

**Shell U.K. Limited**

Legal Division



Shell/Mex House  
Strand  
London WC2R 0DX

DX 473 Ipswich

Telephone 0171 257 1888

Facsimile 0171 257 3303

Switchboard 0171 257 3000

our ref UKLG

your ref SJD/JAD/M35b

5 July 1996

By Fax: 01284 388308

Mr J Donovan  
Director  
Don Marketing UK Limited  
St Andrews Castle  
33 St Andrews Street South  
Bury St Edmunds  
Suffolk  
IP33 3PH

Dear Mr Donovan

**DON MARKETING UK LIMITED -v- SHELL U.K. LIMITED**

I refer to your fax of 4 July. A mediation cannot be conducted without good faith on both sides. It was agreed at our meeting that the litigation should continue in parallel to the mediation without delay. That has simply not happened. It was also clearly understood that Mr Sotherton would have to be part of the mediation process as there was no point in our satisfying you if Mr Sotherton continued to pursue his claim by involving us. I understand that Mr Sotherton's consent to the mediation process has been made subject to conditions which are unreasonable and unacceptable.

As soon as these two outstanding issues can be resolved, the mediation to which the Shell U.K. Directors are firmly committed can proceed as speedily as possible. However, for the mediation to work, we must be able to put all of the facts to the mediator which we cannot do until we have all of the documents we are entitled to under the discovery process. I had assumed at our meeting that this would present no problem as you and Mr Woodman assured me that you were trying to produce these documents as quickly as you could.

The difficulty I have in corresponding with you is not my position in the company but the fact that I am a solicitor bound by the rules of professional conduct which preclude my corresponding with a layman represented by a solicitor. I have for the sake of a speedy response ignored the professional rules but I am making sure that copies of our correspondence are sent to Royds Treadwell through Mackrell Turner Garrett.

Yours sincerely

R M Wiseman  
General Counsel

|         |              |                                 |
|---------|--------------|---------------------------------|
| To      | J. DONOVAN   | <b>FAX</b><br>Post-It™ Fax Note |
| Company |              |                                 |
| From    | R.M. WISEMAN |                                 |
| Company |              |                                 |
| Tel No. |              | No. of Pages 1                  |
|         |              | Ext No. 7888                    |