

womblebonddickinson.com



18 May 2018

Freeths LLP  
100 Wellington Street  
Leeds  
West Yorkshire  
LS1 4LT

Second Letter

Womble Bond Dickinson (UK) LLP

Oceana House  
39-49 Commercial Road  
Southampton  
SO15 1GA

Tel: GRO  
Fax: GRO  
DX: 38517 Southampton 3A

andrew.parsons: GRO  
Direct: GRO

Our ref:  
AP6/ALP1/364065.1369  
Your ref:

Dear Sirs

**Post Office Group Action  
Stage 2 Disclosure – Lead Claimant Disclosure**

Pursuant to paragraph 10(a) of the Second CMC Order, please find enclosed Post Office's disclosure list containing the documents which fall within the scope of Part 1, Stage 2 Disclosure being disclosure of documents relating to the Lead Claimants. Advanced Discovery will be in contact with Elevate to arrange for inspection to be provided.

Please also find enclosed a list of documents which due to their nature we have not been able to access or are not in an intelligible format, for example .xml files. Since we have not been able to review these documents for relevancy or privilege, disclosure of these documents has not been provided.

Stage 2 Lead Claimant Disclosure was designed to provide disclosure of documents relating to the Lead Claimants in addition to the 6,583 documents which Post Office has already provided in the course of the preliminary Individual Disclosure and Stage 1 Disclosure. Including the disclosure set out in this letter, Post Office has now provided disclosure of 7,341 documents which relate to the Lead Claimants.

For Part 1, Stage 2 Disclosure Post Office was required to provide disclosure of documents sourced from:

- (a) Email accounts of 51 custodians;
- (b) All of Post Office's SharePoint sites (subject to the parties using their reasonable endeavours to narrow the scope of data to be extracted to those sources that are likely to hold proportionate volumes of relevant data); and
- (c) N, L and T Drives.

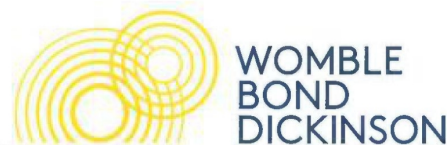
**1. Email Accounts**

- 1.1 Post Office was required to extract and keyword search the email accounts of 51 custodians, of which Post Office was able to extract 40 of these and gathered 10,322,200 documents, which

Womble Bond Dickinson (UK) LLP is a limited liability partnership registered in England and Wales under number OC317661. VAT registration number is GB123393627. Registered office: 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. Womble Bond Dickinson (UK) LLP is authorised and regulated by the Solicitors Regulation Authority. Womble Bond Dickinson (UK) LLP is a member of Womble Bond Dickinson (International) Limited, which consists of independent and autonomous law firms providing services in the US, the UK, and elsewhere around the world. Each Womble Bond Dickinson entity is a separate legal entity and is not responsible for the acts or omissions of, nor can bind or obligate, another Womble Bond Dickinson entity. Womble Bond Dickinson (International) Limited does not practice law. Please see [www.womblebonddickinson.com/legal](http://www.womblebonddickinson.com/legal) notices for further details.

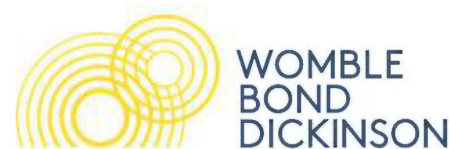
4A\_38811156\_1

WBD\_001560.000001



after the application of de-duplication was reduced to 8,722,373 documents. These documents were searched using the agreed keywords which resulted in:

