

Message

From: Andrew Parsons [GRO]
Sent: 09/12/2019 16:39:38
To: Ben Foat [GRO]
CC: Rodric Williams [GRO]; Watts, Alan [GRO]; Emanuel, Catherine [GRO]
Subject: SubCo tomorrow - HIT consequential points [WBDUK-AC.FID26896945]
Attachments: Horizon Issues Judgment: Appeal and Costs [WBDUK-AC.FID124042615]

Ben

One of the topics for the SubCo tomorrow is the consequential matters following the HIT judgment. Rod asked that I send through some brief talking points (based on our advice sent to you earlier today). I'm happy to speak to this or you may want to do this.

1. Appeal – the advice from Counsel is not to appeal.
 - a. This is because PO will not get permission from Fraser or Coulson given our experience in previous appeals.
 - b. That said, if we could get in front of another Judge, then Post Office has a reasonable prospect of successfully appealing the finding that Horizon was not robust on the grounds that the Judge has gone against the expert evidence. But this is a moot point if we cannot get permission.
2. Costs – the advice is to agree to pay the Cs costs (c.3.4m) because:
 - a. this is the most likely outcome the Judge will order; and
 - b. any contested hearing will likely be heard in January, thereby creating another opportunity for adverse publicity around Horizon.

We need Post Office's instructions on both these points before the handing down hearing on 16 December.

Kind regards
Andy

Andrew Parsons
Partner
Womble Bond Dickinson (UK) LLP

d: [GRO]
m: [GRO]
t: [GRO]
e: andrew.parsons@wbd.com [GRO]

[Sign up for legal updates, e-newsletters and event invitations](#)



womblebonddickinson.com

