Message
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|---|---|
| **From:** | Andrew Parsons [ GRO ] |
| **Sent:** | 21/09/2017 11:52:55 |
| **To:** | Legal.Defence( GRO ); Michael.Harvey[ GRO ]; pete.newsome[ GRO ] Godeseth Torstein [ GRO ] |
| **CC:** | Rodric Williams[ GRO ]; Victoria Brooks [ GRO ]; Amy Prime [ GRO ] |
| **Subject:** | URGENT - Post Office Group Litigation - legally privileged [BD-4A.FID26896945] |
| **Attachments:** | _LETTER_36920737(1)_Freeths LLP 20 September 17_ Known Error Log.docx |
| **Importance:** | High |

Pete

Just left you a voicemail.

We've been chased by Freeths in relation to the Known Error Log issue and they are threatening an application to the Court so this one is now very urgent.

Essentially, we're looking for Fujitsu's approval of the proposal in the attached letter.

Please could you give me a call asap.

Kind regards
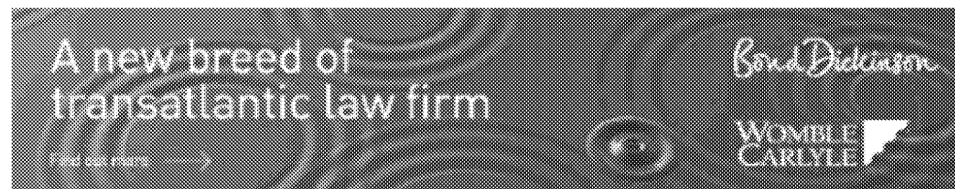Andy


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**From:** Andrew Parsons
**Sent:** 20 September 2017 18:31
**To:** Legal.Defence[ GRO ]; 'Michael.Harvey( GRO ]; 'pete.newsome@ GRO ]'; Godeseth Torstein [ GRO ]
**Cc:** 'Rodric Williams'; Victoria Brooks; Amy Prime
**Subject:** RE: Post Office Group Litigation - legally privileged [BD-4A.FID26896945]

Pete

As per the below, please find attached two draft letters regarding the KEL and the Counter Logs.

I'd be grateful for your comments on these letters.

Please note that Post Office has not yet approved these letters so they may change but I wanted to give you early sight of them so that you understand the direction of travel.

Kind regards
Andy

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**From:** Andrew Parsons
**Sent:** 20 September 2017 10:58
**To:** Legal.Defence( GRO ); 'Michael.Harvey( GRO ); 'pete.newsome( GRO ); Godeseth Torstein
( GRO )
**Cc:** 'Rodric Williams'; Victoria Brooks; Amy Prime
**Subject:** RE: Post Office Group Litigation - legally privileged [BD-4A.FID26896945]

Pete

As discussed yesterday – please find a quick summary of the actions.

1. KEL – the current thinking is that we should be able to allow Freeths' IT expert to access the KEL. This should be on the basis that they simply review it and then submit any questions in writing at a later date.

    o Pete to speak to FJ support team about the practicalities of doing this.
    o BD to circulate draft letter to Freeths with proposal for accessing the KEL.

2. Preservation of Counter Logs – the current thinking is that we should be able to build a process that preserves Counter Logs in particular branches where there is a recognised problem. This should largely mirror the normal process followed by FJ.

    o BD to circulate draft letter to Freeths with proposal for accessing the KEL.
    o Pete to speak to his support team about the practicalities of doing this.
    o Pete to check on lead / response times for preserving logs given that they expire every 30 days.
    o Pete to check whether this is covered by FJ's usual charges to POL or will incur an extra charge.
    o Torstein to confirm that we are accurately describing what information is and is not available on the terminals (this needs to be 100% correct – so please can we double check)

3. Access to documents – if we are able to voluntarily provide Freeths with access to some / all of FJ's technical documents on Horizon that would reduce the risk of Freeths getting a Court order for this access. The current thinking is that we could provide Freeths with about 20 introductory documents; give them an index to the other 25,000 documents and then let them make reasonable requests for further documents.

    o Pete to speak internally about granting access to FJ's controlled documents that contain FJ's know-how. In particular, need to consider how to protect (i) FJ's know-how and (ii) security sensitive material.
    o Pete to figure out whether it is possible to generate an index of all the documents.
    o Pete to speak to Torstein about whether there are 10-20 key documents that provide an overview of Horizon that could be disclosed to Freeths.

All of the above is subject to Freeths putting up a suitably qualified and independent IT expert who could understand this material. This should not be someone from a competitor of FJ.

Items 1 and 2 are priorities for this week. Pete and Andy to catch-up tomorrow on progress.

Kind regards
Andy

**From:** Andrew Parsons
**Sent:** 18 September 2017 08:10
**To:** Legal.Defence[ GRO ] Michael.Harvey[ GRO ]; 'pete.newsome[ GRO ]'; Godeseth Torstein [ GRO ])
**Cc:** 'Rodric Williams'; Lukas, Elisa [ GRO ]); Victoria Brooks
**Subject:** Post Office Group Litigation - legally privileged [BD-4A.FID26896945]

All

Hope everyone had good weekends.

Do you have availability for a call sometime later today or tomorrow to discuss preparations for the Case Management Conference scheduled for 19 October? We can do any time after midday today and any time after 1pm tomorrow.

The points we'd like to pick up are:

1. **Known Error Log** – Freeths are pressing hard for access to the KEL and are threatening to get a Court Order. We'd like to discuss whether, and if so how, we could give Freeths' IT expert access to the KEL.

2. **Preservation of Counter Logs** – Freeths are pushing for branch terminals and / or counter logs to be preserved. We think we have a proposal that might solve this issue which would involve a hopefully small number of Counter Logs being copied. However, we will need Fujitsu's help with this.

3. **Access to documents** – At the CMC there is likely to be a fierce argument about getting access to documents, in particular documents about "*Horizon's IT architecture*". We understand that Fujitsu holds lots of technical documents that describe Horizon and would like to discuss if there is a sensible way to disclose some of these documents to Freeths.

As background information, I've set out below a rough timetable of steps between now and the CMC just so that you have the key milestones in mind.

- 20 September – Freeths to serve their Generic Reply to Post Office's defence (though this date may slip to 25 September).
- 27 September – BD to write to Freeths setting out proposals for the CMC.
- 9 October – Both parties to file proposals with the Court (along with a witness statement explaining those proposals)
- 19 October - CMC

Kind regards
Andy