1. Respondent

2. Aaron Dover

3. First

4. Exhibits “AD1” (Documents) and “AD2” (CD Rom)

5. 3 July 2014

In the High Court of Justice **Claim no: HQ13X03647**

Queen’s Bench Division

BETWEEN:-

LMR Partners LLP
And
Ben Levine
Andrew Manuel
Stefan Renold
Shane Cullinane

Claimant

And

Aaron Dover

Defendant

Witness Statement of Aaron Dover

I, Aaron Dover of 16 Wentworth Mansions, NW3 2RL, unemployed, state the following.

1. I was one of the original five persons who founded LMR Partners LLP (“LMR”) in 2009. The four others were Ben Levine, Andrew Manuel, Stefan Renold and Shane Cullinane. I joined as an employee on the understanding agreed with Ben Levine that after a year of proving my worth I would be give equity (or its equivalent) in the firm. On 23rd December 2010 I was invited to join the partnership on terms which were fraudulently misrepresented to me, as is discussed extensively elsewhere. Upon discovering the true situation I was immediately removed from the partnership by my partners without notice by bike courier to my home on a Sunday evening in November 2011. In April 2012 a settlement agreement was reached

under which I would be paid $1 million USD, which was around two thirds of my full 3% profit share already due to me for my work of 2011. By contrast Ben Levine's profit share for the same year was around $18 million USD, Andrew Manuel's was a similar amount, and Stefan Renold's was around $9 million USD. Shane Cullinane's profit share for the same year was around $2 million. These figures, which are only approximate, are relevant to understanding the vast amounts of money that were being made, and the enormous value of my rightful part of the business that was taken from me by deceit.

2. The applicants are motivated by exceptional levels of greed, and are extremely ruthless, to the extent that they chose to defraud me in respect of my share which was relatively tiny, despite their extraordinarily large earnings. This was in the context of my having built the systems upon which the success of the business depended. The profit shares are not even the whole picture of the partners earnings – they also made vast sums through investing in the fund free of fees and had numerous approaches to reducing their tax burdens some of which caused me concern especially when I was going to be forced to participate in the LMRIL scheme whose purpose I had been told was for tax avoidance.
3. By contrast to the other four partners who have been making tens or hundreds of millions from the firm, I was paid one million USD, less than my full 2011 profit share, and have then been hounded out of the industry by the badmouthing and menacing conduct of the partners. My life is left in a ruined state whilst they continue to enjoy all the vast profits of both their rightful part, and my rightful part of the firm. They are like spoilt children, to them the whole thing is a game and they run the firm as if it is a playground, and they have not the slightest care or remorse for what they have done to me.
4. Since LMR fired me I have worked for Marble Bar Asset Management, Prologue Capital and Credit Suisse. None of these roles offered anywhere close to the remuneration I would have received from my part of LMR. Furthermore, I did not leave any of these four jobs by choice, and I believe the conduct of the applicants, starting with their badmouthing of me to investors of Prologue Capital, has been responsible directly or indirectly for this devastating series of events. I now find myself unemployed without realistic prospects of continuing in my career to date.
5. I am very unwell with severe symptoms of anxiety and depression resulting from the situation I am left in following the events described in my account. My physical and mental health has deteriorated over the period since the dispute began between LMR and me in November 2011. I have been suffering from panic attacks, headaches, loss of sleep, nausea, vomiting, chronic fatigue, depressive symptoms and heart palpitations. It is my view, supported by the Dr. Petros Lekkos, that I currently lack the mental capacity to conduct these proceedings. At the time of sending many of the emails described by the Applicants, in particular those at the end of February immediately prior to the un-staying of these proceedings, I believe that I was in a very poor state of mind and that some of the decisions I was making about how to escape from this dispute would seem on reflection to be irrational and self-destructive. I would ask the court to consider my poor mental health as a mitigating factor. Sir Robert Owen QC in the hearing of 5 Mar 2014 used the phrase to describe me as being at times "unable to contain emotions" and I think this is a very accurate description of the situation. I have at times felt enraged, despairing, scared or just hopeless. To clarify this point further, I do not have a long history of mental illness. This dispute and all its devastating ramifications for my life since November 2011 have caused great harm to my

