

## Message

**From:** Rodric Williams [GRO]  
**Sent:** 09/11/2017 09:47:17  
**To:** Jane MacLeod [GRO]; Melanie Corfield [GRO]; Mark Underwood1 [GRO]; Mark R Davies [GRO]; Thomas P Moran [GRO]  
**CC:** Andrew Parsons [GRO]; Amy Prime [GRO]  
**Subject:** Group Litigation - Judgment on Trial Listing  
**Attachments:** Bates trial date Nov 17 (2) (2).doc

**JUDGMENT EMBARGOED UNTIL 10 NOVEMBER 2017 at 1015am**

All,

I attach the draft judgment of Mr Justice Fraser, which deals primarily with listing the Common Issues trial for November 2018.

The judgment is embargoed until 1015am on Friday 10 November 2017, after which it becomes a public document. Taking action other than internally on the judgment before then may be a contempt of court. DO NOT therefore take any action on the judgment without first discussing this with me.

Mr Justice Fraser has used the judgment to reiterate the comments he made at the 19 October 2017 CMC that the litigation needs to be progressed in a more timely, cost-effective and proportionate manner than it has to date, and that this will require greater cooperation between the parties. He considers the failure of the parties to do so to date lies "more or less equally on both sides" (see para. 20).

The parties' barristers have submitted to the court their lists of "typing corrections and other obvious errors". These may change the judgment slightly before it is handed down in its final form, but should not change the substance of the judgment (although rather surprisingly, the Claimant's counsel Patrick Green QC has asked for the removal of the "more or less equally" phrase).

**Main Message**

The tight timetable set for trial in November 2018 will not be departed from, and the parties (through their legal advisors) will need to cooperate to achieve this. Failure to do so "will result in draconian costs orders" (i.e. the Court will order payment of substantial costs to the other side).

**What this Means – Immediate**

The judgment will become public once the embargo ends at 1015am on Friday 10 November 2017. I do not think the judgment should cause us to change our existing lines on the case, but defer to Mark/Mel in this regard. Please let me know if you would like to discuss this.

**What this Means – Longer Term**

We must ensure that we not only cooperate with Freeths to promote the expeditious resolution of the case (which we have been trying to do), but that we are also seen to be doing so. Doing otherwise will irritate and alienate Mr Justice Fraser, who will be presiding over the trial(s) in this case. This must be kept firmly in mind as we plan and resource the next 12 months of this case.

Please let me know if you require anything further.

Rod



**Rodric Williams**

Head of Legal - Dispute Resolution & Brand

20 Finsbury Street

London EC2Y 9AQ

T: [GRO]

2017 Winner of the Global Postal Award for Customer Experience E: rodric.williams@ GRO

\*\*\*\*\*

This email and any attachments are confidential and intended for the addressee only. If you are not the named recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender by reply email and then delete this email from your system. Any views or opinions expressed within this email are solely those of the sender, unless otherwise specifically stated.

POST OFFICE LIMITED is registered in England and Wales no 2154540. Registered Office: Finsbury Dials, 20 Finsbury Street, London EC2Y 9AQ.

\*\*\*\*\*