

**2 Franklin Street, Belfast, BT2 8DQ
DX 2842 NR Belfast 3**

**Your Ref:
BMCL-0053-13**

**Our Ref:
HYP W50/02**

**Date:
13th June 2013**

**Mr B McLoughlin
Assistant Solicitor to the Inquiry
Arthur House
41 Arthur Street
Belfast
BT1 4GB**



Dear Mr McLoughlin,

**RE: INQUIRY INTO HYPONATRAEMIA RELATED DEATHS - RAYCHEL FERGUSON
PRELIMINARY**

I refer to your letter dated 30th January 2013 and our subsequent reply of 25th April 2013. Further to your request at 4 thereof I now enclose an index of the Clinical Negligence File held by the Western Trust in respect of the death of Lucy Crawford (549/73/2279). The documents in this file have already been disclosed to the Inquiry and are contained within the Inquiry papers at File 47.

We have cross-referenced the file held by the Trust (549/73/2279) with File 47. The enclosed Index includes the Inquiry reference of all documents which are listed on the index of File 47, for ease of reference.

All documents contained within the original Trust file (549/73/2279), but not listed on the Index to File 47, are highlighted in yellow. The Index also identifies which of those documents, highlighted in yellow, the Trust is asserting a claim of legal advice/legal professional privilege over. For the avoidance of doubt these claims are made without prejudice to any pre-existing legal advice or litigation privilege claim in respect of those documents which are listed on the Index to File 47.

Please accept my apologies for the delay in submission of this documentation to you.

Yours faithfully



**Joanna Bolton
Solicitor Consultant**

Providing Support to Health and Social Care



	DATE	FROM	TO	DESCRIPTION	
				Inside file cover telephone/fax numbers	047-022
2.	12/01/2004	Kevin Doherty	Dr J O'Donoghue	Settlement Letter	047-023
3.	12/01/2004	Kevin Doherty	Dr T Auterson	Letter	047-024
4.	02/01/2004	DLS	Kevin Doherty	Detail of Fees	CONFIDENTIAL FINANCIAL INFORMATION
5.	02/01/2004	Patrick Good		Invoice	CONFIDENTIAL FINANCIAL INFORMATION
6.	17/12/2003	Patrick Good	DLS	Fee note	CONFIDENTIAL FINANCIAL INFORMATION
7.	16/12/2003	DLS	Kevin Doherty	Letter Settlement	CONFIDENTIAL FINANCIAL INFORMATION
8.	16/12/2003	DLS		Invoice No	CONFIDENTIAL FINANCIAL INFORMATION
9.	12/12/2003	Westcare	Donna Scott	Fax	ENCLOSED HEREWITH -
10.				Compliments slip	047-025
11.	12/12/2003	Dr J O'Donoghue	Kevin Doherty	Doctor's Report on Lucy Crawford	047-026-102
12.	12/12/2003	DLS	Westcare	Receipt of Erne Hospital Notes	047-027
13.	03/12/2003	Kevin Doherty	Westcare	File note	047-028
14.	03/12/2003			Telephone note discussion with Dr O'Donoghue	047-028
15.	03/12/2003	Kevin Doherty	Bridget O'Rawe	Enclosing advice from Counsel	LA
16.	02/12/2003	Patrick Good	Donna Scott	Counsel's advice	LA
17.	02/12/2003	DLS	Kevin Doherty	Fax - enclosing Counsel's advice	LA
18.	02/12/2003	Kevin Doherty		note re consultation	ENCLOSED HEREWITH
19.	25/11/2003	E McSherry	B O'Rawe	Email	ENCLOSED HEREWITH
	01/12/2003	Bridget O'Rawe	Kevin Doherty	Email	
20.				Compliments slip	047-031
21.	25/11/2003	DLS	Kevin Doherty	Fax cover/letter Post Mortem Report	ENCLOSED HEREWITH
22.	25/11/2003	DLS	Kevin	Letter	LLP

