Case No: HQ07X00363

NEUTRAL CITATION NUMBER: EWHC [2007] 2594(qbd)
IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Royal Courts of Justice
Strand, London, WC2A 2LL

Tuesday, 16 October 2007

BEFORE:

MR JUSTICE GROSS

BETWEEN:

MRS SALLY NOEL — Claimant
- and -
THE SOCIETY OF LLOYD'S — Defendant

MRS SALLY NOEL appeared as a LITIGANT IN PERSON

MR NICHOLAS DEMERY appeared on behalf of the DEFENDANT

Approved Judgment

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MR JUSTICE GROSS:

1. This is an application by Mrs Noel for an order that a claim, number HQ07XO0363, should be transferred to the Commercial Court and should proceed as a counterclaim by way of defence, as it is put, to Lloyd's statutory demand.

2. The object of the exercise is to pursue the counterclaim before the statutory demand is heard. There is also an application for an order that the Bankruptcy Court stay the enforcement of the bankruptcy petition. That is nothing to do with this court. Clearly that particular paragraph, paragraph 3, must fall away. That is a matter which is open for Mrs Noel to pursue before the Bankruptcy Court. It is nothing to do with me.

3. The substance of the application is whether the current claim can be transferred here to the Commercial Court and proceed as a counterclaim. In that regard Mrs Noel faces two difficulties. First, insofar as she seeks to pursue a claim of fraud. There is the order of Cresswell J, made on 9 November 1999, to which I shall return in a little more detail presently. There are other rulings of various courts since. Secondly, insofar as the application relates to that part of her counterclaim which deals with the Equitas premium, the difficulty she faces is that there is already a whole handful of judgments against her on the topic. I shall come to consider those in a moment.

4. This court and the Court of Appeal have expressed, understandably, sympathy for the predicament in which many Names find themselves. The bundle of judgments that I have been shown, which were attached to Mr Demery's skeleton argument and his affidavit, are replete with statements to that effect.

5. I have to say with emphasis, there is also a time for finality. That is in the interests of all concerned, those who were personally involved - because sometimes a line has to be drawn under certain matters - and I am afraid to say it is also in the interests of the courts who have limited resources and who have to deal, and only deal, with cases which have some merit. For that reason the courts strongly discourage the rehashing or relitigation of matters already decided.

6. With respect I would add this: my sympathy for Mrs Noel is tempered a little by the readiness she appears to have to put quite scandalous material into a written document, no less than 23 typed pages, which she was, despite a little discouragement, absolutely determined to read to me from start to finish. One can only admire the industry but one perhaps has less admiration for the content.

7. In his judgment on 27 February 2006, Wilson LJ, at paragraph [23] of the judgment, in the case of Noel v The Society of Lloyd's and Others [2006] EWCA Civ 259, said this:

> "Notwithstanding my sympathy for the situation in which Mrs Noel originally found herself, I believe that her farrago of complaints, new and old, brought into this court today rather as if it was a kitchen sink, amounts to an abuse of the process of this court, just as the judge held that her claim was largely an abuse of the process of his court."

I regret to say that I share entirely the sentiments there expressed by Wilson LJ.

8. I turn from such preliminary matters to the substance of the application. The first chapter, so to speak, deals with Mrs Noel's wish to litigate the case of fraud - essentially that the nature of the asbestosis risks was dishonestly concealed from her and others. She would not have joined Lloyd's as a name if she had known about them. In rather crude summary, that is the nature of the claim.

9. The difficulty she faces at once is that in the order of Cresswell J, to which I have already referred, that of 9 November 1999, there is paragraph 8. That reads:

> "Any individuals, being present or former members of Lloyd's, who wish to reserve the right to advance allegations that they were fraudulently induced to become or remain underwriting members of the Lloyd's market by reason of Lloyd's failure to disclose the nature and extent of the market's liability of asbestos-related claims, must provide written notice to Lloyd's solicitors, Freshfields...by no later than
>
> (a) 3 December 1999, in the case of the individual ordinarily resident in the United Kingdom and Europe,
>
> (b) 10 December 1999, in the case of other individuals, confirming that they wish to become parties to the litigation.
>
> Failing timely service of such a notice, these individuals will thereafter be precluded from advancing such allegations without leave of the Commercial Court. An individual who provides written notice by the specified date will be deemed to have become a party to the proceedings on date of receipt of such notice, and will be bound by the Court's determination of the Threshold Fraud Issue ordered to be tried as a preliminary issue herein."

