

**From:** Andrew Parsons [GRO]  
**To:** Anthony de Garr Robinson [GRO], Elisa Lukas [GRO], Owain Draper [GRO]  
**Cc:** Amy Prime [GRO]  
**Subject:** RE: Post Office [BD-4A.FID26896945]  
**Date:** Sat, 7 Oct 2017 19:42:58 +0000  
**Importance:** Normal  
**Inline-Images:** image001.jpg; image002.png; image003.png; image004.png; image92d385.JPG; imagedd2a7b.PNG; imagec3392d.PNG; imagecd2c01.PNG

---

Tony

Your comments below are noted and agreed.

I'm happy with para 99.

On para 133/136, I'm comfortable saying something like: "At this stage, I would estimate that the cost to Post Office of Freeths disclosure orders (including both generic and standard disclosure) would likely be between £1.5m - £3.5m, and it would take at least 9 months, but may be as much as 15 months, to complete the exercise."

For the sake of completeness, the logic behind these numbers is below:

Cost of scoping and extracting documents from POL: £100k - £300k

Charges to POL from its IT suppliers: £100k - £300k

Advanced Discovery consultancy fees / hosting costs: £300k - £600k

Document review (assume 500,000 docs @ about £2 - £4 per doc): £1m - £2m

Listing documents, production of documents, negotiations and correspondence with Freeths: £100k - £300k

On para 150 – the Peak system wording was a hangover from an earlier draft and that idea has now been dropped. At some point however, Freeths are going to ask for access to the Peak System.

On para 169, I think that limitation arguments only have case management benefit if they result in a Claimant being struck out entirely or nearly entirely. If the limitation argument simply defeats a single claim (ie. personal injury) or part of claim (ie. those claimants that straddle the limitation date), the Court will be less attracted to spending time on limitation issues as they may still have to hear these claims nearly in full. I would prefer that we don't over-reach on

this point. There are 200 claims that are, on face value, time barred, and if we can get rid of those 200 claims, that will be a material blow to the Claimants as a whole (particularly as it will take out Bates). So my view is keep our sights narrow and go for the strongest argument.

A

**Andrew Parsons**  
Partner  
Bond Dickinson LLP

*Bond Dickinson*

Direct:   
Mobile:   
Office:

Follow Bond Dickinson:



[www.bonddickinson.com](http://www.bonddickinson.com)

We are pleased to announce we will be changing our name to Womble Bond Dickinson (UK) LLP on 1 November 2017:



---

**From:** Anthony de Garr Robinson [mailto:]  
**Sent:** 07 October 2017 15:46  
**To:** Elisa Lukas; Owain Draper  
**Cc:** Andrew Parsons; Amy Prime  
**Subject:** RE: Post Office  
**Importance:** High

Dear all,

I have some further amendments to the witness statement (which means that the para numbers have changed). It would be a bit shorter, were it not for the fact that I've added some additional points in. The most significant changes are:

1. Paras 17-21: Having read the correspondence this morning, I now want the letters referred to in these paras in our exhibit, since they set out our position quite well on the prejudicial issues that Freeths will probably be pressing in their skeleton (delay, ambush etc and possibly also our RFI responses). **By the way, I would organise the exhibit by putting all the correspondence referred to in one place and in chronological order.**

