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**From:** Fitchie, Andrew [Andrew.Fitchie@dlapiper.com]  
**Sent:** 15 December 2007 15:47  
**To:** Gill Lindsay  
**Cc:** Andrew Holmes; Colin MacKenzie; Rebecca Andrew; Duncan Fraser - CEC; Graeme Bissett (external contact); Steven Bell; Stewart McGarrity; Willie Gallagher; Hecht, Philip; Fitzgerald, Sharon  
**Subject:** DLA Piper Report  
**Attachments:** 16755155\_1\_UKMATTERS(Letter to Gill Lindsay - CEC - 30 November 2007).DOC

Gill

As agreed yesterday afternoon, here is the DLA Piper revised letter . We have recast this, based on the 30th November report to you.


I am considering from a public disclosure standpoint whether it is appropriate to append this to the Council report. It gives information about what our perception (as **tie's**/CEC advisers) of the progress of the negotiations has been **and is therefore helpful to BBS in terms of tactics from now until close.**

I understand that how Report would be used and is required to underpin Council officers' opinion, but I am of the view that it would be better to summarise in the Report itself that the Council Solicitor has had legal advice on these matters and is satisfied as to how they are being treated commercial and contractually. The report is, in the end analysis, advice to the Council about how the project is reaching close.

My view is that it would be prudent not to disclose this Report for BBS to read as an annex, if this would be the case.

I shall be in the office tomorrow from 1pm until early evening. Unfortunately my mobile is not functioning. I am not certain of Sharon's availability should you require this but I shall be speaking to her tomorrow morning on another matter.

Kind regards  
**Andrew Fitchie**  
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