10. Mrs Noel did not join that action, "the Jaffray action". Indeed, the thrust of her complaint today, is that on day 9 of the Jaffray action leading counsel for the Jaffray action group, the Names, agreed to a change in the scope of the action. Mrs Noel submits that this removed the general thrust of the fraud complaint.

11. I do not have before me the full papers, so I will assume that whatever happened in day 9 amounted to a radical revision of the scope of the action. I will assume that in Mrs Noel's favour to avoid the need to come back and look at it in more detail. Therefore, I emphasise that I am approaching this topic on the basis most favourable to Mrs Noel.

12. There are also one or two other points which Mrs Noel advances in connection with the fraud matter. The first is that various witnesses were not called to give evidence. The second relates to a verification form concerning her own admission into Lloyd's. As to those two matters, the question of which witnesses' parties chose to call is neither here nor there. That cannot conceivably advance her case. Indeed if the matter were relitigated it would be nothing to do with Mrs Noel who was called the next time round. If the case was ever relitigated Lloyd's may or may not choose to call the individuals in question, assuming they are all alive and well and capable of giving evidence. That is wholly irrelevant.

13. So far as concerns the verification form, I shall come back to that because this matter has been put entirely aptly, with respect, by Waller LJ in one of his rulings.

14. So far as concerns the main thrust of the matter, the change in the scope of the Jaffray action, again I return to the judgment of Wilson LJ, paragraph 18. It is entirely apparent to me that when Mrs Noel appeared on 27 February 2006 before the Court of Appeal she was making the same complaint. On that day Wilson LJ remarked as follows:

> "In the course of her argument this afternoon, Mrs Noel has even invited us to accept argument that there was a substantial error in the result of the *Jaffray litigation*. *That was a matter for Sir William and the other Names who were participants in those proceedings to bring to the attention of the court which heard the appeal; and yet we have listened, politely listened, carefully listened, to an allegation, for example, that on the ninth day of the trial of that action Cresswell J promoted an amendment to the pleadings of which deprived them of their...* [the Jaffray action and the other Names]*... ability to make the case which they had wished to make referable to non-disclosure to them of certain matters...*"

15. The argument is not new. It was certainly before the Court of Appeal in February last year. It met with no success and it was not raised in the appeal of the Jaffray matter. Therefore, I come to consider my conclusion on it. Mrs Noel needs leave from the court and I unhesitatingly refuse it. She had a choice. She could have joined the Jaffray litigation. She could have participated in any discussion about the scope of the action. She chose not to. She now wishes to rehash how that action was run or pursued, or not pursued. Her prospects of success at this stage are hopeless.

16. So far as reference was made to it, there is no conceivable Human Rights Act question which arises in dismissing leave to pursue a hopeless case, all the more so because if Mrs Noel had wanted to pursue the question of fraud she had the opportunity to join the Jaffray group in the first place.

17. So far as concerns the verification form, in perhaps the most recent ruling prior to today on this matter, Waller LJ, on paper, 2 May 2007, said this:

> "Third there is an application for an order for Lloyd's to release Mrs Noel's verification form for examination by a graphologist. This application has been refused by the court on Mrs Noel's own admission three times before. The verification form has no relevance to any issue in any proceedings and it is once again an application totally without merit. In any event it is not an application which could be made to the Court of Appeal."

18. I should add that Waller LJ on the same ruling dealt with the case of fraud. He observed in terms which I note are similar to those which I have just used, that Mrs Noel had the chance to join the Jaffray action. Not having done so, it is not open to her to make her own allegations now. The application was always without merit. I respectfully agree.

19. Finally, before leaving fraud, Mrs Noel repeats a complaint about whether Tomlinson J should or should not have sat on one of the many hearings which she has promoted before the court. I reject unhesitatingly the intemperate terms in which Mrs Noel has sought to characterise the actions of Tomlinson J. Apart from that, I simply observe that those allegations have no conceivable relevance to the present application.