2. Para 21: I have inserted a para noting the prior complaints about our RFI response and making it clear that we are not dealing with it because they have given us every indication that they will not raise (if they do, we can say that it is an ambush and we have enough wiggle room to put in more evidence on how impossible their requests would be to answer, if we want to).
3. Para 27: In case we end up having to argue about SOIs, let's exhibit our best examples of the worst ones.
4. Paras 45 and 51: We know that, in their skeleton on Monday, they will go ballistic on how badly we have behaved. Rather than trying to pre-empt this, I have inserted some drafting which (a) mildly makes the common sense point that you can't decide on how to manage issues until you know what the issues are, which requires closure of pleadings – and the CMC was fixed on that very basis (para 45) and (b) takes the moral high ground by roundly rejecting their criticisms and expressing the hope that they are not repeated (para 51).
5. Para 99: I have added to the points made about the difficulty of giving disclosure about bugs (the new point is lifted from Elisa's comment and needs to be checked by one who knows and corrected/beefed up, as appropriate).
6. Paras 133 and 136: can we give an estimate of the costs and time required by their proposed order? If so, why shouldn't we?
7. Para 150: I'm not saying we shouldn't do it, but I am uneasy about offering new things for their expert to look at, if that is what we are doing. Why are we doing so?
8. Para 169(1): see the question I ask here. Should we have included as potential time-barred claimants those claimants who have personal injury claims who were terminated more than 3 years before their claim forms? Or would that be something we can look at later, depending on how we get on with the 6 year time-barred claimants?

Sorry for the extra work involved, but these changes are worth making.

Best wishes,

Tony

---

**From:** Elisa Lukas [[mailto:](#) GRO]  
**Sent:** 06 October 2017 21:58  
**To:** Anthony de Garr Robinson <GRO>, Owain Draper <GRO>  
**Cc:** Andrew Parsons <GRO>, Amy Prime <GRO>  
**Subject:** RE: Post Office

Tony

Thanks for the amended draft. I've attached a tidied up version for you and a comparison to the draft you sent us. We're now down to 39 pages.

Kind regards,

Elisa

**Elisa Lukas**  
Solicitor  
Bond Dickinson LLP

*Bond Dickinson*

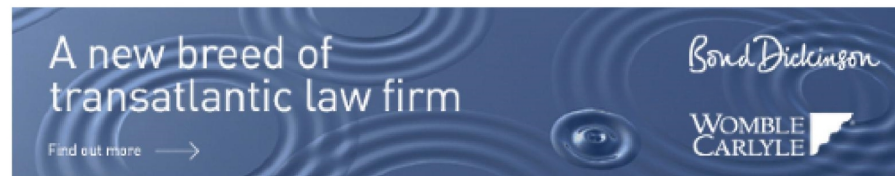
Direct: **GRO**  
Mobile:  
Office:

Follow Bond Dickinson:



[www.bond dickinson.com](http://www.bond dickinson.com)

We are pleased to announce we will be changing our name to Womble Bond Dickinson (UK) LLP on 1 November 2017:



---

**From:** Anthony de Garr Robinson [<mailto:GRO>]  
**Sent:** 06 October 2017 17:02  
**To:** Andrew Parsons; Owain Draper; Amy Prime; Elisa Lukas  
**Subject:** RE: Post Office [BD-4A.FID26896945]

Dear all,

I enclose an amended draft witness statement. There is still some way to go, but we are getting there. As I was drafting, I felt sure that I would shorten it to around 35 pages and, if I had not been under such time pressure, I believe that I would have been able to do that, principally by shortening sections 3 and 4. Part of the problem is that once section 3 starts talking about our order, it looks odd if it does not (1) summarise the order and (2) say at least something about all the material terms. However, it only needs to address terms for which evidence is needed, which is by no means all of them. If anyone is willing and has the energy to do some elegant drafting to box this circle, I would be happy. But If anyone feels able to The structure of section 4 is a bit wonky and could probably do with some better introductory wording, but it is time for someone with fresher and better eyes to have a go.



I would like a chance to review a further version which addresses my various points. If it is not down to 38 or so pages by then, we have done something wrong.

Best wishes,

Tony

---

**From:** Andrew Parsons [<mailto:>] **GRO**  
**Sent:** 05 October 2017 19:55  
**To:** Anthony de Garr Robinson <**GRO**> Owain Draper <**GRO**> Amy Prime  
<**GRO**> Elisa Lukas <**GRO**>  
**Subject:** RE: Post Office [BD-4A.FID26896945]

Tony

Thanks.

