

**From:** Jonathan Gribben [redacted] **GRO**  
**To:** Lucy Bremner [redacted] **GRO**  
**Subject:** FW: Status and next steps  
**Date:** Mon, 11 Jun 2018 13:41:44 +0000  
**Importance:** Normal  
**Inline-Images:** image001.png; image002.png; image003.png

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Dates below for PEAK/TFS inspection, ta.

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**From:** Chris Emery [mailto:[redacted]] **GRO**  
**Sent:** 05 June 2018 11:37  
**To:** Jonathan Gribben; Andrew Parsons  
**Cc:** robert worden  
**Subject:** RE: Status and next steps [WBDUK-AC.FID27032495]

Jonny, Andy

Robert and I have now had an initial conversation about the information you shared with us last night.

- Regarding our call later this week, we are keen to discuss audit data so it would be preferable to find a time when we could speak to you both together. Thursday at 2.30 would suit us well, assuming you are also available then Andy. If not, we would suggest later that day or Friday morning. Will you arrange the call?
- As for PEAK/TFS inspection in Bracknell, Robert and I would both like to attend for one day at least. I am away on holiday next week and will need time to finish preparing for the meeting on my return. Therefore, we suggest Thu 21<sup>st</sup> Jun (with possible continuation on Fri 22<sup>nd</sup>). Alternatively, we are both available on any day of the following week (commencing 25<sup>th</sup> Jun). Travel constraints make it difficult to start a meeting in Bracknell before 11am.

We look forward to hearing what can be arranged.

Many thanks

Chris

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**From:** Jonathan Gribben [redacted] **GRO**  
**Sent:** 04 June 2018 22:03

**To:** Chris Emery [GRO] Andrew Parsons [GRO]  
**Cc:** robert worden [GRO] Amy Prime [GRO]  
Lucy Bremner [GRO]  
**Subject:** RE: Status and next steps [WBDUK-AC.FID27032495]

Chris,

I'm around on Thursday afternoon between 2:00pm and 5:00pm. When suits you best?

Kind regards

Jonny

**Jonathan Gribben**  
Managing Associate  
Womble Bond Dickinson (UK) LLP

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**From:** Chris Emery [[mailto:\[GRO\]](mailto:[GRO])]  
**Sent:** 04 June 2018 20:24  
**To:** Andrew Parsons; Jonathan Gribben  
**Cc:** robert worden; Amy Prime; Lucy Bremner  
**Subject:** RE: Status and next steps [WBDUK-AC.FID26896945]

Andy, Jonny

Thanks both for these helpful responses. I'll talk through the details with Robert tomorrow. It would be good if we could talk to you about these issues, ideally on Thursday afternoon.

Please let us know what you think.

Many thanks

Chris

**From:** Andrew Parsons [GRO]  
**Sent:** 04 June 2018 20:14  
**To:** Jonathan Gribben [GRO]; Chris Emery [GRO]  
**Cc:** robert worden [GRO]; Amy Prime [GRO]  
Lucy Bremner [GRO]  
**Subject:** RE: Status and next steps [WBDUK-AC.FID26896945]

All

I think audit data means transaction data (given that it comes from the Audit Store). Freeths were entitled to 400 months of transaction data on the 6 Lead Claimants for the Common Issues trial. In fact, 400 months was more than there was available so we gave them all the data for the 6 Lead Cases. However, to be clear, these 6 Lead Cases are exclusively for the Common Issues trial – nothing to do with the Horizon trial and the Judge has made clear that there can be no Lead Cases for the Horizon trial so I would be cautious about deploying this material because (i) the Judge will oppose it and (ii) it is not a fair sample set.

I have no idea why Freeths have not given Coyne the data – they have had the data since Xmas.

Jonny – the data is in relativity so should be easy to give to Robert and Chris.

To collate all the data given to Second Sight will be trickier because we will need to go back through every mediation scheme case and extract it. I would prefer not to do this if possible. I have no idea what support SS got from Gareth Jenkins. As far as I am aware they didn't get any.