mental functioning, and it is this dispute that is wholly responsible for causing mental health to become an issue for me when it had not been previously. I am extremely fearful of the applicants and their methods of trying to gag me. This dispute has been eating away at me for all this time and I have tried to move on so many times in new jobs but I feel like there is no escape from the wrath of the applicants. I have been incessantly driven out of the career and industry I have worked in since graduation. The applicants have defrauded me in multiple ways, fired me for discovering some of these ways, and after settling with me have then hounded me out of subsequent jobs by badmouthing, have brought fraudulent proceedings to gag me from disclosing their dirty secrets, have manipulated my family, and through them my doctors, have thereby influenced the decision to wrongfully detain me under section, by scaring me and them with fake orders and the threat of imprisonment. They have completely destroyed beyond repair my existing career, my employability, my personal and professional reputation, my family, and now my marriage. My life is in a sorry state and I fear for my financial future having lost my income, and also the support of my wife. I am going through a divorce and face the threat of vast costs in these proceedings, having been put in a position where all I can depend on to live off is my savings. After eight months out of work I am pessimistic about my prospects, and with this seemingly never ending dispute hanging over me I do not know if I will ever be able to rebuild my life. I admit that at times I have been simply unable to cope emotionally with everything that has happened. It feels as though LMR and I are trapped in an endlessly escalating cycle in which I never feel safe from them and they never feel safe from me.

6. My actions and motivations throughout this dispute, including the communications that the applicants seek to characterise wrongly as a course of conduct of harassment, arise from a legitimate and reasonably held grievance, by now a series of grievances with respect to the conduct of LMR and Dechert. I have sought to settle this dispute outside court at every opportunity.
7. I have reached out to the applicants many times throughout the dispute including recently to try and work out how to draw a line properly under it all but for a number of reasons they don't feel like we can mediate a solution whereas my view is that mediation would be very helpful.
8. Despite this view on my capacity I am aware that at the time of writing the court has not determined the issue of my capacity and I am unsure as to whether I will have any new evidence from Dr. Lekkos to file in time on this point. I understand that NHS solicitors are advising him on what to do and he may not even receive their advice by the filing deadline. My understanding is that without this the court may find me to have capacity and in that case I may not have another opportunity to file evidence. Therefore despite my poor health I have decided to file evidence in case the substantial matters are dealt with at the next hearing. A letter, a short report and a full report submitted to the court by Dr. Lekkos are in AD1. I have also filed in AD1 the medical notes from my GP showing a summary since Nov 2011. I write this statement as a Litigant in Person because I have not appointed a litigation friend and do not have a solicitor. I did approach quite a few solicitors firms to enquire about representation and found a number of them had conflicts of interest but also some seemed reticent about getting involved given the complexity and some of the allegations and suspicions involved. I have also been scared of the prohibitive cost required even to familiarise a new solicitor with my case, given the huge complexity, a very large number of

documents and a mountain of correspondence to review and understand. I have barely any income at present given my unemployed status and so I am living largely from my savings. I am also of course very scared about how I will cope if an order of costs is made against me, because the applicants have incurred vast costs. They already tricked me out of £50,000 in this litigation and as my career seems to be terminally in ruins I have no idea how I would cope because I am unable to find work and very desperate about this – and this is the reason I wrote to many contacts throughout the industry seeking work. LMR seem determined to kill off my career prospects forever and in March they state that they wrote to their investors saying they were taking legal action against me, which is very damaging to my reputation. This litigation is yet another basis on which to badmouth me further to their clients, poison my name throughout the industry, and ruin my prospects for continuing to work in the industry, in the guise of claiming to be harassed.

