

From: Katie Simmonds [GRO]
To: Amy Prime [GRO] Lucy Bremner [GRO]
Jonathan Gribben [GRO]
Cc: Andrew Parsons [GRO]

Subject: RE: Witness Statement - OCR and Peak [WBDUK-AC.FID26896945]

Date: Tue, 18 Jun 2019 06:32:18 +0000

Importance: Normal

Inline-Images: image001.png; image002.png; image003.png; image004.png; imageb6409f.PNG;
image8d7505.PNG; image92af1b.PNG; image585483.PNG

Amy

As per our call, I've responded in line below.

Katie Simmonds

Associate
Womble Bond Dickinson (UK) LLP

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From: Amy Prime
Sent: 17 June 2019 22:06
To: Katie Simmonds; Lucy Bremner; Jonathan Gribben
Cc: Andrew Parsons
Subject: RE: Witness Statement - OCR and Peak [WBDUK-AC.FID26896945]

Hi All

Two questions from TRQC on the Peak disclosure – if you could respond first thing in the morning that would be helpful as I can then get the witness statement over to FJ.

[WHAT ABOUT ALL THE OTHER POST 17 AUGUST 2018 PEAKS THAT HAVE COME INTO EXISTENCE – HAVE THEY NOT BEEN DISCLOSED AT ALL?]

My understanding is that no other peaks which postdate 17 August 2018 have been disclosed since neither Freeths nor Coyne have asked for disclosure of these documents. Please could you check whether you know of any other peaks which were disclosed separately (ie. other Peaks which FJ gave us as when doing the bug work?

This aligns with my understanding – I'm not aware of any further additional Peaks which have been disclosed/ provided by FJ separately.

[CAN WE ADD A SENTENCE EXPLAINING WHY IT TOOK FROM 3 APRIL TO 31 MAY FOR THE DOCUMENT TO BE DISCLOSED, TO FORESTALL A DEMAND FROM THE JUDGE FOR A FURTHER WITNESS STATEMENT EXPLAINING THIS?]

The Peak was provided to Katie by Matthew on 29 March 2019 (email attached), the documents were processed into R on 4 April, but my understanding is that we waited until the bug investigations were substantially complete and we had what we believed to be all of the new documents which we thought would come out of these investigations and then disclosure was given all in one go. Does this match your understanding? This comes partially from Katie's email to Charlie on 22 May 2019 (attached) which just predates the disclosure of this peak.

As per our call, this isn't something that we discussed with Counsel and documents were simply being sent and added to the disclosure tracker to be disclosed as and when the next list was run but appreciate this is something that was discussed between you and Charlie in terms of waiting for a series of adverse documents to be disclosed in one go, as opposed to simply drip feeding these.

Thanks
A

Amy Prime
Associate
Womble Bond Dickinson (UK) LLP


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From: Anthony de Garr Robinson [mailto:
Sent: 17 June 2019 19:10
To: Amy Prime

Cc: Owain Draper; 'Simon Henderson'; Jonathan Gribben; Katie Simmonds; Lucy Bremner; Andrew Parsons
Subject: RE: Witness Statement - OCR and Peak [WBDUK-AC.FID26896945]

Dear Amy,

I enclose Owain's and my combined suggestions for your draft statement. The last sentences of paras 6 and 16 need to be checked for absolute accuracy and may well need to be toned down. As regards the questions at the end of para 21 and in para 22, I'm hoping we have satisfactory answers. If we don't, we know how the judge will react. Quite apart from anything else, he may require further witness statement to be made.

Best wishes,

Tony

From: Amy Prime [GRO]
Sent: 17 June 2019 13:59
To: Anthony de Garr Robinson [GRO]
Cc: Owain Draper [GRO]; 'Simon Henderson' [GRO]
Jonathan Gribben [GRO]; Katie Simmonds [GRO]
Lucy Bremner [GRO]; Andrew Parsons [GRO]
Subject: Witness Statement - OCR and Peak [WBDUK-AC.FID26896945]

Dear Tony

Please find attached a draft witness statement explaining the recent OCR disclosure and the disclosure of the drop and go Peak – comments and thoughts welcome.

We also have two questions:

1. Should this witness statement come from Andy or Katie (or another solicitor at WBD)? Andy wasn't particularly involved in either of these matters so is giving a lot of hearsay evidence in this statement. Katie was closest to the OCR disclosure, with Jonny being closest to the Peak disclosure.
2. Do we want to waive privilege and exhibit to the witness statement the attached emails between Katie and FJ? We would propose disclosing up to (and including) the email on 12 April 2019 @1620. Disclosing emails past this point runs the risk of disclosing to Freeths the matters concerning the deletion.

Jonny – please could you also read the section which discusses your conversations with Pete Newsome re extraction of the Peak system and confirm they are correct?

Kind regards

Amy

Amy Prime
Associate
Womble Bond Dickinson (UK) LLP

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