A

**Andrew Parsons**  
Partner  
Womble Bond Dickinson (UK) LLP

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**From:** Jonathan Gribben  
**Sent:** 04 June 2018 18:57  
**To:** Chris Emery  
**Cc:** robert worden; Amy Prime; Lucy Bremner; Andrew Parsons  
**Subject:** RE: Status and next steps [WBDUK-AC.FID27032495]

Hi Chris,

Thank you for your email.

In response to your points:-

1. Please find attached our response to Coyne's Request and cover letter to Freeths, issued today. You'll see that we have agreed to use reasonable and proportionate endeavours to obtain information and document references from FJ in relation to some requests, but resisted others on the basis that they are out of scope.
2.
  - a. Stage 2 disclosure has been provided to Freeths and Coyne. Lucy – please would you arrange for Chris and Robert to be given access to those documents.
  - b. Lucy will pass on your updated requests to FJ and push them for a date by which they will respond.
  - c. I suspect that this can be achieved by giving you and Robert access to our e-discovery platform (Relativity) – I'll make some enquiries.
  - d. Noted.
3. One of the terms of the Order we have drafted for tomorrow's CMC is to use reasonable endeavors to arrange for the experts to inspect the Peak and TFS systems over two days in Bracknell (FJ think that this will only take a day). Please let me have your availability for the w/c 11 June and the w/c 18 June.
4. The audit data point is new to me – I'll discuss internally and revert.

Kind regards

Jonny

**Jonathan Gribben**  
Managing Associate  
Womble Bond Dickinson (UK) LLP

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**GRO**



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**From:** Chris Emery [[mailto:](#) GRO]  
**Sent:** 04 June 2018 11:27  
**To:** Jonathan Gribben  
**Cc:** robert worden; Amy Prime; Lucy Bremner; Andrew Parsons  
**Subject:** Status and next steps

Jonny

Now that we have completed our Foundation Report, Robert and I have been turning our minds to what needs to be done next. The following list asks for updates on activities in progress and proposes some new ones:

1. **Engagement with Jason Coyne** is stalled so far as we are concerned. What is happening about his proposed Request for Directions from the court and (open) email about our access to information? Could you please confirm where we stand from your perspective and how you see this situation unfolding.
2. **Fujitsu documents**
  - a. We believe that a disclosure of (80,000) Horizon Technical Documents, part of Stage 2 disclosure, was due on 18 May. Have these documents now been disclosed to Jason? If so, how and when will Robert and I gain equivalent access?
  - b. Our Foundation Report has been necessarily limited on some of the topics where we have not yet received information from FJ that we have previously requested. I have reviewed and re-prioritised the attached document. Several new requests have been added. Please let us know when we can receive this information.
  - c. As we were writing the report, we searched the document index and identified many potentially relevant documents to which we had no access. We have also been starting to analyse selected KELs, most of which contain abbreviations and other terms that we do not recognise. Is it possible that we could search the *content* of the full set of 80,000 documents in some way, e.g. via your Collaborate site?
  - d. Additional document requests will follow, driven by KELs analysis as well as by other work.
3. **PEAK:** As soon as we have completed a little more analysis of the KELs, we will need access to FJ's PEAK system so that we can learn more about the bugs that were identified and how they were progressed and resolved. JC has the same interest but, so far as we know, has not yet gained access. Please update us on where that stands and the way forward as you see it.
4. **Audit:** At our meeting with Second Sight and IT Group on 15 May, we learned that both parties have received audit data from FJ. Gareth Jenkins provided tools and other assistance for analysing this data. IT Group explained that they had the option to obtain up to 400 months of audit data although, at that point, Jason had only seen sample data from a period of 2-3 months. We would like to receive the same set of audit data (as provided to Second Sight and IT Group) and will need similar support.

We suggest a brief call later this week with you and Andy to hear about Tuesday's CMC and to follow up on these points. Ideally for us, this would take place on the afternoon of Thursday 7th or the morning of Friday 8th Jun. Please let us know your availability.

Many thanks

Chris

**Chris Emery**

Principal  
Charteris Consulting

m GRO

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