

FREETHS

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Third Letter

18 May 2018

Our Ref: JXH/1684/2113618/3/LB
Your Ref: AP6/364065.1369

Dear Sirs

THE POST OFFICE GROUP LITIGATION HORIZON ISSUES TRIAL – EXPERT EVIDENCE

We write further to your fourth letter dated 14 May 2018, and to your previously provided draft order dated 17 April 2018, which incorporated amendments to our first draft of the Fifth CMC Order.

For the avoidance of doubt, in his original document, Mr Coyne clearly sets out whether his various lines of enquiry involved requests for documents, information and/or access, consistent with the approach agreed with you in the expert and solicitors meeting held on 11 April 2018. However, given that the documentation and information is within your client's control, Mr Coyne will inevitably require your client's cooperation and assistance in identifying some documents and information. In any event, we understand that Mr Coyne has now made various requests for information which has been circulated to the parties.

We now enclose an updated draft Fifth CMC Order for your review, together with a compare version reflecting the amendments in your previous draft. The updated schedule of document requests will follow early next week, incorporating your comments as far as possible.

In relation to the bullet points listed in your letter, please see our responses (with your questions) below;

- *Do you agree to use CPR 35.9 rather than interviewing witnesses?*
This is a matter between the experts, but we understand that they have agreed to seek documents and information where possible, before deciding on the need to speak with personnel.
- *Does Mr Coyne want to inspect the PEAK system?*
Yes, pursuant to our draft order enclosed.
- *Have you made any progress in speaking to your clients in order to narrow any lines of enquiry?*

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We are in the process of categorising the information which we already hold for each of the Claimants, and we shall inform you if we believe this will help to narrow lines of enquiry as the experts' work progresses. In the meantime, please confirm whether your client is carrying out a similar exercise using any data available to it regarding the nature of problems communicated to it by Claimants.

We look forward to hearing from you with comments on the draft order.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'Freeths LLP', is positioned above the typed name.

Freeths LLP
Please respond by e-mail where possible