

ATTENDANCE NOTE

DAVIES
ARNOLD
COOPER
SOLICITORS

CLIENT NHSLA
MATTER Hepatitis C Litigation
OUR REF 41/8263.1/AL
DATE 24 July 2000

I have made a without prejudice offer to Tony Mallen in accordance with the instructions that we now have. The offer that I have made is that we would accept that subsequent to 2 May 1990 first generation anti-HCV screening should have been used but that the consequences of that would have to be determined in individual cases, i.e. each individual's genotype would have to be determined and then a discount would have to be applied from 0%-100% depending upon the date of infection and the genotype. I made it clear that the offer was only on the basis that those who were infected prior to 2 May 1990 withdrew their cases as our clients saw no advantage in settling some cases if there was to be a trial in any event.

I stressed that the instructions emanated from the Department of Health who were not prepared to sanction any settlement which involved a concept of "no fault" for Claimants. He will attempt to revert to me once he has had an opportunity of discussing it with his partners and with Counsel. Apparently Michael Brooke QC was involved in an accident over the weekend. It is not too serious although he has broken some bones and he is being operated on at the moment. He thinks it unlikely that he will be able to revert before the end of the week but undertook to revert by the time I return from holiday on 14 August.

SP