9. Save where otherwise indicated, the facts and matters set out below are either within my own knowledge, information and belief or are based upon information which has been supplied to me, the source of which is stated and which I believe to be true.
10. There is now shown to me marked exhibit AD1 a bundle containing documents referred to by me in this witness statement.
11. There is now shown to me marked exhibit AD2 a CD ROM containing digital files referred to by me in this witness statement.
12. My account of the events up to and including the Deed of Release of April 2012 are summarised adequately in the "Response to Dechert Correspondence" document. This document is an important part of my account of events and should be read before the rest of this statement in order to understand my version of the background context. It is filed in AD1.
13. On 6th Mar 2014 due to receiving notice of these proceedings I became so unwell with anxiety that I had to see my GP who prescribed Propranolol to help me control the symptoms. A letter confirming this is in AD1.
14. On 3rd June 2014 Whilst travelling abroad I became so unwell with anxiety regarding this dispute that I was vomiting and suffering panic attacks and needed to see a doctor. Dr. G.K. Sharma examined and diagnosed me as suffering from depressive illness syndrome, and prescribed me with diazepam to alleviate the symptoms of anxiety. His letters are filed in AD1.
15. I have filed summary medical notes from my GP at the Keats Group Practise in AD1 showing other incidents since Nov 2011 where I have had to attend with symptoms of anxiety resulting from the dispute and its effects on my mental health.
16. After struggling to find work in 2012 after being fired from LMR, in a difficult job market made harder still by the complexities around explaining my departure, I briefly held a contract position at Marble Bar Asset Management working as a quantitative developer. This only lasted for a couple of months. I have suspicions of a badmouthing incident that involved a close business associate of LMR occurring at this time but out of courtesy to all involved, and given that I cannot provide evidence in support of this incident, I will not go further detail.
17. Following this I got engaged to be married to Claudina Castelli. Claudina was my partner throughout the whole dispute until March 2014 when we separated. The dispute overshadowed both our lives throughout the period since November 2011 and caused great

distress to both of us throughout the period, and has been a major contributing factor to the recent breakdown of our relationship.

18. Subsequently in 2012 I took up the position of Chief Technology Officer at Prologue Capital, another hedge fund. In November I was taken aside by the head of investor relations and my manager, the Chief Operating Officer. I was told that I had been badmouthed by LMR to one of Prologue Capital's investors. I was given a recording of the conversation which included some of this badmouthing. My manager advised me to pursue LMR over this to ensure that it did not recur as it was damaging to both Prologue and to me. This audio recording is filed in exhibit AD2. I was extremely upset and embarrassed by this incident and feared that this could have grave consequences for my future in my role at Prologue. Having only been there a short time I was especially vulnerable to their malicious statements. Reputations are precious in the small and unforgiving industry of hedge funds. The badmouthing was in clear breach of our Deed of Release agreement of April 2012. The agreement is filed in AD1.

19. Subsequently I wrote to Ben Levine, Shane Cullinane, Andrew Manuel and Stefan Renold a number of times about this matter and they simply denied any badmouthing and breaching our agreement. I believe they sent around a reminder amongst themselves in response, in order to be seen to have done something about my allegation. This email chain is filed in AD1.

20. More recently I have spoken to other people who were formerly investors in LMR that I met whilst at the firm. They were responding to an email I sent seeking work and they wanted to help me if they could. On 26th Feb 2014 they wrote in reply to my email seeking work "*I remember you at LMR, I even had a talk at this time with one of your ex colleague in a previous firm who had a high opinion on you. Would it be possible that we call you this morning?*" However, they told me during the phone call that they had first enquired of Shane Cullinane why I left and intimated that he had badmouthed me to them in response. They were concerned by Shane's comments and so sought another view from a former colleague of mine who had given them a positive reference. I believe that the badmouthing incident at Prologue was far from an isolated incident but was the result of LMR badmouthing me far and wide to many people in the industry as a means of protecting their reputation at my expense, all in blatant and malicious violation of our Deed of Release of April 2012. As a courtesy to the investor I leave their identity and this email out of evidence but I am able to provide evidence on this point if required.

21. I left the matter alone for some months knowing that it would be hard or impossible to realistically enforce our agreement even with my strong evidence, simply because of the financial risks for any normal person of going into litigation with an incredibly wealthy firm of this kind. LMR knew all too well that they could act with impunity given that it was effectively unenforceable so they were probably not overly concerned.
22. I was subsequently terminated without notice on 12th April 2013 with the only reason given that I was "unsuitable for the role of CTO". I believe that this termination was a direct consequence of the badmouthing; my relationship with my new manager changed irrevocably after the incident. At a bare minimum it could be said to be a significant contributing factor to this decision. After all, the comments had concerned the investor

sufficiently to have passed them on, and my colleagues were sufficiently alarmed to have brought it to my attention and given me a recording. This quite deliberate and calculated badmouthing was unprecedented as far as I am aware, it was utterly vindictive. It was also counter to LMR's own interests to have done this as I posed no risk to them having settled our dispute, much to their relief as well as mine, and whilst I was working at another firm. I was fired by Prologue just four days before my wedding and this was deeply traumatic both for me and for my wife and it caused great harm to our wedding and to the start of our married life together. It is one of the key events that contributed to the recent breakdown of our marriage. To lose this subsequent job was devastating to me and caused me to become severely depressed and anxious. It had been a great struggle to find suitable work after being terminated by LMR without any reference, and all this misery had befallen our lives due to my discovering that I had been defrauded by them in respect of my pay. The termination letter is filed in AD1.

