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**From:** Bentley, Bruce  
**Sent:** 15 January 2010 16:12  
**To:** Steven Bell; Anthony Rush; Dennis Murray; Richard Jeffrey  
**Cc:** Fitchie, Andrew; Kilburn, Keith  
**Subject:** Richard Keen's draft Opinion

Legally privileged and FOISA

All;

Attached for your information and consideration is a copy of Richard Keen's draft Opinion on the various issues he was instructed by us to consider following on from the Gogarburn Bridge Adjudication Decision. He advised on these issues in conference some weeks ago, and this Opinion is intended to summarise the advice he gave then.

He doesn't explore in his Opinion what action **tie** could take to have the interpretation of Pricing Assumption 3.4.1.1 (dealt with in his comments on issue 1), and possible rectification of it, looked at by the Court. We suggest going back to him to ask him to consider and advise on this specific point.

Regards

Bruce

Bruce Bentley

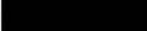
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tie draft opinion.pdf