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**From:** Susan Clark  
**Sent:** 12 March 2010 17:12  
**To:** Julie Smith  
**Subject:** RE: Appeal

Richard

Spoken with Brandon.

At the Wilson adjudication both parties agreed that the decision of Hunter would not be binding – that is why Brandon does not feel this creates a risk.

Brandon is reviewing the need to appeal with Wilson decision in case it becomes binding in respect to PA1. At present he doesn't think it is binding but will review to make sure that if we need to, we appeal within the timescales. He will be doing this early next week to conclude his report.

Have a good weekend.

Susan

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**From:** Julie Smith  
**Sent:** 12 March 2010 11:21  
**To:** Susan Clark  
**Subject:** FW: Appeal

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**From:** Nick Smith [<mailto:Nick.Smith@edinburgh.gov.uk>]  
**Sent:** 12 March 2010 10:08  
**To:** Richard Jeffrey  
**Subject:** Appeal

Richard

The McGrigor's report appears to refer to there being a need to appeal the Wilson adjudication (RRRW decision) as opposed to the Hunter adjudications (GB and CKB decision). From memory Wilson was more accommodating to tie's position than Hunter. Are we appealing Wilson and, if so, on which grounds?

It is referenced at 1.37 and 36.5. 10.5 and 10.6 definitely refers to Mr Wilson and RRRW, but it is not clear which aspects they are concerned about. It may indeed be that McGrigors have specific concerns about parts of his findings, but was Mr Hunter's not similarly disadvantageous to tie?

If it was Mr Hunter's decisions which should be appealed then by my calculations the 70 business days expired on 26 Feb. For Wilson it would indeed be mid-April.

Kind regards

Nick

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*Please note that I am not in the office on a Monday*

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