23. I wrote to the partners again in June 2013 but they again replied denying any breach and took no further action. Eventually I sent them a snippet of the conversation to demonstrate that I had evidence and gave them a deadline to offer me compensation. This is in the email chain in AD1.

24. On 12 June 2013 I wrote to the partners again saying "*You have run out of time to avoid further action on this. I will take all my concerns up with the FCA and HMRC, and bring a charge against you for the breach*." (See AD1)

25. On 13 June 2013 I received a reply from Ben Levine as follows "*You have sent us a snippet of an alleged conversation between Prologue and an investor, but have not told us who you say participated in the call, when it took place, what was said or how you came by the recording. None of us were involved in this call and it has nothing to do with us. As we have already said, the Partnership is not aware of any breach by it of its obligations under its agreement with you. Whether you pursue a claim against the Partnership is a matter for you and your solicitor. We do not intend to correspond any further on this matter. We note your unparticularised threats to speak to HMRC and the FCA. If you make any unwarranted accusation of misconduct about the Partnership or its members to any third party, including any regulatory authorities, we will hold you liable for all and any losses we sustain and we will seek recovery of the Profit Share in accordance with clause 6.1 and 9.1 of the settlement agreement between us dated 29 March 2012*." (See AD1)

26. The partners were very concerned about me speaking to regulators because they and I were all well aware that there were a number of serious and legitimate concerns about activities at the firm that would be of proper concern to the HMRC and FCA. I was furious beyond words that the partners had maliciously caused me to be fired from another job after the misery they had already put me through by defrauding me and then firing me when I caught them doing this in 2011. They did not seem to appreciate the grave impact their actions were having on people's whole lives. It is impossible for me to express how much anguish

and distress my wife, mother, sisters and family have gone through as a result of LMR's actions.

27. On 15 July I was sent an email from Dechert LLP with a letter and enclosures attached. Simultaneously various documents were deposited at my home, on the doorstep, including an application notice, four witness statements (by Andrew Manuel, Shane Cullinane, Ben Levine and Stefan Renold) and exhibits. The documents were not served on me personally in accordance with the CPR rules. Dechert said in the email "*We have tried to serve these documents upon you personally today at your last known residence (Flat 16 Wentworth Mansions), but you were not there to accept them. We have therefore placed them in the letterbox at such residence by way of service. If you are willing to accept service of the documents by email, please confirm as soon as possible by return*." The application notices and four witness statements of July 2013 have been filed in evidence by the applicants.

28. I am unable to file this email and attachments in evidence as I was advised in July 2013 that this email and attachments must be irretrievable deleted under the terms of the July Orders, which I now know (but did not know then) had been obtained by fraud and were not final sealed orders but were drafts stamped by the Queen's Bench Interim Applications Court Listing Office. As a result I no longer have the email. I was also advised to return the hard copies to Gannons for safe keeping who have not returned the original versions to me, but have returned the later versions to me.

29. Since the litigation was un-stayed I requested that Gannons be permitted by Dechert to return this original email and attachments to me but they have declined to allow this. They have allowed a later version of these documents to be sent to me, which they say are unchanged, but specifically declined to allow the earlier email to be resent to me by Gannons. This is obviously very suspicious, that they would permit the documents to be resent to me but only allow the later versions, despite claiming they were unchanged. The versions they have sent to me match those filed in the court bundle but according to my recollection and detailed notes do not match those I was given on July 2013. I believe these witness statements were modified from the original versions which I received in hard and soft copy, in order to remove some of the false statements that were made in the original versions.

