

Ruben, Martin

From: Duguay, Dan
Sent: July 17, 2009 09:58
To: Ruben, Martin
Subject: FW: Auditor General's Op Tempura Report
Follow Up Flag: Follow up
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The latest

Dan Duguay
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From: Schofield, Douglas
Sent: Friday, July 17, 2009 9:54 AM
To: Duguay, Dan
Cc: 'Stuart.Jack@fco.gov.uk'; 'Steve.Moore@fco.gov.uk'; Ebanks, Donovan; Manderson, Franz; Baines, David
Subject: Auditor General's Op Tempura Report

Dear Dan,

Having consulted leading counsel on the pending criminal cases, we are advised that he takes basically the same position as that expressed by the S.G. in her memorandum to you dated 4 June 2009. Counsel expresses the view that, while the timing of the Report's release may be inconvenient (and may, in his words "exasperate potential jurors"), it will not, on balance, unduly prejudice either the Crown or the Defence.

Counsel also expresses the view – one which I know you fully appreciate – that release of the Report during these trials would be undesirable.

I have already advised you, by telephone, of leading civil counsel's neutral position. Therefore, unless a further draft of your Report includes new facts which affect our position, you may rely on this message, and the S.G.'s previous memorandums to you, as this Department's final position on the matter.

Kind regards,
Doug

Douglas S. Schofield
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Cayman Islands Government Legal Department

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