Please find attached the revised section 2. I've been brutal in cutting it down – its gone from 27 pages to 17 pages.

I saved all Owain's changes and made my new changes in track changes.

Kind regards

Andy

**Andrew Parsons**  
Partner  
Bond Dickinson LLP

*Bond Dickinson*

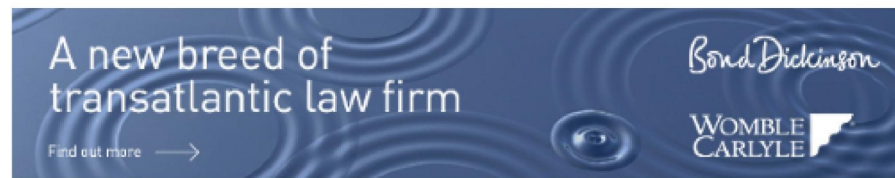
Direct: **GRO**  
Mobile:  
Office:

Follow Bond Dickinson:



[www.bonddickinson.com](http://www.bonddickinson.com)

We are pleased to announce we will be changing our name to Womble Bond Dickinson (UK) LLP on 1 November 2017:



---

**From:** Anthony de Garr Robinson [[mailto:](#) GRO]  
**Sent:** 05 October 2017 19:46  
**To:** Owain Draper; Andrew Parsons; Amy Prime; Elisa Lukas  
**Subject:** RE: Post Office

Dear all,

Here is where I have got to with Andy's statement. It is slow going, because I am doing a lot of toning down and shortening. I am too tired to finish section 1 tonight.

Best wishes,

Tony

---

**From:** Anthony de Garr Robinson  
**Sent:** 05 October 2017 17:10  
**To:** Owain Draper (GRO) Parsons, Andrew (GRO)  
(GRO) Amy Prime (GRO) Lukas, Elisa  
(GRO) (GRO)  
**Subject:** RE: Post Office  
**Importance:** High

Dear all,

As discussed just now, here is the draft statement with Owain's comments. You are in control of section 2, and I am in control of the other sections.

Best wishes,

Tony

---

**From:** Owain Draper  
**Sent:** 05 October 2017 11:10  
**To:** Anthony de Garr Robinson { GRO }  
**Subject:** Post Office

Dear Tony,

Please find attached the fruits of my work last night and this morning.

Best,

Owain

Owain Draper

One Essex Court, Temple

EC4Y 9AR

Switchboard: { GRO }

[www.oelaw.co.uk](http://www.oelaw.co.uk)

The content of this email is confidential and may subject to legal professional privilege. If you are not the intended recipient, please delete it permanently and inform the sender.

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

Please consider the environment! Do you need to print this email?

---

The information in this e-mail and any attachments is confidential and may be legally privileged and protected by law. [arobinson](#); [GRO](#) only is authorised to access this e-mail and any attachments. If you are not [arobinson](#); [GRO](#), please notify [andrew.parsons](#); [GRO](#) as soon as possible and delete any copies. Unauthorised use, dissemination, distribution, publication or copying of this communication or attachments is prohibited and may be unlawful.

Any files attached to this e-mail will have been checked by us with virus detection software before transmission. Bond Dickinson LLP accepts no liability for any loss or damage which may be caused by software viruses and you should carry out your own virus checks before opening any attachment.

Content of this email which does not relate to the official business of Bond Dickinson LLP, is neither given nor endorsed by it.

This email is sent by Bond Dickinson LLP which is a limited liability partnership registered in England and Wales under number OC317661. Our registered office is 4 More London Riverside, London, SE1 2AU, where a list of members' names is open to inspection. We use the term partner to refer to a member of the LLP, or an employee or consultant who is of equivalent standing. Our VAT registration number is GB123393627.

Bond Dickinson LLP is authorised and regulated by the Solicitors Regulation Authority.

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---