Voicemail message left by Sean Barton of DLA Piper on 01/06/06 at approximately 12:00 noon

"Mr Wilson hello its Sean Barton at DLA Piper calling on the matter you have against Barclays, erm, you have an application listed for a half an hour on Tuesday, we also issued a summary judgement application that we will say will take three to four hours that will be before Master Turner, erm, who has suggested that it would be useful to contact you and see whether you would be willing to consent either to the hearing on Tuesday being vacated, or in my view probably more sensibly, erm, to use it as a directions hearing so that we can have both of our summary judgement applications dealt with properly, we'll have directions for evidence, erm, a listing date, probably some time in the end of July, possibly early August if its going to be half a days hearing, er, and to make sure that all parties put the appropriate evidence before the court
my colleague Graham Trace will be calling you later today to seek your consent on that 'cos I'm going to be away on holiday, erm, if you do wish to proceed on Tuesday then the application will be opposed due to lack of evidence and lack of lack of grounds at this stage,erm and to the extent that we, we, we are forced to go on Tuesday then we will be seeking costs from you, in that event. I hope this can be agreed erm, Graham will be able to discuss some directions with you hopefully if you need to speak to him when you get this message his telephone number is 0113 369 2706 and its Graham Trace, thank you. "

Voicemail message left by Graham Trace of DLA Piper on 01/06/06 at approximately 14:00

"Mr Wilson, hello, my name's Graham Trace I'm calling from DLA Piper, er, my colleague Sean Barton I believe left you a voicemail message earlier on today regarding the er litigation between you and Barclays Bank, and the hearing on Tuesday next week in London, erm, I just wonder if you've had an opportunity to listen to that message yet to consider your position; basically the position is that the Bank has also applied for a summary judgement application and, er, one of the, er, Masters who, er, looked at it the other day indicated that, er, it was sensible that they both be dealt with together in which case it's unlikely that, er, there will be sufficient time either for you to look at it and respond once you're served, er, or for them both to be dealt with on Tuesday, and therefore the Tuesday is unlikely to be, er, used as a, er, a full hearing of, of your summary judgement application, erm, on that basis we're looking to try to agree a vacation of that hearing otherwise its er only really likely to be used, er, to set down directions for the re-listing of both matters,erm,and er I'm just wondering whether or not that can be agreed or whether we do actually need to attend court next week. Mr Barton is now away on holiday as I think he may have told you , erm, my number is 0113 369 2706 , if this can be agreed, er, today or tomorrow, that would er obviously be beneficial to both parties ,and er should avoid the cost of both parties attending court next week, erm if you could consider your position and give me a call on the number I have already given you then that would be, er, very much appreciated. Thank you."