			Doherty		
23.	18/11/2003	J L Leckey	Donna Scott	Letter	047-032-109
24.	14/04/2000	Dr O'Hara	WHSSB	Post Mortem	047-032-110
25.	19/11/2003	Kevin Doherty	Donna Scott	Email	LA
26.	18/11/2003	Bridget O'Rawe	Kevin Doherty	Email	LA
27.	05/11/2003	Donna Scott	Kevin Doherty	Letter	ENCLOSED HEREWITH
28.	24/10/2003	Kevin Doherty	Bridget O'Rawe	Letter	LA
29.	23/10/2003	Westcare	DLS	Letter	LLP
30.	07/10/2003	Kevin Doherty	P McGlone	Email re statements with handwritten note	LA
31.	20/10/2003	Donna Scott	Kevin Doherty	Letter	LA
32.	22/09/2003			Notice of Legal Aid Certificate	ENCLOSED HEREWITH
33.	14/10/2003	Kevin Doherty	Donna Scott	Letter – Enclosed amended statement from Dr T Auterson	ENCLOSED HEREWITH
34.	20/04/2000	Dr T Auterson		Amended Statement	047-036-115
35.	07/10/2003	Kevin Doherty	P McGlone	Email re statements	LA
36.	02/10/2003	Kevin Doherty	Dr J Kelly	Comp Slip – Original Statements attached, Notes re Dr Malik's statement	047-038-118
37.	24/09/2003	E Miller		Comp Slip	047-039-119
38.	20/09/2003	Sally McManus		Statement	047-040-120
39.	11/09/2003	Teresa McCaffrey		Statement	047-041-123
40.	27/04/2000	Teresa McCaffrey		Statement	047-042-124
41.	21/04/2000	Eugene Fee	Teresa McCaffrey	Request for Statement	047-043-126
42.	16/09/2003	Brid Swift		Statement	047-044-128
43.	Unknown			Hand written Statement	047-045-130
44.	24/08/2003	Dr J O'Donoghue	Dr J Kelly	Letter	047-053-148
45.	20/04/2000	Dr T Auterson		Report	047-046-133
46.	11/09/2003	Thecla Jones		Report	047-047-136
47.	18/05/2000	Thecla Jones	Eugene Fee	Letter – Daily Fluid Balance Chart	047-048-138
48.	08/09/2003	Jim Kelly	Westcare	Email- Reports will be ready by the end of the	047-049-139

				week	
49.	02/09/2003	Sperrin Lakeland	Westcare	Email- Please forward Dr O'Donoghue and Dr Auterson's report. Also follow up on Dr Malik's report	047-049-140
50.	28/09/2003	Westcare	J Kelly	Email	047-049-124
51.	18/09/2003	Dr J'Donoghue	Kevin Doherty	Letter	047-050
52.	13/09/2003	Bridget O'Rawe	Kevin Doherty	Letter- Attached revised TOR	047-051
53.	13/09/2003			Terms of Reference	047-051
54.	21/07/2003	Kevin Doherty	Tyrone County Hospital	Letter- re Dr Malik	047-052-147
55.	21/07/2003	Kevin Doherty	Medical Admin	Letter - re Dr Malik X2	047-054-150
56.	30/06/2003	J O'Donoghue	Westcare	Receipt of records	047-056
57.	04/07/2003	Kevin Doherty	Westcare	Email	047-057-153
58.	04/07/2003	Kevin Doherty	Dr J Kelly	Letter	047-058-155
59.	11/07/2003	Donna Scott	Kevin Doherty	Letter- re witness availability	ENCLOSED HEREWITH/LLP
60.	30/06/2003	Westcare	Dr O'Donoghue	Letter-Set of case notes	047-059-156
61.	27/06/2003	DLS	Westcare	Letter-Return medical records (Hos No 123000)	047-060
62.	27/06/2003	Westcare	DLS	Memo re notes and records	047-061
63.	26/06/2003	Kevin Doherty		Note	047-062
64.	18/06/2003	Kevin Doherty	Jim Kelly	Email-	047-063-160
65.	05/06/2003	Kevin Doherty	Jim Kelly	Email-	047-064
66.	30/05/2003			Scrutiny Committee Meeting	LA
67.	07/05/2003	Donna Scott	Kevin Doherty	Letter	LA
68.	25/04/2003	J L Leckey	Dr J Kelly	Letter	047-065-162
69.	22/04/2003	Edward Summer	J L Leckey	Letter-Enclosing report	047-066-164
70.	/04/2003	Edward Summer	J L Leckey	Medicoolegal Report	047-066-165
71.	14/04/2000	Dr O'Hara		Post Mortem Report	047-067-171
72.	28/03/2003	DLS	Westcare	Letter re Medical Reports Received	047-068