20. Finally, there remains the question of the liability for the Equitas premium, which is another matter canvassed in her counterclaim before the court. In that regard, as Mr Demery put it, he relies on the various hearings previously before the court. The matter again is most succinctly summarised by Waller LJ in the ruling to which I have already referred of 2 May 2007. Waller LJ said this:

> "...this requests a 'rehearing to further consider my allegations that Lloyd's are wrongfully pursuing me for a premium to Equitas that I do not have.' This would involve setting aside my judgment of 20 June 2002 refusing permission to appeal the judgment of Andrew Smith J 27 March 2002 under the *Taylor v Lawrence* procedure. There is no material produced by Mrs Noel which could arguably suffice as a basis to challenge that judgment or its reasons. It is in any event far too late to do so."

21. That part of the counterclaim which does not relate to fraud undoubtedly relates to the Equitas premium. I would refuse the application on that ground alone, as it is simply an effort to transfer to this court an application which seems to me to be like the application in respect of fraud. It is entirely, with respect, devoid of all merit.

22. Therefore, the application is declined.

Response To Judgment

Point 3 – Mr Justice Gross says in so far as I seek to pursue a claim for Fraud I am bound by the order of Cresswell I made on 9th November 1999

A) I wish to bring a counter claim in defence of Lloyd's statutory demand which I should be permitted to do, as Mr Justice Tomlinson states in his judgement on 17th November 2000, as I am not bound by clause 9b) in the 1986 Agency Agreement or clause 5.5 of the Equitas contract having not signed either which precluded the names from setting off their Counterclaim for damages for fraud against Lloyd's for Equitas premium.

B) Failure to disclose the nature and extent of the Markets liability for Asbestos related claims was deleted from the Jaffray proceedings. This is the main plank of my case which in the event falls outside the threshold Fraud Issue.

C) Cresswell J has refused to deny his friendship with past Chairman David Coleridge, thus he was Conflicted. His judgement was unsafe and the case should be retried.

D) The judgements against me since Clarke LJ directed that my case on contract, whether judgement has been obtained by Fraud on the part of Lloyd's – Equitas and all other issues to be adjourned to the full Court of Appeal on 19th September 2003, have all been made on paper by Waller LJ, on the grounds that it is too late to make the challenge and it is not open to me to make my own allegation of Fraud as I was not party to the Jaffray action. My evidence has only become conclusive since the trial.

Point 4 – The Names while appreciating the Courts' repeated sympathy would rather have Justice.

Point 5 – Gross J says there has to be a time for finality. That is in the interests of all concerned, that the Courts have limited resources, and the Courts strongly discourage relitigation of matters already decided, but Fraud is not time barred and if there is evidence which has not been considered, the Courts should not be restricted by "Limited resources" as it seems the Police are.

Point 6 – The material I put before Mr Justice Gross with regard the Rowland case he says is scandalous, but what has happened in this case is scandalous. Judgement has been procured by Fraud, as Clarke LJ suggests.

Point 11 – Gross J on hearing what I said with regard to the deletion of "Failure to disclose" on day 9 agrees this "amounted to a radical revision of the scope of the action", and consulted Mr Demery about it who said he knew nothing about it.

Point 12 – I referred to the fact that three important witness's were not called to give evidence. Mr David Coleridge, Mr Ted Nelson and Mr Ken Randell. Gross J says if the case were ever

relegated, Lloyds' may or may not choose to call the individuals in question, to which I say in the interests of Justice and a fair trial this decision should not be Lloyds'

Point 14 + 15 – My arguments on the substantial error in the Jaffray litigation was not considered in February last year on the grounds that it was not open to me make these points and that it should have been raised in the Jaffray appeal, and that my prospects of success "at this stage" are hopeless. Fraud is not time barred, and my evidence, and the deletion of failure to disclose which was not agreed by the Jaffray litigants, should be considered before the bankruptcy hearing of forty-five Names on 6th December.

Point 17 – Waller LJ's paper ruling on 2 May 2007 says "the Verification form has no relevance to any issue in any proceedings" and "in any event it is not an application which should be made to the Court of Appeal."

