

Stephen Dilley

From: Stephen Dilley
Sent: 24 November 2005 16:32
To: mandy.talbot **GRO**
Cc: Tom Beezer; Julian Summerhayes; Bob Heckford
Subject: Post Office Limited -v- Mr Lee Castleton
Attachments: LETTER_1093409.DOC

Dear Mandy,

I refer to my email of earlier today.

1. I have asked Cath Oglesby and John Jones to confirm whether they or Helen Hollingworth would have collected any documents from the Marine Drive branch other than those documents we already have that I have listed.

2. I have telephoned the Court again today and our Application is with Master Fontaine for listing. I anticipate he may well vacate the CMC on 6 December, but in case he does not, I attach a fax I have despatched to Mr Castleton's solicitors inviting them to do so. Mr Castleton's solicitors has just called me and confirmed that he will seek instructions, but anticipates that he will agree for that CMC to be adjourned, provided the Court does not wish to proceed with it for unrelated reasons e.g. to set a timetable for dealing with the claim. I said that until the Court had determined our Application, I considered it unlikely it would set a timetable for dealing only with the claim. I asked Mr Castleton's solicitor to confirm his position in writing so that I could copy this to the Court.

3. I have prepared a draft witness statement for John Jones which I am currently reviewing with Tom. We will send you a copy shortly. Mr Jones' statement should strengthen the case for setting aside the default judgment because Mr Jones makes the point that Mr Castleton ordered extra cash during the weeks where there were losses and could not account for that extra cash. If Horizon malfunctioned and there were only theoretical losses, why was extra cash ordered, used and unaccounted for?

We will keep you updated.

Kind regards.

Stephen Dilley
Solicitor
for and on behalf of Bond Pearce LLP

GRO

www.bondpearce.com