

**From:** Owain Draper [GRO]  
**To:** Dave Panaech [GRO] David Cavender [GRO] Gideon Cohen [GRO]  
**Cc:** Amy Prime [GRO] Andrew Parsons [GRO]  
[GRO]

**Subject:** Re: Post Office Group Litigation: Flowcharts [WBDUK-AC.FID26896945]

**Date:** Mon, 17 Dec 2018 16:06:52 +0000

**Importance:** Normal

**Inline-Images:** image001.png; image002.png; image003.png

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The edit did not come through. I struck through the words “of the debt” in the last line, so it reads “suspend collection until the dispute is resolved”.

Owain Draper

One Essex Court, Temple

EC4Y 9AR

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**From:** Dave Panaech [GRO]  
**Date:** Monday, 17 December 2018 at 16:00  
**To:** Owain Draper [GRO] David Cavender [GRO] Gideon Cohen [GRO]  
**Cc:** Amy Prime [GRO] Andrew Parsons [GRO]  
**Subject:** RE: Post Office Group Litigation: Flowcharts [WBDUK-AC.FID26896945]

Owain,

Am I misreading something? Your draft below appears identical to Freeths.

When we agree these flowcharts, can your clerks file them together with the Aussie submission?

Dave

Dave Panaech  
Associate  
Womble Bond Dickinson (UK) LLP

d:  
m:  
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e:

[GRO]

**GRO**

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From: Owain Draper [GRO]

Sent: 17 December 2018 15:54

To: David Cavender; Dave Panaech; Gideon Cohen

Cc: Amy Prime; Andrew Parsons

Subject: Re: Post Office Group Litigation: Flowcharts [WBDUK-AC.FID26896945]

Broadly, but it is contrary to our pleading - GDXC, para. 43(3). It is a disputed debt.

How about this: “(2) A corresponding debit or credit is made in the SPM's customer account with Post Office. If a debit, this will be treated as a debt by Post Office unless the SPM contacts NBSC to lodge a dispute, which should suspend collection of the debt until the dispute is resolved”

That side-steps the semantic point and prevents the Judge saying that we have changed our case!

Owain Draper

One Essex Court, Temple

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From: David Cavender [GRO]

Date: Monday, 17 December 2018 at 15:50

To: 'Dave Panaech' [GRO], Owain Draper [GRO], Gideon Cohen

[GRO]

Cc: Amy Prime [GRO], Andrew Parsons [GRO]

Subject: RE: Post Office Group Litigation: Flowcharts [WBDUK-AC.FID26896945]

All,

I think they are correct on this.

Best,

D.

David Cavender Q.C.

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From: Dave Panaech GRO  
Sent: 17 December 2018 15:48  
To: David Cavender GRO Owain Draper GRO Gideon Cohen GRO  
Cc: Amy Prime GRO Andrew Parsons GRO  
Subject: FW: Post Office Group Litigation: Flowcharts [WBDUK-AC.FID26896945]

All,

Please see below from Freeths. Any thoughts?

Dave

Dave Panaech  
Associate  
Womble Bond Dickinson (UK) LLP

d:  
m:  
t:  
e:

**GRO**

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From: Stephanie Jameson [GRO]

Sent: 17 December 2018 15:42

To: Dave Panaech; Andrew Parsons; Jonathan Gribben; Amy Prime; Emma Campbell-Danesh; Victoria Brooks; Michael Wharton; Anna Martin; Lucy Bremner; Beth Hooper; Katie Simmonds; Charlie Temperley  
Cc: James Hartley; Imogen Randall; Chloe Oram; Nicola Pettit; Francesca See; Miranda Bond; Angélique Richardson

Subject: RE: Post Office Group Litigation: Flowcharts [WBDUK-AC.FID26896945]

Dear Sirs,

We believe the position on the evidence, was that an amount settled centrally but disputed, results in collection of the debt being suspended, but factually a debit is considered by Post Office to be a debt. We propose the wording below, which we believe fairly reflects this.

(2) A corresponding debit or credit is made in the SPM's customer account with Post Office. If a debit, this will be treated as a debt by Post Office unless the SPM contacts NBSC to lodge a dispute, which should suspend collection of the debt until the dispute is resolved."

Otherwise we are willing to agree your position for the sake of ensuring agreed documents can be filed as was clearly the Judge's preference.

Please could you confirm by return that this is all now agreed, and then arrange to file with the Court before 4pm.



Yours faithfully  
Freeths LLP

From: Dave Panaech [GRO]  
Sent: 17 December 2018 15:22  
To: Stephanie Jameson [GRO]  
Andrew Parsons [GRO] Jonathan  
Gribben [GRO] Amy Prime  
[GRO] Emma Campbell-Danesh [GRO]  
[GRO] Victoria Brooks  
[GRO] Michael Wharton  
[GRO] Anna Martin  
[GRO] Lucy Bremner [GRO]  
[GRO] Beth Hooper [GRO]  
[GRO] Katie Simmonds [GRO]  
[GRO] Charlie Temperley [GRO]  
Cc: James Hartley [GRO] Imogen Randall  
[GRO] Chloe Oram  
[GRO] Nicola Pettit  
[GRO] Francesca See  
[GRO] Miranda Bond  
[GRO] Angélique Richardson  
[GRO]

Subject: RE: Post Office Group Litigation: Flowcharts [WBDUK-AC.FID26896945]

Dear Sirs,

We refer to your letter dated 17 December 2018.

The Branch Trading Statement flowchart is agreed.

Regarding the Transaction Correction flowchart, your amendments are agreed save for changes to the "Settle Centrally box". Your proposed change is not neutral and is inconsistent with Post Office's case that TCs may be disputed. We propose the following wording for the box;

""Settle Centrally"

(1) A credit or debit entry for value of the TC is made in the SPM's branch account; and

(2) A corresponding debit or credit is made in the SPM's customer account with Post Office. If a debit, this will be treated as a debt by Post Office unless the SPM contacts NBSC to lodge a dispute."

Please confirm your agreement to the above and if so please amend the flowchart accordingly.

In your letter you asked requested evidential references with regards to the effect of the Seek Evidence option. Please see F4/21/11.

We do not think it would be helpful to submit two TC flowcharts to the Judge as it would be confusing to the Judge. Please confirm you agree.

Yours faithfully  
Womble Bond Dickinson

Dave Panaech  
Associate

Womble Bond Dickinson (UK) LLP

d:  
m:  
t:  
e:

**GRO**

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From: Stephanie Jameson [GRO]

Sent: 17 December 2018 13:04

To: Andrew Parsons; Jonathan Gribben; Amy Prime; Emma Campbell-Danesh; Victoria Brooks; Michael Wharton; Anna Martin; Dave Panaech; Lucy Bremner; Beth Hooper; Katie Simmonds; Charlie Temperley  
Cc: James Hartley; Imogen Randall; Stephanie Jameson; Chloe Oram; Nicola Pettit; Francesca See; Miranda Bond; Angélique Richardson  
Subject: Post Office Group Litigation: Flowcharts

Dear Sirs

Please see attached.

Yours faithfully  
Freeths LLP

Stephanie Jameson  
Solicitor

T: [GRO]  
F:

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