A) The 1986 Neill Report states "In paragraph 4.6 & 4.7 we described briefly two central elements in Lloyds' assessment of the effectiveness of the briefing given by the agents to prospective Names the "Verification Form" and the Rota interview

B) Waller LJ says it has no relevance to any issue in any proceedings on the grounds that Lloyds' say they do not rely on this form in their claim against me. Whereas it is true to say they do not rely on this form in other Names cases as they were deceived into signing the mandatory 1986 Agreement which contained a prior liability clause under 5e). I did not sign any document accepting prior liability and the signature on this form purporting to be mine has been forged. Lloyd's told the Neill Committee it was of primary importance in ensuring the Names had been effectively briefed by their Agents. BUT IT WAS CONCEALED FROM THE NAMES AND IS AT THE HEART OF THE FRAUD.

C) Mr Geoffrey Nicholas of Freshfields states in his Witness statement in defence of my claim, "Names had retrospective liability for losses under policies dating back to the 1940's. This was explained in the Verification form which was introduced in 1978, but, is alleged was concealed from the Names."

1) It was concealed from me and I allege others in the late 1970's and I allege if signatures were obtained in later years they were obtained by fraud, as the form was not sent out in advance of the Rota interview, and Names did not have time to read it on the day, as there were so many paper's to sign. I allege the last page was held out for signing whilst being told it was just to verify what the Agents had previously told them. Lloyd's put this form into Court in their discovery to make it appear that the Names had seen and signed this form.

2) The Verification Form in 1978 – 1994 (last draft) most certainly did not explain that "Names had retrospective liability for losses under policies dating back to the 1940's" and should

have stated as from when this form was first introduced in 1977, Names had retrospective liability for unquantifiable Asbestos claims dating back to the 1940's as a result of the American Court rulings which changed the original scope of the policies from the time of Manifestation to Exposure. This is apparent from the Attorney's reports which were concealed from the Names, and first published in the Jaffray Judgements.

Point 19

1) I have evidence to support the fact that there were serious procedural irregularities pertaining to my case against Sir David Rowland, which involved the disappearance of four tape recordings of the proceedings of my case on 17th November 2000 which were not returned to the MRD until late October 2001 after my hearing before Waller LJ on 15th may 2001. I was informed by Freshfields that there had been no recording made, yet after investigation and thanks to Mr Sam Taylor of MRD who was prepared to put this in writing, I have evidence to prove Freshfields had applied for Four tapes to be sent to Smith Bernal on 22nd November 2000, who failed to return them for nearly a year but declined to put this in writing, which Mr Taylor was prepared to do (See attached). I was invited by him to listen to the tapes and from the first tape it is apparent that Tomlinson J in his opening remarks misrepresented the facts, did not disclose his further involvement with Lloyds beyond serving on the Kerr Panel for five months in 1993 when David Rowland was Chairman and did not offer to recuse himself. I therefore decided to order a transcript of the four tape recordings to be informed by Mr Taylor that the Judge had requested to hear the first tape and that since then the tape went missing again permanently, and that as there was no back up system at St Dunstan's Court it was irretrievable, but that the Judge had requested his opening remarks to be transcribed although thirty minutes of it were not and will never be known
2) Mr Stewart Boyd QC confirmed to me on three occasions that he and Tomlinson J had not only sat on the Kerr Panel but on an Equitas Panel in 1995/96.
3) Tomlinson J denys this and thinks there is some confusion between the Kerr Panel and the Equitas Panel yet later in one of his letters dated 18th February 2004 he says I have Lord Justice Thomas's authority to mention to you that as Mr Thomas QC he advised Lloyds' on various occasions over the years and he also served on the Equitas Panel. Mr Michael Meeson who held a senior position within Lloyds's at the time, also confirmed that there was an Equitas Panel.
4) Yet Mr Nicholas Demery Solicitor/Manager of Lloyds' Litigation team denies any knowledge of an Equitas Panel and Mr Geoffrey Nicholas who holds a similar position Freshfields' says, "I am not not entitled to a list of all counsel instructed by us or by any firm on behalf of

Lloyds'. However as Lloyds' has already confirmed, aside from his involvement in the Kerr Panel they are unable to find any record of further instructions having been given to Mr Justice Tomlinson when he was still a member of the bar. Similar confirmation was provided to you by Mr Justice Tomlinson in his letter of 8th April & 7th May 2003.

5) Mr Justice Tomlinson's former clerk confirmed that he served on an Equitas Panel but that it was a private arrangement between himself, Lloyds's and Freshfields therefore no transaction would have been recorded on their books.

