

---

**From:** Anthony Rush [rush\_aj@[REDACTED]]  
**Sent:** 28 April 2010 22:22  
**To:** Fitchie, Andrew; 'Richard Jeffrey'; david\_mackay@[REDACTED]  
**Subject:** RE: Darcy  
**Attachments:** image001.jpg; image002.png; image003.jpg

I had my pal Michael on for another lengthy chat about format.

Inter alia I took the opportunity to tell him how unhappy I was that Darcy had rung Richard and asserted that they are very "strong" in their view on the meaning of the Contract and thereby indicated that they would be less than pragmatic in reaching a solution. I pointed out that I had been able to "sell" this approach to tie because Michael had assured me that Siemens Germany would control BB Germany and now at best Darcy had made settlement more difficult. The reaction would be that any settlement figure would be high, reflecting BB's view of their contractual strength.

He sought to assure me that Darcy was not an influence (actually he was ruder than this) and told me that the Boards of BBUK and Germany are to meet the Boards of Siemens UK and Germany a week on Friday to discuss and agree the strategy. I said more than ever I was looking for the right people in both companies to contact our Chairman with a view to all parties endorsing the initiative at the highest level. He agreed and said he would get something diarised for next week.

I said I would issue a draft programme to him tomorrow – has David any objection to me including a Chairmen's Meeting in the next two weeks?

I said I wouldn't be programming to have HoT's finalised by the end of May – it looked contrived and, of course, Darcy's comments would mean we would be scrutinised more. My departure to Norway on 18 June was much more understandable.

He also sought to assure me that Richard Walker was now very enthusiastic and positive. I reminded him of the clean team principle.

He tried again to persuade me to agree to Haymarket to Airport. I flatly refused to talk about it (they really want this and it may be a good bargaining chip for us).

Siemens have a problem with the on-street track (did a Siemen's sub-contractor lay it in Princes Street?). There is no doubt they both want out of the On-street work – period.

I will reflect the rest of what was said in my notes for Richard tomorrow.

Tony

---


**From:** Fitchie, Andrew [mailto:Andrew.Fitchie@dlapiper.com]  
**Sent:** 28 April 2010 17:59  
**To:** Richard Jeffrey; rush\_aj@[REDACTED]; david\_mackay@[REDACTED]  
**Subject:** RE: Darcy

Clearly out of it in terms of decision making.

kind regards

**Andrew S. Fitchie**  
Partner, Location Head Finance & Projects

DLA Piper Scotland LLP  
T: +44 (0) [REDACTED]  
M: +44 (0) [REDACTED]  
F: +44 (0)131 242 5562

 Please consider the environment before printing my email

---

**From:** Richard Jeffrey [mailto:Richard.Jeffrey@tie.ltd.uk]  
**Sent:** 28 April 2010 17:56  
**To:** rush\_aj@[REDACTED]; david\_mackay@tiscali.co.uk; Fitchie, Andrew  
**Subject:** Darcy

Darcy called me , 30 minutes of pointless conversation. He is briefed on Friday's meeting, but not attending as we knew.

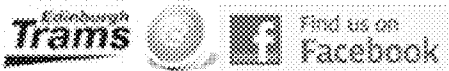
R

**Richard Jeffrey**  
*Chief Executive*

**Edinburgh Trams**  
*Citypoint*  
65 Haymarket Terrace  
Edinburgh  
EH12 5HD

**Tel:** (+44) (0)131 [REDACTED]  
**Email:** richard.jeffrey@tie.ltd.uk

**Find us online (click below):**



---

The information transmitted is intended only for the person to whom it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient of this e-mail please notify the sender immediately at the email address above, and then delete it.

E-mails sent to and by our staff are monitored for operational and lawful business purposes including assessing compliance with our company rules and system performance. TIE reserves the right to monitor emails sent to or from addresses under its control.

No liability is accepted for any harm that may be caused to your systems or data by this e-mail. It is the recipient's responsibility to scan this e-mail and any attachments for computer viruses.

Senders and recipients of e-mail should be aware that under Scottish Freedom of Information legislation and the Data Protection legislation these contents may have to be disclosed to third parties in response to a request.

tie Limited registered in Scotland No. SC230949. Registered office - City Chambers, High Street, Edinburgh, EH1 1YT.

---

This email is from DLA Piper Scotland LLP.

The contents of this email and any attachments are confidential to the intended recipient. They may not be disclosed to or used by or copied in any way by anyone other than the intended recipient. If this e mail is received in error, please contact DLA Piper Scotland LLP on +44 (0) 8700 111111 quoting the name of the sender and the email address to which it has been sent and then delete it.

Please note that neither DLA Piper Scotland LLP nor the sender accepts any responsibility for viruses and it is your responsibility to scan or otherwise check this email and any attachments.

DLA Piper Scotland LLP is a limited liability partnership registered in Scotland (registered number SO300365), which provides services from offices in Scotland. A list of members is open for inspection at its registered office and principal place of business Rutland Square, Edinburgh, EH1 2AA. Partner denotes member of a limited liability partnership.

DLA Piper Scotland LLP is regulated by the Law Society of Scotland and is a member of DLA Piper, an international legal practice, the members of which are separate and distinct legal entities. For further information, please refer to [www.dlapiper.com](http://www.dlapiper.com).

-----