

18: Eighteen And Under - Again!  
From: Robin Fallas <robin.fallas@macroberts.com>  
To: iec1053@aol.com  
Subject: RE: Eighteen And Under - Again!  
Date: Fri, 13 Feb 2009 16:58

Irene,

Thank you for your email. I have spoken with my colleague Arlene McDaid in our dispute resolution team and she thinks that her costs in preparing for and attending a meeting in Dundee would be £600-£900 on the basis of (2-3 hours preparation, 3-4 hours return travel to Dundee, 1-2 hours in a meeting). These costings are based on SCVO discounted rates of £100 per hour, a substantial discount on our usual fees.

You might be better placed to have Arlene attending rather than me as she is experienced in assisting clients with disputes (as opposed to advising on charity law) and would be able to assist Laurie, as appropriate, in:

- making the points that Eighteen and Under wishes to make;
- questioning the Council on the factual basis for its decisions / its assumptions and areas in which the Council may have been at fault (including in its conduct) and/or may be making incorrect assumptions;
- ensuring that Eighteen and Under obtains responses to its questions;
- ensuring that the Council fully understands Eighteen and Under's processes;
- ensuring that the review and its outcomes are communicated to the Council;
- ensuring that the best interests of Eighteen and Under are protected.

Please note that you should contact the Council to confirm that they agree to Eighteen and Under to have legal representation at the meeting if this is how you wish to proceed.

Separately, on the incorporation element, please note my comment that there may be additional costs over and above our fixed fee package of £850 (+VAT) if Eighteen and Under were to request additional advice on tax issues associated with transfer of the trading subsidiary. If you were to instruct MacRoberts in relation to this work, I would take matters forward on your behalf. The process generally seems to take between 3 and 6 months (of which OSCR generally takes 6-8 weeks to consider applications).

I have conducted a conflict check and at present there appears to be no reason why we should not act for Eighteen and Under should the Committee decide to instruct MacRoberts.

I hope that the meeting goes well on Sunday.

Kind regards  
Robin

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**From:** iec1053@aol.com [mailto:iec1053@aol.com]  
**Sent:** 13 February 2009 15:37  
**To:** Robin Fallas  
**Subject:** Eighteen And Under - Again!

Robin,

We have arranged an emergency management committee meeting on Sunday morning at which we will discuss the Limited By Guarantee option. This has already been discussed at previous meetings and I know they are all receptive to the idea. The only thing that stopped it before was the fact that the advice we were getting from our auditors was not to bother. I will contact you if they decide to go ahead. I have your costs here and will pass them on at the meeting.

The other thing I need to ask before the meeting is if it would be possible for yourself or one of your colleagues to attend the meeting on Friday and how much this would cost- just a ballpark figure. Laurie is really worried about the meeting as she is very much the pacifist and will have problems challenging them on things. The intention would be to take a member of management in to the meeting also. We also intend to ask the committee for permission to pay any legal fees incurred for advice until this matter is resolved. We have never faced a situation like this before and feel that your advice has been invaluable so far. I don't really think that the committee will have a problem with any fees and appreciate the help you have given us.

As the meeting is on Sunday it would be great if you could just e-mail and let me know if this is possible and productive. I have a meeting at four so will not be in the office but will access my e-mails from home. No rest for the wicked!!

Thanks once again,  
Irene.