6) Lastly, Caroline Mayne who was former Manager of the Litigation team told me in the first telephone conversation she had no idea until she came to Court on 17th November 2000 that Tomlinson J had sat on the Kerr Panel and in a later conversation when I was questioning her regarding Tomlinson J's involvement with the Equitas Panel, she said she heard him tell me of his further involvement with Lloyds' but it can be evidenced by the brief transcript of Tomlinson J's opening remarks (of which I was informed by Mr Taylor had been made) that he did not inform me of his further involvement with Lloyds.

7) Part of the Civil Restraint Order includes under h) Mr Justice Tomlinson's hearing of the case of Sally Noel v Sir David Rowland and under L) the tape recordings of the proceedings mentioned above.

It is horrifyingly obvious that it is in the interests of both the Court, Mr Demery, and Mr Nicholas, for me to be silenced on these serious matters where judgement has been obtained by Fraud. A matter which Clarke LJ considered on the 19th September 2003 should be held by a full Court of Appeal.

8) Gross J says that these allegations have no conceivable relevance to he present application for my Counter Claim to proceed by way of defence to Lloyds' Statutory Demand but the costs in Lloyd's demand are largely for this case.

9) Lord Brennan QC in his "Advice" dated 13th June 2006 concludes

   a) There ought to have been a recusal

   b) Even if the case would have failed anyway that this should not impinge on the claim to recover costs and in Mrs Noels' favour

   c) And this it can be argued should include the costs which I understand have already been paid of just over £46,000 (actually £47,442.95)

Point 20

1) With regard to my request for a rehearing to further consider my allegations that Lloyds are wrongfully pursuing me for a premium to Equitas I do not have, Waller LJ says, "This would involve setting aside my judgement of 20th June 2002 refusing appeal the Judgement of Andrew Smith J of 27th March 2002 under the Taylor & Lawrence procedure, and "it is in

any event far too late to do so!" If my evidence has only become available to me since 20th June 2002, and the consequences of not examining this evidence could lead to Lloyds' bankrupting me, it can never be too late and Waller LJ's paper ruling should be set aside, as I have only had paper rulings from him since Clarke LJ's "Legal Information" document dated 19th September 2003. This was an internal document sent by mistake, states permission to appeal granted on contractual issue only i.e. whether defendant is bound by the R&R scheme because she did not sign the 1986 Agency Agreement" should be adjourned to the full Court of Appeal.

2) The Extended Civil Restraint Order Lloyds' wish to impose upon me on Friday 17th November includes this evidence under a) The Plaintiffs alleged resignation from Lloyds'. I again attach the onerous list which is all embracing and particularly with regard to silencing me over the Verification Form (point g) which is at the heart of the Fraud. (See below)

Point 21 – In consideration of the above, my application to bring a Counter Claim should not be declined

DRAFT

IN THE HIGHT COURT OF JUSTICE
QUEENS BENCH DIVISION
COMMERCIAL COURT

CLAIM NO. HQ07X00363

MR JUSTICE GROSS

SALLY NOEL

Plaintiff

and

THE SOCIETY OF LLOYD'S

Defendant

ORDER

UPON HEARING the Plaintiff in person and the solicitor for the Defendant

1. An Extended Civil Restraint Order be made against the Plaintiff for a period of 2 years from the date of this Order restraining her from issuing claims or making applications in the High Court or any County Court concerning any matter involving or relating to or touching upon or leading to these proceedings without first obtaining the permission of [Mr Justice Gross/Judge of the Commercial Court].

2. The matters referred to in paragraph 1 above shall include, but are not restricted to:

   a) the Plaintiff's alleged resignation from Lloyd's
   b) the 1986 Agency Agreement
   c) the General Undertaking
   d) the activities of Additional Underwriting Agencies (No 9) Ltd ("AUA9")
   e) the Plaintiff's Equitas Premium
   f) asbestos claims
   g) the Verification Form
   h) Mr. Justice Tomlinson's hearing of the case of *Sally Noel v. Sir David Rowland*
   i) the tape recordings of the proceedings mentioned in h) above

