

Private & Confidential: Subject to Legal Privilege

Group Litigation Strategy

Monday 14 November 2016, 12:00-13:30 (Cloak Lane, 0.05)

Attendees

Tony Robinson QC

Owain Draper

Andrew Parsons

Elisa Lukas

Jane MacLeod

Thomas Moran

Rodric Williams

Mark Underwood

Agenda

1. Thoughts on / response to Freeths substantive letter
2. Remote access – what next?
3. Approach to pleadings / preliminary issues
4. Approach to GLO and preparatory steps
5. AOB
 - a. Likely media flashpoints
 - b. Potential impact on operations

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Bond Dickinson's initial impressions of Freeths' Reply

Headlines

1. They largely stand by their original claims (apart from dropping the "misfeasance in public office" claim).
2. They generally counter-punch Post Office's points rather than develop the claims in any detail.
3. No further detail has been provided on (i) the circumstances of the individual claims (ii) the fraud allegations or (iii) the value of the claims.
4. They somewhat clarify their arguments on the legal relationship between Post Office and postmaster, and want the Court to look at the contract issues first before moving on to other issues.
5. Freeths expressly identify the "remote access" point and the possible contradiction with previous statements by Post Office, but have not developed this further.

Other points

1. Freeths have changed the scope of the proposed GLO to now focus on the Postmaster Contract.
2. Freeths propose pausing the criminal cases / malicious prosecution claims until the CCRC completes its review.
3. We will receive draft Generic Particulars of Claim by 1 December 2016.
4. The Second Sight access protocol has been rejected. Freeths are insisting on full unfettered access.
5. There are continuing satellite disputes around a number of other issues (e.g. limitation, causation, etc).