
From: Nick Smith
Sent: 22 September 2010 15:28
To: Carol Campbell
Subject: FW: Edinburgh Tram Network
Attachments: FW: Edinburgh Trams, Murrayfield Underpass Structure S21C; note - 9_8_10.DOC; Note of con with Richard Keen QC 19_08_10 with docquet.DOC; tie Limited 22 Sept 2010.doc

Kind regards

Nick

Nick Smith
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(t) 0 [REDACTED]

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

From: Richard Jeffrey [<mailto:Richard.Jeffrey@tie.ltd.uk>]
Sent: 22 September 2010 15:27
To: Nick Smith
Subject: FW: Edinburgh Tram Network

Nick, finally word back from Keen.

I have not read this myself yet.

R

From: Houston, Anne [<mailto:Anne.Houston@mcgrigors.com>] **On Behalf Of** Nolan, Brandon
Sent: 22 September 2010 15:25
To: Richard Jeffrey
Cc: Fitchie, Andrew; Anthony Rush; Williamson, Simona
Subject: Edinburgh Tram Network

Dear Richard

You will recall that following the issue of Lord Dervaird's decision on 8 August 2010, I set out my immediate analysis of that decision in an e-mail of the same date. In my note of the following day, I addressed what I considered to be the scope of Lord Dervaird's decision, and specifically what it did *not* deal with. I also set out my thoughts on the way forward.

For convenience, I attach a copy of my e-mail and note. These documents were passed to Richard Keen QC, together with the decision itself, for his advice. A conference call to discuss the decision was held between Richard Keen and Simona Williamson on 19 August 2010 during my absence on annual leave. A note was prepared of that call and passed to Richard Keen for his approval.

Subsequently, I discussed with Richard Keen the linkage between clause 34.3 and clause 80 (a point flagged up by Lord Dervaird in his decision), and also the significance of clause 80.20.

I now attach Richard Keen's Opinion on these issues, together with the note of the conference call of 19 August.

CEC00034597_0001

If you have any queries in relation to the foregoing, please do not hesitate to let me know.

Kind regards

Brandon

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Partner
for McGrigors LLP

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