73.	26/03/2003	Westcare	Donna Scott	Letter-Records Enclosed	047-069
74.	18/03/2003	Bridget O'Rawe	Donna Scott	Email-new development in form of approach by family	LA
75.	25/02/2003			Scrutiny Committee Meeting	LA
76.	28/11/2002	Donna Scott	Kevin Doherty	Letter - Enclosed copies of Notice for Further and Better Particular	LLP
77.	22/11/2002	Murnaghan & Fee	A Maginness	Notice for F&BP	LLP
78.	26/11/2002	Donna Scott	Kevin Doherty	Letter re consultation	LA
79.	21/11/2002	Westcare	Legal Services	Letter-Received Records	047-070
80.	19/11/2003	DLS	Kevin Doherty	Letter-Enclosed medical records	047-071
81.	04/10/2003	DLS	Kevin Doherty	Letter-Receipt of medical records	047-072
82.	30/09/2002	Westcare	DLS	Letter-Enclosed are case notes	047-073
83.	26/09/2002	DLS	Kevin Doherty	Letter-re consultation	LA
84.	05/09/2002			Scrutiny Committee Meeting	LA
85.	18/06/2002	Donna Scott	Kevin Doherty	Letter- with handwritten note	LA
86.	08/06/2002	Patrick Good	A Maginness	Letter	LA
87.	10/04/2002	DLS	Westcare	Fax- re scrutiny committee meeting	LLP
88.	07/03/2002	Dr J Jenkins		Medical Report	047-074-187
89.	26/06/2002	Kevin Doherty	B O'Rawe	Letter	CONFIDENTIAL FINANCIAL INFORMATION
90.	20/06/2002	DLS	Hugh Mills	Letter- re payment with handwritten note	CONFIDENTIAL FINANCIAL INFORMATION
91.				Invoice	CONFIDENTIAL FINANCIAL INFORMATION
92.	07/03/2002	Dr J Jenkins	Donna Scott	Letter enclosing report Medical Report enclosed and seeking payment	CONFIDENTIAL FINANCIAL INFORMATION
93.	17/04/2002			Scrutiny Committee Meeting	LA
94.	08/04/2002	Westcare	DLS	Letter - re X-rays	LLP
95.	21/03/2002	Radiology Department	Westcare	Letter-X-rays not available at the Erne, went to the Royal with the patient	047-075

96.	11/03/2002	Westcare	Legal Services	Letter- acknowledge receipt of case notes	047-076
97.	06/03/2002	DLS	Westcare	Letter-Original case notes Erme Hospital	047-077
98.	26/02/2002	Westcare	DLS	Letter re medical notes and records	LLP
99.	26/02/2002	Westcare	DLS	Tele Message-	047-079
100.	12/02/2002	Donna Scott	Kevin Doherty	Fax-enclosing Dr Malik's report	047-080-195
101.	05/05/2000	Dr Malik	Mrs E Miller	Report	047-080-196
102.	01/02/2002	DLS	Westcare	Letter- acknowledge case notes	047-081-198
103.	29/01/2002	Westcare	DLS	Letter-Enclosing original case notes	047-082
104.	29/01/2002	Kevin Doherty	Tyrone County Hospital	Letter-re x-rays	047-083
105.	15/10/2001	Murnaghan & Fee	A Maginness	Notice for F&BP	LLP
106.		Westcare	Donna Scott	Handwritten note tel call	047-084
107.	20/11/2001			Scrutiny Committee Meeting x2	LA
108.	17/10/2001	Donna Scott	Kevin Doherty	Letter- Re: Counsel's advice	LA
109.	12/10/2001	Patrick Good	Mr Maginness	Letter - Counsel's advice	LA
110.	12/10/2001	Donna Scott	Kevin Doherty	Letter-Post Mortem Report Enclosed. Also enclosed a Statement of Claim	LLP
111.	07/09/2001			Statement of Claim	LLP
112.	23/08/2001	Westcare	DLS	Letter-Enclosed a copy of the Post Mortem	ENCLOSED HERewith
113.	21/08/2001	Donna Scott	Kevin Doherty	Letter- re scrutiny committee meeting	LLP
114.				Legal Claims Database	047 - 085
115.	27/06/2001			Scrutiny Committee	LA
116.	20/06/2001	Legal Assistant	Kevin Doherty	Letter-Writ of Summons served, enclosed are copies of Writ and Memo of Appearance	LLP
117.				Writ of Summons	ENCLOSED HERewith
118.	25/06/2001	A Maginness	CSA	Memo of Appearance	ENCLOSED HERewith
119.	15/06/2001	Westcare	Erme	Letter- acknowledge receipt of case notes	047-086
120.	04/06/2001	DLS	Westcare	Letter- acknowledge receipt of	LLP

