

From: "Parsons, Andrew" [GRO]

To: "Lukas, Elisa" [GRO]

Subject: RE: RM & Fujitsu - document preservation [BD-4A.FID26896945]

Date: Wed, 16 Nov 2016 08:30:19 +0000

Importance: Normal

Inline-Images: image001.jpg; image002.png; image003.png; imagef9136c.JPG; imagee0ce7c.PNG; image07e887.PNG

I agree with your thinking but we will need to back this up with specific analysis ie. what are those exact contractual rights.

We have the FJ contract so maybe get Elisha to check for documents access provisions.

Also, check whether anything is still being held by RM. I had understood that POL had pretty much separated its document holdings from RM so there can't be much left there. If there's nothing left, then the cost of preservation should be very little.

Also why would it cost POL anything to send preservation notices to RM and FJ?

A

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From: Lukas, Elisa
Sent: 15 November 2016 16:58
To: Parsons, Andrew
Subject: FW: RM & Fujitsu - document preservation [BD-4A.FID26896945]

Andy

Rod has just called me to say he has not informed RM or Fujitsu of the need to preserve documents as he does not consider their documents to be in his possession or control and it will be costly to PO.

However, having looked at the CPR definition of control, it includes documents a party has a right to obtain. Clearly even at a cost PO has the right to obtain documents from Fujitsu and even though RM is now a separate company to PO, PO would arguably have rights to documents from before the split if this hasn't been explicitly provided for somewhere.

I can ignore the issue for the purposes of our letter now but this ought to be addressed.

E

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From: Lukas, Elisa
Sent: 15 November 2016 16:41
To: Rod Williams; **GRO**
Cc: Parsons, Andrew
Subject: RM & Fujitsu - document preservation [BD-4A.FID26896945]

Rod

I am working on the draft response to Freeths – can you let me know if Post Office has informed RM and Fujitsu of the need to preserve documents in relation to the Action?

Freeths have specifically raised the question (para 215).

Kind regards,
Elisa