

FREETHS

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21 December 2018

Our Ref: JXH/1684/2113618/1/CO
Your Ref: AP6/364065.1369

Dear Sirs

BATES & OTHERS v POST OFFICE LIMITED
CLAIM NOS: HQ16X01238 and HQ17X02637 and HQ17X04248
MEDIATION

We write in response to your third letter dated 7 December 2018 and to your second letter dated 19 December 2018 in relation to mediation.

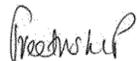
Having considered the trial timetable as it currently stands and the parties' respective positions, we consider that a mediation after judgment has been handed down in the Horizon Issues trial is much more likely to result in resolution of the proceedings (or a significant narrowing of the issues), than a mediation in mid-February. We therefore suggest that a mediation take place mid to end of June 2019 (anticipating judgment in the Horizon Issues trial may be available by end of May 2019). Please let us know if you agree to this proposal.

We entirely agree that an experienced mediator with appropriate experience of complex disputes is required and that it is sensible to appoint a mediator sooner rather than later.

We do not agree to the appointment of Bill Mash or Phillip Howell-Richardson, but propose either Michel Kallipetis QC or Charles Flint QC (our joint first preferences), or William Wood QC, each of whom are highly experienced mediators who we believe have the capacity to manage the scale and nature of this litigation and the complexity of the issues involved.

We look forward to hearing from you in relation to these matters.

Yours faithfully



Freeths LLP
Please respond by e-mail where possible