				correspondence from the solicitors acting for Lucy Crawford	
121.	18/05/2001	Kevin Doherty	DLS	Letter-enclosed is a copy of the complaint file from Sperrin Lakeland With handwritten note re legal advice	LLP
122.	02/05/2001	Hugh Mills	Murnaghan & Fee	Letter	047-087
123.	27/04/2001	Murnaghan & Fee	Sperrin Lakeland	Letter of claim	047-093
124.		B O'Rawe	K Doherty	Compliments slip enclosing letter from Murnaghan & fee	LLP
125.	08/05/2001	Westcare	Medical Records Erne Hospital	Letter	047-090-
126.	08/05/2001	Westcare	DLS	Letter-need further information to be obtained	047-091
127.	08/05/2001	Kevin Doherty	Murnaghan & Fee	Letter-correspondence has been forwarded to the Trust	047-092
128.	27/04/2001	Murnaghan & Fee	Sperrin Lakeland	Letter of claim	047-093
129.				location of case notes Index	047-094

Westcare Business Services
Lilac Villa, 12c Gransha Park,
Cloonsay Road,
Londonderry,
BT47 6WJ

Tel: [REDACTED] Ext: [REDACTED]
Fax: [REDACTED]

9
Litigation Services
Department

Fax

To: Donna Scott

From: Lisa McLaughlin

Fax: [REDACTED]	Pages: 2 inc cover
Phone: [REDACTED]	Date: 12-12-03
Re: Crawford case	CC: —
☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle	

Donna

Please find a copy of Dr O'Donoghue's
amended statement. I shall forward
a copy to Mr Lecky also.

Regards
Lisa.

Kevin
Lucy Crawford
Consultation Patrick Good
tues 9 Dec @ 4.30 in CSA

R

Dr Auterson - off today
check in mom.

Dr O'Donohue - sec of today. - he is in Omagh
Paid. Once said better to keep
him in morning as he arranges
his meetings

Send Auterson am. report to John Leckey.
Carmen's Office

Kevin Doherty

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From: O'Rawe Bridget
Sent: 01 December 2003 12:39
To: Doherty Kevin
Subject: FV: Lucy Crawford

This message is bound by the disclaimer below.

k can you provide update to share with CE.b

-----Original Message-----

From: MacSherry Eavan
Sent: 25 November 2003 13:52
To: O'Rawe Bridget; Kelly Jim
Cc: McGurk Marese; Kattyle Jenny; Mills Hugh
Subject: Lucy Crawford

My last note on the above was the potential for the coroner's hearing to be heard on 15 December 2003.

Can you advise if the case is proceeding and plans for our staff to participate. Assuming there may be some media interest I would appreciate your thoughts on how we should prepare for this.

Mr Mills
Chief Executive

DISCLAIMER - The information contained within this email is confidential. It may also be legally privileged. It is intended only for the stated addressee(s) and access to it by any other person is unauthorised. If you are not an addressee, you must not disclose, copy or circulate or in any other way use or rely on the information contained in this email. Such unauthorised use may be unlawful. If you have received this email in error, please inform us immediately by telephone on [redacted] or e-mail us at [redacted] and delete it and all copies from your system.

TO: [REDACTED]

P.001/015



Directorate of Legal Services
Central Services Agency
25 Adelaide Street
Belfast
BT2 8FH

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To: *Mr. Martin O'Donnell*

or *litigation services*

Fax No: [REDACTED]

From: [REDACTED]

Date: *25/11/03*

Direct Line / Ext: [REDACTED]

No of Pages (inc cover sheet) *15*

Tel: [REDACTED]
Fax: [REDACTED]
E-Mail: [REDACTED]

URGENT ☒

For Information ☐

Please Phone ☐

Please Reply ☐

The message in this fax is confidential. Please notify us if you have received it in error.

