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Mrs A P Dickson
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WESTHEAD
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Your ref:
Our ref: RG.KW.36433.145

ANSWERED 24 JUL 2000
ANSWERED 24 JUL 2000

10 July 2000

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WITHOUT PREJUDICE

Dear Madam:

YOURSELF -V- BRADFORD & BINGLEY BUILDING SOCIETY

We have received from the Court of Appeal its order dated 16 June 2000 indicating that you have been refused permission to rely on additional evidence and you have been refused permission to appeal from the order of His Honour Judge Maddocks dated 26 January 2000.

As you are aware His Honour Judge Maddocks made a number of directions when he handed down his judgment in this case on Wednesday 26 January 2000. In particular he ordered that our client should lodge a supplemental affidavit to bring the account up to date, which it did.

He then ordered that you submit an affidavit in response by 8 March 2000. That evidence in response has never been filed.

As you are aware there was supposed to be a case management conference in this case on 26 May 2000. It was our client's intention to seek an unless order against you at that hearing on the basis that unless you filed the evidence ordered the request for an account be struck out.

Our client has provided you with a list of the source documents in this case from the date of inception of the account with the Merseyside Building Society in July 1980 to date.

The information that our client has provided gives you full details of all amounts that have been debited to your account in accordance with initially the terms and conditions of the Merseyside Building Society, and subsequently the terms and conditions of the Bradford & Bingley Building Society.

Our client's obligation following the hearing with His Honour Judge Maddocks is to ensure that you obtain an account, ie to show exactly how the final figure following repossession and sale was reached. Our client has done that.

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... IMPORTANT ... PLEASE NOTE

We have now moved to our new offices at Princes Exchange. Please use the above address, telephone and fax numbers from now on and amend your records accordingly.

Thank you.

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Mrs A P Dickson
Continuation 2
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Notwithstanding the above our client is conscious of the time that this matter has been active and of the expense both to itself and yourself of pursuing the proceedings. On a purely without prejudice basis, and with no admission of liability whatsoever our client has advised that it is prepared to offer you a payment of £15,000 inclusive of interest and costs to settle your claim. This figure is to reimburse you for the fines, additional interest and administration fees which have been charged from the account since it was taken over by Bradford & Bingley in 1985. The actual amounts debited are set out in the attached schedule.

This offer is open for a period of 21 days and if accepted is in full and final settlement of any claims you have against our client in relation to this account.

If the offer is not accepted then we are instructed to obtain a forensic accountant's report on the account, from inception to date, which will be lodged with the court in due course, and which we are confident will support the figures already provided to you.

Yours faithfully

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