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Ms Noëlle K-Dit-Rawé

*(By special delivery)*

Ref: LM.R360/1

CONFIDENTIAL

12 October 2003

Thank you for your letter of 3 October received on 6 October.

#### **LVT decision**

I have sent another letter to Ms McGrath, dated 6 October -- which I enclose <sup>1</sup>. For the time being, I would like to wait for the reply.

Top of second page -- one of the reasons for requesting the Tribunal to produce a summary of its decision, is the divergence of opinion between CKFT and Mr Tim Brock: |||

Mr Tim Brock has calculated that the items for which the Tribunal said to be unable to make a decision due to lack/ insufficient specification amount in total to **£144,745.87** (or 25.6% of the global sum demanded) (excluding VAT and management fee plus VAT). Mr Brock, calculates that, in their July 'revised price' specification, the Claimant has reduced the cost down to **£109,896.87** i.e. **a reduction of £34,849.00**. However, as highlighted by Mr Brock: *"There is no explanation from Killby and Gayford for this reduction, or what directions they have followed from the Tribunal's decision. This reduction still does not change the fact that it is possible that further cost reduction would occur if the works were correctly specified"*. |||

(My other reason is to ensure that the LVT has - on record - a factually accurate summary of the case and of its decision).

#### **Year-end 2002 accounts for Jefferson House**

Thank you for your offer. I have requested a copy of the accounts from MRJ<sup>2</sup> to be sent within 14 days of my letter.

I do not understand your point in the remaining part of the paragraph but, no point exploring this at this stage.

#### **My briefing notes for the 20C application**

I thought that the point of emphasising the sequence of events -- and the time period over which they took place - was obvious: the Court must take these into consideration. I am not the one at fault.

<sup>1</sup> My letter to Ms Siobhan McGrath, dated 6 October 2003

<sup>2</sup> My letter to Ms Hathaway, MRJ, dated 9 October 2003

**List sent to CKFT**

I guessed as much that you had sent the list to CKFT (and documents?): the hot water and heating were off during last weekend.

**Witness statement**

I am going to draft my statement this week. I know/understand that: it must be in my own words; succinct; each paragraph must be numbered; contain a statement of truth. I am intending to refer to document numbers in my standard disclosure of documents. Are there any rules on this? Is there anything else that I should consider?

Later on in your letter you state that *"we need to have at least the skeleton of the witness statements prepared by 1<sup>st</sup> November"*. I need to discuss this with you as I am unclear: (1) as it stands the deadline set by the Court is 21 October; (2) you put 'statement' in the plural.

**Request to Court to extend timetable**

If you feel that this is necessary. I am reliant on you. How soon can we have confirmation of dates for key events/stages?

**David Pliener**

About continuing to use Mr Pliener, given the time pressure in August, I did not get the chance to ask you about Mr Pliener's experience in acting for lessees. Can you please be kind enough to give me details of the Court cases for which he has acted for lessees, the date and case number.

**Mr Brock**

I will phone him this week

**Payment on account of £1,500.00**

Thank you for your concern. All I want is to achieve the objectives I stated to you previously.

I enclose cheque Nat West # 1406 for £1,500.00<sup>3</sup>

**Your letter of 8 October 2003-10-12**

Thank you for attaching copy of CKFT letter, dated 6 October 2003.

Can you please explain what you mean by *"I will be responsible for the photocopying of the documents"*?

Yours sincerely

  
Noëlle Rawé

<sup>3</sup> Nat West cheque # 1406 for £1,500.00