Message re: *Lucy Crawford (Dawson)*

Practitioners in Law to the Northern Ireland
Health and Social Services Sector



Directorate of
Legal Services

Practitioners in Law to the Northern Ireland Health & Social Services Sector
23 Adelaide Street Belfast BT2 6FH

27

Director

Alphy Maginness

Assistant Directors

Donna Scott

Hilary Wells

Your Ref:
549/73/2279

Our Ref:
MN T59/7/41.EF

Date:
5 November 2003

Mr Kevin Doherty
Head of Litigation
Westcare Business Services
Lime Villa
12C Gransha Park
LONDONDERRY
BT47 1WJ

Dear Kevin

LUCY CRAWFORD (DECEASED)

I refer to the above matter and to our telephone conversation on 5 November 2003. I enclose herewith the statements from Staff Nurse Jones, Staff Nurse McManus, Staff Nurse Swift and Enrolled Nurse McCaffrey.

Yours faithfully

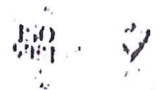
D SCOTT
Assistant Director of Legal Services

Direct Line No -
E-Mail Address -

Encs

lefcf

Spoke to E. Figueira
who advised that
the statements to
be recorded to the
Concern Officer
6/11



IN THE HIGH COURT OF JUSTICE IN Northern Ireland
QUEEN'S BENCH DIVISION

BETWEEN:

NEVILLE CRAWFORD and MAE CRAWFORD
as Personal Representatives of the estate of Lucy Crawford deceased

Plaintiffs:

-and-

SPERRIN LAKELAND HEALTH & SOCIAL CARE TRUST

Defendant:

NOTICE OF LEGAL AID CERTIFICATE

TAKE NOTICE that the above named Plaintiff, Neville Crawford and Mae Crawford, as Personal Representatives of the estate of Lucy Crawford deceased, has been granted a Legal Aid Certificate No. CV/03/01/CT10290 dated the 12th day of September, 2003 "as Plaintiff to prosecute an action in the High Court of Justice in Northern Ireland against Sperrin Lakeland Health & Social Care Trust for damages for negligence and breach of statutory duty".

AND FURTHER TAKE NOTICE that the Applicant is and has been since that date a legally assisted person.

Dated this 22nd day of September 2003.

Signed: 
Solicitor for the Plaintiff,
37, Townhall Street,
ENNISKILLEN, BT74 7BD.

To: A Maginness Esq,
Solicitor for the Defendant,
25, Adelaide Street,
BELFAST.

549/73/2279/KD/MMcD

MNT/59/7/41

14 October 2003

Mrs D Scott
Directorate of Legal Services
Central Services Agency
25 Adelaide Street
BELFAST

Dear Madam

LUCY CRAWFORD -V- SPERRIN LAKELAND HEC TRUST

I refer to the above and enclose amended statement from Dr T Auterson.

Yours faithfully

KEVIN DOHERTY
Litigation Services Manager

Enc

Finance, Litigation & IT - Linc Villa - Gransha Park - Clooney Road - Londonderry BT47 6WJ
Telephone No. [REDACTED] Fax No. [REDACTED]

112

Our ref: 549/73/2279/rh
Your ref: MNT59/7/41
Date: 23 August 2001

Director of Legal Services
Central Services Agency
25 Adelaide Street
Belfast
BT2 8FH

Dear Sir,

Lucy Crawford (deceased)

I refer to your letter dated 21 August 2001 regarding the above named.

Please find enclosed a copy of the Post mortem report which is filed within the Erns
Hospital casenotes.