Dated 2007

DRAFT

CLAIM NO. HQ07X00363

IN THE HIGHT COURT OF JUSTICE
QUEENS BENCH DIVISION
COMMERCIAL COURT

MR JUSTICE GROSS

SALLY NOEL — Plaintiff

and

THE SOCIETY OF LLOYD'S — Defendant

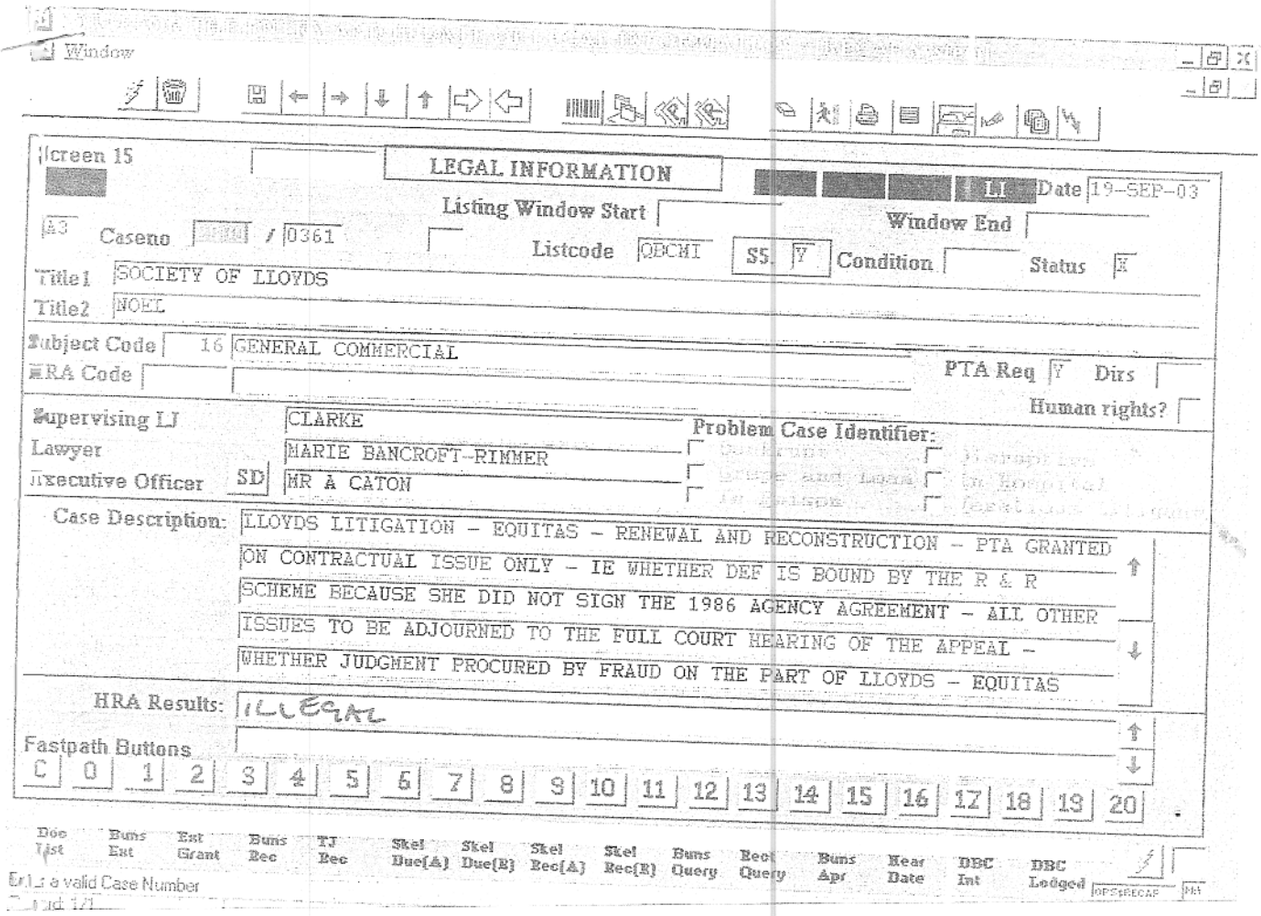
ORDER

UPON HEARING the Plaintiff in person and the solicitor for the Defendant

1. An Extended Civil Restraint Order be made against the Plaintiff for a period of 2 years from the date of this Order restraining her from issuing claims or making applications in the High Court or any County Court against the Defendant.

