

**From:** Andrew Parsons <[REDACTED] GRO>  
**To:** Gideon Cohen <[REDACTED] GRO>, Dave Panaech <[REDACTED] GRO>, Mandy Robertson <[REDACTED] GRO>, Amy Prime <[REDACTED] GRO>, Victoria Brooks <[REDACTED] GRO>  
**Cc:** David Cavender <[REDACTED] GRO>, Owain Draper <[REDACTED] GRO>  
**Subject:** RE: Examination in chief  
**Date:** Tue, 13 Nov 2018 21:50:15 +0000  
**Importance:** Normal  
**Inline-Images:** imageb8d562.PNG; imagec980d6.PNG; imagefd90c2.PNG

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Please can you send me the draft submissions (or an outline) on point 2. We really need to nail this point otherwise we risk our house of cards coming down as Green will say if SPMs can't dispute losses, then PO forces them to put inaccurate things in their accounts, that justifies false accounting, it also means that they cannot be held liable for what their accounts say (because those accounts are plainly inaccurate because they can't dispute mistakes), thus the normal rules of agency cannot apply to SPMs and clauses 12.12 / 4.1 should be construed as requiring PO to prove every loss in every account.

A

**Andrew Parsons**  
Partner  
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**From:** Gideon Cohen [mailto:[REDACTED] GRO]  
**Sent:** 13 November 2018 21:44  
**To:** Andrew Parsons; Dave Panaech; Mandy Robertson; Amy Prime; Victoria Brooks  
**Cc:** David Cavender; Owain Draper  
**Subject:** RE: Examination in chief

Thanks Andy.

On your first point, is that a question for evidence or for a possible amendment to the Defence? Owain, given that it is Stubbs, you are probably better placed to take a view?

On the second point, we could pick that up with Angela, but might get a bit lengthy for XIC. My view is that we have the material available to deal with this in submissions.

All best

Gideon

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From: Andrew Parsons **GRO**

Sent: 13 November 2018 21:22

To: Gideon Cohen; Dave Panaech; Mandy Robertson; Amy Prime; Victoria Brooks

Cc: David Cavender; Owain Draper

Subject: RE: Examination in chief

Gideon - These are fine.

Dave / Victoria – between you, please can you let the witnesses know the general nature of the questions they will get.

Gideon - two other points.

1. What are we doing about the Stubbs defence that refers to docs from Paul Williams that Paul did not send? This is not a problem with Paul's evidence but a mistake by the legal team in preparing the Defence so I think we need to own up to this.

2. I'm really not comfortable that the Judge has a clear understanding of how SPMRs can dispute either transactions corrections or end of trading period shortfalls. We could pick this up with Angela?

Thoughts?

A

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Partner  
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From: Gideon Cohen [mailto:GRO]  
Sent: 13 November 2018 18:35  
To: Dave Panaech; Mandy Robertson; Amy Prime  
Cc: Andrew Parsons; David Cavender; Owain Draper  
Subject: Examination in chief

All,

Please see attached the 2 documents we are currently intending to present as typo-corrections for our witnesses.

There are a number of other points which will be canvassed in examination in chief rather than by written correction, because they are (a) new evidence and/or (b) more involved than a typo correction. Currently, we have questions for Beal (clarifying which hotline was 24 hr); Haworth (clarifying which checklist he used, and mentioning the CoA for the Crossflatts branch); Trotter (explaining why he didn't go through the contract in his first interview with Dar); and Van Den Bogerd (giving figures on how many branches, both generally and of the Cs in this case, are run by (a) companies and/or (b) multiples).

The additional points for examination in chief which arose today were for Longbottom (explaining the nature of the 2 page balancing guide, and that it was not a replacement for the manuals) and Ridge (explaining that there were 2 different Christines with different jobs).

Please let me know if there are any queries, internally or from the witnesses, on what will be covered.

Thanks

Gideon

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