

Stephen Dilley

From: Stephen Dilley
Sent: 20 November 2006 17:33
To: 'Geoff.Porter' [GRO]
Cc: 'Mike.Mason' [GRO] Tom Beezer
Subject: RE: P.O -v- Castleton

Dear Geoff,

Thanks for your email.

We have a pre trial review hearing on Monday 27 November by which time the P.O will need to have made a decision about whether to use your report. Accordingly, if you can get a draft to us asap but before no later than close of play this Friday, that would be great.

As for the final version, I appreciate that Mr Castleton has effectively messed us around but the Court ordered us to serve our evidence by this Friday so I wonder whether you could get it to us before 29 or 30 December? This is because I will have had to file all the trial bundles by then and if the report is not included, we won't be allowed to adduce it.

Thanks for giving me your dates to avoid. We'll factor them in. I'm not anticipating you'll be needed for very long at Court (probably a day). Mr Castleton is not ready to serve his statements. We have pressed him to serve them but until he does, it is difficult to sort out a precise timetable. I anticipate however, that after next Monday's hearing, we'll be able to give you a smaller window of when you'll be needed.

Finally, I don't believe that Mr Castleton is going to bother serving an expert's report and he is now out of time to do so. In the circumstances, we can't realistically expect a dialogue between experts as we don't know what his expert was going to say and therefore what the experts agree and disagree on.

Kind regards.

Stephen Dilley
Solicitor
for and on behalf of Bond Pearce LLP

GRO

www.bondpearce.com

From: Geoff.Porter [GRO]
Sent: 20 November 2006 09:56
To: Stephen Dilley
Subject: RE: P.O -v- Castleton

Dear Stephen

Thank you for your e-mail. Following our discussion on Friday I will now restart work on the case. With the time delays it is not clear when the report can be finished by. I am in the office for most of this week but there are a number of other jobs that I am trying to get finished. Next week I am away at a conference on Monday and Tuesday and back in the office on Wednesday 29th. At present I am planning to work towards getting a draft report by the end of this week that can be finished on

20/11/2006

Wednesday 29th or Thursday 30th. I will contact you about progress later in the week.

Regarding the hearing you told us that it was due to start on December 4 and might take 5 to 8 days finishing by 19 December. I would prefer to give evidence in the week commencing 4 December.

The next week is more of a problem as I have commitments on the afternoon of Tuesday 12 December and the morning of Wednesday 13 December. If possible I would also like to avoid Monday 11 December. Can you give me some idea as to when you might need me and for how long.

As Mr Castleton is not going to serve his expert's report, does this mean that there will not be a need to have a discussion with his expert?

I will now press ahead with producing a report.

Yours sincerely

Geoffrey Porter
Director

BDO Stoy Hayward LLP
Arcadia House, Maritime Walk, Ocean Village, Southampton SO14 3TL
DX 2008 Southampton

GRO
"Stephen Dilley" GRO

"Stephen Dilley"
GRO

17/11/2006 18:42

ToGeoff
Porter/SOU/BDOUK@GRO
ccMike
Mason/SOU/BDOUK@GRO
"Tom Beezer"
GRO

SubjectRE: P.O -v- Castleton

Dear Geoff,

I refer to our telephone conversation this afternoon.

As discussed, frustratingly Mr Castleton has belatedly pulled out of a settlement that he proposed. We are now preparing full steam for trial on 4 December.

His solicitors say they are not instructed to serve their expert's report.

Given the significant amount of reading in BDO has already done, please can you prepare a draft summary report of what you've looked at and what you've found along the lines we discussed? We need to be able to serve and file this as soon as practicable. The Court deadline is 24 November, but given Castleton has messed us around, I appreciate this might not now be possible. Also, please can you confirm whether there are any dates in the trial window when you would not be available to give evidence?

I look forward to hearing from you as soon as possible.

20/11/2006

Kind regards.

Stephen Dilley
Solicitor
for and on behalf of Bond Pearce LLP

GRO

www.bondpearce.com

From: Stephen Dilley
Sent: 10 November 2006 13:04
To: 'Geoff.Porter' **GRO**
Cc: 'Mike.Mason' Tom Beezer
Subject: P.O -v- Castleton

Dear Geoff,

I refer to my earlier voice mail message.

It appears as though we have the makings of an excellent settlement, in principle, with Mr Castleton's solicitors. It is not signed up yet, but we anticipate that it will be within the next few days. Please can I therefore ask BDO to cease all work on the matter for the time being.

Please could you also give me a call to discuss? Assuming the settlement is formalised, I'd like BDO to raise a bill for all work to date, but as the P.O's costs will be assessed, the bill will need to include a full narrative and time breakdown so that we can defend it on an assessment.

Finally, please can I thank you and your team for all the work you have put into this, at short notice. It is very much appreciated.

Kind regards.

Stephen Dilley
Solicitor
for and on behalf of Bond Pearce LLP

GRO

www.bondpearce.com

The information in this e-mail and any attachments are confidential and may be legally privileged and protected by law. The intended recipient only is authorised to access this e-mail and any attachments. If you are not the intended recipient, please notify the sender as soon as possible and delete any copies. Unauthorised use, dissemination, distribution, publication or copying of this communication is prohibited.

Any files attached to this e-mail will have been checked by us with virus detection

20/11/2006