- 1.1.1 56,484 documents being responsive to the keywords;
  - 1.1.2 of which, 53,589 were spreadsheets; and
  - 1.1.3 would have required 350,189 responsive documents (including their families) to be manually reviewed. This volume of documents is disproportionate for a manual review.
- 1.2 As previously explained in relation to Stage 1 Disclosure (see sections 2.1 and 2.2 of our letter dated 28 February 2018 and sections 2.3 to 2.4 of our letter of 26 February 2018), the majority of spreadsheets generated by Post Office contain a hidden tab in which details of all branches are contained (ie. postmaster's name, FAD code, branch name). A look-up function is then used to draw the required information for a particular postmaster from the hidden tab into the front sheets. Although the primary purpose of these documents does not relate to a Lead Claimant, but another postmaster, since the Lead Claimants' details are held in the hidden tab these spreadsheets are being recognised as a responsive document. There has therefore been a high number of 'false positive' spreadsheets returned but we anticipate that only a small proportion of the documents will be truly relevant to a Lead Claimant.
- 1.3 Post Office has therefore taken the same approach adopted in Stage 1 Disclosure, with which you have raised no issues. Since a manual review of the spreadsheets and their family documents would involve a disproportionate expenditure of time, cost and resources at the prospect of returning a very small number of potentially relevant documents, we do not propose to disclose the spreadsheet and their family documents. Once you have had an opportunity to review the documents we have disclosed, we would be happy to provide specific disclosure on request in relation to any specific spreadsheets or family documents.
- 1.4 As such, a manual review of the 13,295 non-spreadsheet responsive documents (including family documents) has been undertaken.
- 1.5 In relation to the 11 custodian's email accounts which Post Office have been unable to extract, Mimecast have confirmed that it no longer holds data for these custodians.
- 1.5.1 David Hazell
  - 1.5.2 Frances Taylor
  - 1.5.3 Gerry Hayes
  - 1.5.4 Idris Jones
  - 1.5.5 Ki Barnes (please note, that Post Office does not believe that this custodian was a Post Office employee but a postmistress who acted as a Horizon Support Officer)
  - 1.5.6 Lesley Frost
  - 1.5.7 Mike Wakley
  - 1.5.8 Mike Wiatrowicz
  - 1.5.9 Neil Donohue
  - 1.5.10 Robert Sinclair
  - 1.5.11 Tony Biolchi



## 2. SharePoint

- 2.1 As explained in our letters of 26 February 2018, 29 March 2018 and 6 April 2018, Post Office has sought to limit the SharePoint sites which have been extracted to those which are likely to hold proportionate volumes of relevant data. Post Office has therefore extracted 73 Sharepoint sites. Through this extraction, Post Office has gathered 2,026,438 documents (which was reduced to 1,269,696 documents following deduplication) and applying the agreed keywords searches resulted in:
- 2.1.1 34,236 documents being responsive to the keywords;
  - 2.1.2 of which, 32,812 were spreadsheets; and
  - 2.1.3 would have required 56,217 responsive documents (including their families) to be manually reviewed. This volume of documents is disproportionate for a manual review.
- 2.2 For the reasons set out above, Post Office has excluded from the manual review the responsive spreadsheets (plus family documents) and has conducted a manual review of 4,010 non-spreadsheet responsive documents (plus family documents)
- 2.3 There are 8 SharePoint sites which Advanced Discovery have encountered technical issues with extracting. These sites are:
- 2.3.1 Network Services
  - 2.3.2 Network and Sales
  - 2.3.3 Network & Sales
  - 2.3.4 the hub
  - 2.3.5 Resolve Repository
  - 2.3.6 SharePoint sites
  - 2.3.7 BOT ARCHIVED
  - 2.3.8 Post Office Ltd
- 2.4 Advanced Discovery have been working with Microsoft to understand the nature of the issue and formulate a method by which it can extract the documents. We understand that when preparing to extract the documents using the MS eDiscovery tool an error is being encountered. Neither Advanced Discovery or Microsoft have been unable to resolve this issue and it is unlikely to be resolved in the near future. As such, disclosure of these documents has not been provided.
- ## 3. N, L and T Drives
- 3.1 Post Office has sought to identify the correct sources for the document locations known as the N, L and T Drives and has undertaken a review of the mapping of Post Office's employees who use these drivers to ensure that the correct drive is identified. Work is ongoing to map the server structure so as to understand the exact locations where documents are stored to ensure that the correct documents are extracted. An update on this mapping exercise will be provided shortly.
- 3.2 Under paragraph 37 of the First CMC Order the parties are able to agree between them an extension of 5 working days to the Court's deadline. Please could you confirm your agreement of Post Office to provide disclosure of the keyword responsive documents sourced from the N, L and T drives by 25 May 2018.



womblebonddickinson.com



Yours faithfully

*Womble Bond Dickinson (UK) LLP*

Womble Bond Dickinson (UK) LLP