Post Office Limited

We refer to your letter of 7 November.

It is somewhat perplexing that, after we first raised the issue of ADR with you during the writer's conversation with your Miss Gammack on 15 September, and the court having subsequently ordered a one month stay of its own motion, your client only now proposes mediation following the expiry of that stay. Your client seems to have little appetite for these proceedings and has to date shown very little inclination to drive them on.

Our client is prepared to participate in mediation, subject to two qualifications. Firstly, our long-standing request for disclosure of documentation **must** be addressed before he is willing to contemplate mediation. The report of Bentley Jennison that we made voluntarily available to you over a month ago demonstrates the fundamental relevance of the documents which we have been seeking from your client since as long ago as March this year. There can, in our view, be no objection to their disclosure.

Secondly, documentation relating to the problems experienced with the Horizon system by other sub-postmasters is also central to our client's claim. Our client is aware of a number of other sub-postmasters involved in disputes with your client arising from problems with the operation of Horizon leading to alleged shortfalls. We will therefore require disclosure of all such documentation as a precondition of our client's participation.

These are not unreasonable conditions. We do not believe that mediation can meaningfully take place in the absence of disclosure of these documents. To that end, we would propose that your client either give voluntary disclosure in advance of any court order of the documents which we have requested on numerous occasions in the past or that further discussion of ADR be deferred until such time as standard disclosure (and any subsequent application for specific disclosure which our client might want to pursue) has been completed.

We look forward to hearing from you further in this regard.

Yours faithfully

GRO

ROWE COHEN

Quay House • Quay Street • Manchester M3 3JE • Tel

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GRO

DX 14352 MCR-1 • Email law@rowecohen.com Website www.rowecohen.com

Partners: S.E. Cohen • I. Rowe • D.J. Horwich • I.N. Lewis • M.V. Hymanson • G.P. Small • A. Dennison • B.T. Coghlan • J.V. Dwek • A. Farley • A. Sacks • A. Taylor
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