

POLB(12)23

JANUARY 2012

POST OFFICE LIMITED LITIGATION MATTERS – COMMERCIAL LITIGATION
PRIVILEGED AND CONFIDENTIAL – CLAIMS IN EXCESS OF £500K AND/OR CLAIMS WITH WIDER SIGNIFICANCE
FOR THE BUSINESS

FILE NAME	CASE HOLDER	BUSINESS UNIT & CONTACT	DESCRIPTION	STATUS	XSP
Horizon	POL/HF/C D	Rod Ismay of POL, Susan Crichton	Claims made by former SPMRs dismissed by POL as a result of branch discrepancies. The SPMRs each assert that the procedure for dealing with branch discrepancies is flawed and that the discrepancies are in fact the result of a Horizon error. Each brings a claim for wrongful termination. The five claims made to date have an aggregate value of £700,000.00. Shoosmiths assert that they have consulted on a further 85 cases, all of which are likely to raise similar issues.	(1) <u>Scott Darlington</u>. Claim rejected on the basis that the SPMR was convicted of false accounting. BP has responded to Shoosmiths stating that the SPMR has no claim for wrongful termination in those circumstances. BP has not responded on a point-by-point basis. Shoosmiths has complained saying that the response is not compliant with the court rules. BP responded on 14/12/11 re-iterating POL's position. No response received to that letter. POL has a potential claim for £44,000 in respect of its losses, which has not been pursued to date. (2) <u>Julian Wilson</u>. As above, save that the SPMR has paid his debt due to POL in full and there is no counterclaim. (3) <u>Terence Walters</u>. SPMR admitted to false accounting, but not convicted. BP has	Bond Pearce (Gavin Matthews, Helen Watson and Dave Panaech)

				responded to Shoosmiths on the same terms as above. No response for Shoosmiths. (4) <u>Thakshila Somaskandarajah</u>. BP has responded to Shoosmiths stating that the claim is time barred and cannot now be pursued. No response to this letter from Shoosmiths. (5) <u>Lynne Prosser</u>. Proceedings were commenced by Shoosmiths in June 2011, but were not served. BP only made aware of the existence of the claim in October 2011. Shoosmiths made an application (without notice) for an order extending time for serve of the claim form and particulars of claim. An order was made by the Court. BP has applied to have that order set aside, which (if successful) would result in the claim being struck out and the SPMR unable to proceed with the matter. The application was heard on 4/1/12. Judgment expected at the end of January 2012. Prospects of the application succeeding 50/50. If the application fails, POL will be liable for Shoosmiths' costs (which have been claimed at c£6,000).	
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FILE NAME	CASE HOLDER	BUSINESS UNIT & CONTACT	DESCRIPTION	STATUS	XSP
GRO	POL/HF/C D	Angela Van-Den-Bogerd	GRO has made a claim under the Equity Act and under the Human Rights Act alleging disability and age discrimination against Shieldex Limited (as the franchisee of the branch) and POL. Damages are claimed, but the value has yet to be quantified. This claim is potentially of wider significance across the network given the implications of POL being found by the Court to be a service provider for the purposes of the Equality Act.	Proceedings have been commenced, but were stayed until 8 January 2012 for the purposes of complying with the pre-action protocol. GRO has to serve her particulars of claim by the end of January 2012. Letter before action has been sent by the solicitors acting for GRO BP has sent a substantive response. Strategy is to settle this matter in order to avoid the matter proceeding to trial.	Bond Pearce (Ian Newcombe)