

Stephen Dilley

From: Stephen Dilley
Sent: 25 January 2006 18:24
To: 'Richard Morgan'
Cc: Tom Beezer; 'mandy.talbot [GRO]'; Julian Summerhayes
Subject: Post Office Limited -v- Castleton
Attachments: LITIGATION_1116463.DOC

Dear Richard,

Just to update you, I received the last witness statement today and have arranged to file and serve all of them. In view of the evidence, we have asked Castleton to agree to set aside the default judgment on the Counterclaim. From how the witnesses have described Castleton, I anticipate that irrespective of what his own solicitors advise, he is unlikely to voluntarily agree to set aside the judgment (if only thorough sheer stubbornness). We're therefore continuing to prepare for the hearing on 9 February and I attach a draft index to a bundle we've prepared. (I have only included the very latest inter partes correspondence at tab 15, because the rest of the relevant correspondence is exhibited to my witness statement). If you're happy with index, we'll paginate and get a bundle over to you.

Mandy - I assume that we won't get a formal report from Fujitsu in time for the hearing as we've not heard anything. Do you know how Dave Hulbert has got on with them? If a Fujitsu report is imminent, we can hold off finalising the bundle for the time being.

I look forward to hearing from you.

Kind regards.

Stephen Dilley
Solicitor
for and on behalf of Bond Pearce LLP
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**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION**

Claim No. HQ05X02706

BETWEEN:

POST OFFICE LIMITED

**Claimant and Part
20 Defendant**

- and -

LEE CASTLETON

**Defendant and
Part 20 Claimant**

**INDEX TO THE CLAIMANT/PART 20 DEFENDANT'S BUNDLE
FOR THE HEARING ON 9 FEBRUARY 2006**

Statements of Case

Tab	Document	Date	Pages
1	Claim Form	25.05.2005	
2	Particulars of Claim	25.05.2005	
3	Defence and Counterclaim	15.08.2005	
4	Reply to Defence and Defence to Counterclaim	15.11.2005	

Orders and Judgments

5	Order of Master Fontaine	04.10.2005	
	Default Judgment for Claimant	09.11.2005 (sealed 10.11.2005)	
	Default Judgment for Defendant	09.11.2005 (sealed 17.11.2005)	

Notices

6	Notice of Issue	09.06.2005	
	Notice that Acknowledgment of Service has been filed	14.06.2005	
	Notice that a Counterclaim has been filed	05.09.2005	
	Notice of the Allocation to the Multi-Track	14.09.2005	
	Application Notice and draft Order	17.11.2005	
	Notice of Private Room Appointment for 09.02.2006	08.12.2005	

Witness Statements

7	Witness Statement of Stephen John Dilley	18.11.2005	
8	Exhibit to the Witness statement of Stephen John Dilley	18.11.2005	
9	Witness Statement of Helen Rose	11.01.2006	
10	Exhibit to the Witness Statement of Helen Rose	11.01.2006	
11	Witness Statement of John Howard Jones	12.01.2006	
12	Exhibit to the Witness Statement of John Howard Jones	12.01.2006	
13	Witness Statement of Catherine Oglesby	21.01.2006	
14	Exhibit to the Witness Statement of Catherine Oglesby	21.01.2006	

Interpartes Correspondence

15	Fax from Bond Pearce LLP to Rowe Cohen	18.11.2005	
	Letter from Rowe Cohen to Bond Pearce LLP	17.01.2006	
	Fax from Bond Pearce LLP to Rowe Cohen	18.01.2006	
	Fax from Bond Pearce LLP to Rowe Cohen	20.01.2006	
	Fax from Bond Pearce LLP to Rowe Cohen	25.01.2006	

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Solicitors for the Claimant