

Mr Conway
Oliver Fisher
DX 84006
KENSINGTON HIGH ST 2

23 June 2003

Our ref: LM.lm DNR-34/1

Ext. 229

Your ref:

124 JUN 2003

A x B
See next page
for my
comments

See McLean's initial letter of 09.04.03 and my 16.04.03 reply

Dear Sirs,

Steel Services Limited v [REDACTED] & Others

We refer to the above and have received and perused the decision of the Leasehold Valuation Tribunal.

There would seem to be a fairly substantial reduction in the sums claimed by the applicant as well as the clear indication by the Tribunal that they think the reserve fund should be used at least in part to fund some of the works making a further reduction in the sums due from the lessees. Are you able to confirm whether or not your client will be seeking to appeal against the decision of the Tribunal and also whether she will be proceeding with her application under section 20C of the Landlord and Tenant Act 1985.

We note your client's views previously but we simply wish to know whether or not your client is making the application.

Yours faithfully

PIPER SMITH AND BASHAM
L_mclean@pipersmith.co.uk

For an overview of events
See my Comments to the
13 Nov 03 draft reply to
Andrew David Ladsky's
21.10.03 Part 36 offer

And when I became
their client they did
their damnest to
make sure I would
not proceed with my
20C Application.

WHY?

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Lexcel

NKDR comments re. Ms McLean's 23 June 2003 letter to my then solicitors, Oliver Fisher

Point A

Note:

Ms McLean's statement: "*We... have received and perused the decision of the LVT. There would seem to be a fairly substantial reduction in the sums claimed by the applicant...*".

Note also the statement she had made in **her 9 April 2003 letter**, also to Oliver Fisher: "... we have spoken to a surveyor...His preliminary view is that the service charges seem high..."

And compare this to what she captured in her attendance notes of the 28 October 2003 meeting with Mr Stan Gallagher, Arden Chambers, to discuss the reply to the 21 Oct 03 offer sent by Mr Lanny Silverstone, CKFT: "...they had originally sent her a demand for £14,000 **which it now seemed** was an incorrect figure."

Point B

No doubt here: 'HER' application.

Isn't this extraordinary? When Ms Lisa McLean and Mr Richard Twyman, Piper Smith & Basham, are advising 2 other residents they hold the view that *I can – by myself –* make a 20C Order application for the whole block.

However, when I become a client, they change their view in the totally opposite direction by saying that I cannot – on my own - make an application that will apply to the whole block – and, in the process, do their absolute damndest to ensure I do not proceed with my application. See her letters to me of 19 Sep 03 and 22 Sep 03 – and for comprehensive details, points 142 – 181 of my 16 March 2004 complaint to the Law Society against Ms McLean and Mr Twyman.

Aside from the incontrovertible evidence that they totally changed their position when I became a client, equally incontrovertible evidence that I, **alone**, could make me a 20C application to prevent Steel Services from putting its costs on the service charges (NB: which it has done) comes from:

- The 7 Apr 03 letter sent to the LVT (and copied to Ms Joan Hathaway, Martin Russell Jones) by Oliver Fisher, my then solicitors, stating that I will be making a 20C application
- Confirmation of this by Mr Paul Staddon at the 28 Apr 03 LVT hearing. Further proof that this **application was understood by all to be for the whole block**, was the fact that, when he said this, Mr Warwick, Steel Services' counsel replied: "*My client will not charge Ms N K-Dit-Rawé, but intends to charge other residents*". And there was absolutely no objection raised by the LVT panel to my making this application by myself.
- Confirmation of this to me by LEASE who referred me to the Lands Tribunal case 'Langford Court v Doren Limited