Yours faithfully,

Rosemary Henderson (Mrs)
Litigation Services

Litigation Services
Westcare Business services
12c Grasha Park
Clooney Road
Londonderry
BT47 6WJ
Tel: [REDACTED] Fax: [REDACTED]

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In the High Court of Justice in Northern Ireland

QUEEN'S BENCH DIVISION

2001 No. .

Between

2036

NEVILLE CRAWFORD and MAY CRAWFORD
as Personal Representatives of the estate of Lucy Crawford deceased

Plaintiffs

and

SPERRIN LAKELAND HEALTH & SOCIAL CARE TRUST

Defendant



ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our other realms and territories Queen, Head of the Commonwealth, Defender of the Faith:

To **Sperrin Lakeland Health & Social Care Trust**
of Strathdene House,
OMAGH,
In the County of Tyrone

We command you, that within 14 days after the service of this writ on you, inclusive of the day of service, you do cause an appearance to be entered for you in an action at the suit of

NEVILLE CRAWFORD and MAY CRAWFORD
as Personal Representatives of the estate of Lucy Crawford deceased

and take notice that in default of your so doing, the plaintiff may proceed therein, and judgment may be given in your absence.

WITNESS, the Right Honourable **SIR ROBERT DOUGLAS CARSWELL**, Knight, Lord Chief Justice of Northern Ireland, the 15th day of June, 2001

Note:- This writ may not be served later than 12 calendar months beginning with the above date unless renewed by order of the Court

DIRECTIONS FOR ENTERING APPEARANCE

The defendant may enter an appearance in person or by a solicitor either (1) by handing in the appropriate forms, duly completed at the Central Office or Chancery Office (as appropriate); Royal Courts of Justice, Chichester Street, Belfast, BT1 3JF; or (2) by sending them to that Office by post. The appropriate forms may be obtained at H.M. Stationary Office, Chichester Street, Belfast, BT1 1PS.

The plaintiff's claim is for damages as parents and personal representatives of the estate of Lucy Crawford deceased:

If the Plaintiff(s), or the defendant(s) sued, in a representative capacity, this must be stated in the indorsement of claim.

- (a) under the Law Reform (Miscellaneous Provisions) (NI) Act 1937 for loss and damage sustained by the said estate by reason of her death caused by reason of the negligence of the defendant, its servants and agents in and about the provision of care afforded to the deceased at the Emu Hospital in or about April, 2000; and
- (b) under the Fatal Accidents (NI) Order 1977 for loss and damage sustained by the plaintiff(s) and dependants of the deceased by reason of the death caused as aforesaid.

SINEAD McKEAGNEY B.L.

(Signed) 

And £ (or such sum as may be allowed on taxation) for costs and also, if the plaintiff obtains an order for substituted service, the further sum of £ (or such sum as may be allowed on taxation). If the amount claimed and costs be paid to the plaintiff or his solicitor within 14 days after service hereof (inclusive of the day of service), further proceedings will be stayed.

This paragraph should be deleted if the plaintiff's claim is not for a debt or liquidated demand only.

This writ was issued by MURNAGHAN & FEE,

**of 37, Townhall Street,
Enniskillen and
8/9, Donegall Square North,
Belfast.**

Solicitor for the said plaintiff whose address is

**[REDACTED]
Enniskillen
Co. Fermanagh**

OR

This writ was issued by the said plaintiff who resides at

**and (if the plaintiff does not reside within the jurisdiction)
whose address for service is**

2001 No.

In The High Court of Justice in Northern Ireland

QUEENS BENCH DIVISION

NEVILLE CRAWFORD and MAY CRAWFORD
as Personal Representatives of the estate of
Lucy Crawford deceased

v

**SPERRIN LAKELAND HEALTH & SOCIAL
CARE TRUST**

WRIT OF SUMMONS

GENERAL FORM

**MURNAGHAN & FEE
SOLICITORS
ENNISKILLEN**

MEMORANDUM OF APPEARANCE

This and the two attached copies to be completed and delivered or sent to the appropriate Office, Royal Courts of Justice, Chichester Street, Belfast.

In the High Court of Justice in Northern Ireland

Queen's Bench Division

2001 No 3036

Between

**NEVILLE CRAWFORD AND MARY CRAWFORD AS PERSONAL
REPRESENTATIVES OF THE ESTATE OF LUCY CRAWFORD (DECEASED)**

And

Plaintiff

SPERRIN LAKE LAND HEALTH & SOCIAL CARE TRUST

Defendant

Please enter an appearance for

SPERRIN LAKE LAND HEALTH & SOCIAL CARE TRUST

In this action

Dated 25th day of June 2001

Signed: A Maginness
A Maginness
Director of Legal Services



Whose address for service is

Central Services Agency.
25 Adelaide Street
BELFAST
BT2 8FH

APPIL