2. For the purposes of paragraph 1 of this Order the Defendant shall include Lloyd's, the Society of Lloyd's, the Corporation of Lloyd's, Lloyd's of London and any present or former Chairmen or Deputy Chairmen of the Defendant and any employee, official or agent of the Defendant.

Dated 2007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Screen 15 — LEGAL INFORMATION — LJ — Date 19-SEP-03

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Title1 SOCIETY OF LLOYDS

Title2 NOEL

Subject Code 16 GENERAL COMMERCIAL — PTA Req Y — Dirs

HRA Code — Human rights?

Supervising LJ CLARKE — Problem Case Identifier:

Lawyer MARIE BANCROFT-RIMMER

Executive Officer SD MR A CATON

Case Description: LLOYDS LITIGATION - EQUITAS - RENEWAL AND RECONSTRUCTION - PTA GRANTED ON CONTRACTUAL ISSUE ONLY - IE WHETHER DEF IS BOUND BY THE R & R SCHEME BECAUSE SHE DID NOT SIGN THE 1986 AGENCY AGREEMENT - ALL OTHER ISSUES TO BE ADJOURNED TO THE FULL COURT HEARING OF THE APPEAL - WHETHER JUDGMENT PROCURED BY FRAUD ON THE PART OF LLOYDS - EQUITAS

HRA Results: ILLEGAL

Fastpath Buttons

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CLIENT/MATTER NO 113956-0001

The Civil Appeals Office
Royal Courts of Justice
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COPY

13 March 2001

Dear Sirs

Sally Rosemary Noel v Sir David Rowland Claim No. 2000 Folio 166
Reference: A3/2000/3595

The Claimant in the above action has informed us that her application for Permission to Appeal the decision of Mr Justice Tomlinson will be heard on a without notice basis on 23 March 2001.

We have noted in her correspondence to us and to the Court that one of her reasons for objecting to the decision of Mr Justice Tomlinson is based upon the fact that he was a member of a legal advisory panel chaired by Sir Michael Kerr. The Kerr Panel was appointed by Lloyd's in July 1993 to investigate the merits of claims arising out of the LMX spiral, long tail liabilities and personal stop loss business, in the context of the first Lloyd's settlement offer to Names.

Given that there is no transcript of the hearing before Mr Justice Tomlinson at first instance (only of his judgment), we thought it important to explain that at the start of the hearing, Mr Justice Tomlinson informed Mrs Noel that he had been a member of the Kerr Panel and asked her if she had any objection to him hearing the case. She confirmed that she had no objection.

Mrs Noel has said to us that she was not aware of the contents of the Kerr Panel report at the time this was raised by Mr Justice Tomlinson and having subsequently read the report she would have objected to him hearing the case. We cannot accept this.

The findings of the Kerr Panel were referred to in the settlement offer documentation sent to Names in 1993. Furthermore, the Kerr Panel report was referred to throughout the trial of the action for fraud brought by the Names against Lloyd's and heard by Mr Justice Cresswell last year (The Society of Lloyd's v Sir William Jaffray 1996 Folio 2032). It was also expressly referred to by Mr Justice Cresswell in his judgment in that action. Mrs Noel attended the Jaffray trial on a regular basis and has received a copy of the judgment of Mr Justice Cresswell for the purposes of her claim in this action. Mrs Noel also attended the hearing when Mr Justice Cresswell handed down his judgment on 3 November 2000, 2 [illegible] the hearing before Mr Justice Tomlinson on 17 November 2000. In the

COURT SERVICE

From Sam Taylor
Office Manager

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THE COURT SERVICE
SUPREME COURT CIRCUIT

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Date: 10th September 2003

Dear Madam,

This letter is in relation to our telephone conversation today regarding the case of **"Noel –v- Rowland – 2000 Folio No 166"** which was heard on 17th November 2000 in front of the Hon. Mr Justice Tomlinson.

I can confirm that according to our records all four tapes used on the date mentioned above (FL 3904-3907/00) were sent to Smith Bernal for transcription upon the instructions of messers Freshfields. This office received their completed EX107 tape transcription order form on 22nd November 2000 and the tapes were sent to their nominated transcribers on the same day.

If I can be of any more assistance, please feel free to contact me on the above telephone number.

Yours sincerely,

Sam Taylor