

-----Original Message-----

From: Stan Gallagher [mailto:stangallagher@btinternet.com]
Sent: 13 November 2003 10:12
To: 'Richard Twyman'; Rawe, Noëlle
Subject: RE: Steel Services Limited v Noelle Rawe

Dear Mr Twyman,

Thank you for your Email. Because of the urgency of the situation I am copying this to Ms Rawe.

I have received a fax dated 13 Nov 2003 from Ms Rawe (also copied to you). This fax has crossed with my earlier Emailed advice seeking further instructions.

Instructions are needed on whether Ms Rawe wishes to accept the offer, subject only to the possibility of tweaking it as discussed in conference, or to reject it and put forward a counter-offer.

For the reasons set out in my earlier Email, I strongly advise that the offer be accepted.

Moreover, the terms of response that Ms Rawe sets out in her faxes do not constitute a realistic basis for settling the claim and will not be accepted by the Claimant. I must advise that I cannot see the point of responding in those terms. By this I do not mean to be unkind, but it must be remembered that the point of making an offer is not to debate the issues in dispute, but to set out a realistic basis to compromise the claim and (if the claim is not settled) to protect the litigant's position on costs.

It follows that if, contrary to my advice, C's offer is not acceptable, we should simply let it lapse by not responding substantively to it today. In which event there would be nothing to stop us subsequently making a counter-offer in less hurried circumstances.

1

But again, I strongly advise Ms Rawe to accept the offer

Please contact me if you have any questions. I will not settle anything until instructed to do so. I need those instructions by midday today if I am to do anything today as I have other commitment this afternoon.

Stan Gallagher

Arden Chambers

2 John Street, London WC1N 2ES

Tel: 020 7242 4244 Fax 020 7242 3224

Important: This e-mail and any attachments are confidential and may be privileged or otherwise protected from disclosure. If you are not the intended recipient, please telephone or email the sender and delete this message and any attachments from your system. If you are not the intended recipient you must not copy this message or any attachments or disclose the

PROOF that the FAX machine I used to send the FAX - which recorded the time AS 10:11 was still set on summer time.

= Mr Twyman lied in his 14 Nov letter

BREACH of:

- My statutory rights
- My lease
- Civil Procedure Rules etc.

ARE obviously not sufficient for my advisers to challenge the offer!!