30. I was very surprised that the applicants were willing to file these witness statements with the court as they contained multiple instances of perjury. When I later discovered that they had not in fact been filed, and had been part of a trick to make me think they had been filed, this made more sense. The applicants have now been forced to file these documents with the court now that they have had to bring real (as opposed to fake) proceedings, and have therefore modified them to contain fewer instances of false statements. The modification is another aspect of their fraudulent conduct. They have now been forced to falsely explain the factual errors in the original witness statement as being typographical errors. The false statements are found in the four witness statements of 2013 which are filed in evidence by the applicants. The corrections to these appear in the 2014 affadavits of the applicants.

31. The four witness statements of 2013 are signed but do not have claim numbers. That is consistent with the application notice failing to refer to them, and with them not having been actually filed in these proceedings with the court until this year.

32. One obvious example of perjury that remains in the four witness statements is that all four of them state that Shane Cullinane became a member of LMR Partners LLP in 2009. In fact he became a member in 2010. This has now been explained as being a "typo" by the applicants but this "typo" is not only in common between three of these statements but the same factual error is repeated in a verbose statement in the witness statement of Stefan Renold. His witness statement repeats the same error as follows. "*I founded LMR with Ben Levine and Andrew Manuel in 2009. Shane Cullinane joined later that year (I will refer to the four of us as the "Partners")*". This is false and misleading in a number of regards. Firstly it repeats the lie that he joined in 2009 as opposed to 2010. Also it creates the impression that I was not one of the original partners, because it omits me. In fact Shane and I were admitted at the same time in Dec 2010 and so there was no time where the partnership had four members at all. This is aimed to give the misleading and false impression that I was not one of the founders of the firm. I joined the firm in mid-2009 before we even had an office and the five of us founded the firm together and got it off the ground. Without the work I put in to building them a bespoke portfolio management system the firm would not have been able to launch at all, I was every bit as critical to the firm's success as any of the other partners. It is outrageous that they seek to misrepresent this timeline of the partnership, not just when they badmouth me around the industry, but now even in documents served to court. Once we started to become successful they ruthlessly stole my part of our firm with a very nasty fraud and ever since have sought to destroy my life and hound me out of the industry. Now, hounding me again through the courts they do not even have the decency to acknowledge my key contribution to making it a success. I was not given partnership without reason – all of us were essential.

33. All four of these witness statements filed in July 2013 give exactly the same false information on this point and now the applicants expect the court to accept that this was all a typing accident but this explanation is laughably implausible.

34. The motive for the deliberate falsification of the admission date for Shane Cullinane is as follows. I was defrauded by being shown an admission letter for Shane Cullinane where his profit-share was 3%. This was shown to me in the meeting between Ben Levine and myself on Dec 23 2010. However this letter was produced solely for the purpose of inducing me to sign a similarly my drafted admission letter, it was not in fact ever the terms on which Shane Cullinane was actually paid. This was proven when I discovered the letter produced (and dated) just a couple of weeks later showing that he was on 4% and that the other terms were substantially different to my own. I was never supposed to find out about that 4% letter. In order to cover up what they had done, the partners tried to come up with a convoluted explanation in which Shane had been paid 3% for one year and then 4% the next. This could retrospectively explain why the two letters existed, particularly because the 3%

letter was not dated. Therefore by saying this was given to Shane in 2009 they could try to explain away the fraud. I enclose all three letters in AD1.

35. It should be noted that both of Shane Cullinane's letters have the same document and revision number, and this is highly suspicious so we asked for an explanation. In a letter from Dechert to Gannons of 6 Feb 2012 (see AD1) Dechert write in section 1.5 "*There is nothing suspicious about the document number on Mr Cullinane's letter. The original letters for both Mr Cullinane and your client were prepared by this firm. The letter issued to Mr Cullinane in January 2011 was prepared by Messrs Levine Renold and Manuel. They simply overwrote the original letter but did not change its footer with the document number*." This explanation is implausible in a number of regards. Firstly, it is bizarre and implausible that having had all their legal documents drafted by Dechert, that the partners would then choose to draft this particular letter themselves. Secondly, there is almost no text in common between the two letters sharing the document and version number, so the idea that one was produced from the other by overtyping is not plausible. Thirdly, the entire format of the letter is different and in fact his 4% letter is printed on headed paper and dated, and looks much more like a professionally drafted legal letter than the 3% letters which lack even basic features such as a printed date or headed paper. In my view the two December 2010 letters appear to be deliberately weak as legal documents both in the format and the way they are drafted. I was given the letter and told it needed to be signed on the spot and I was given no opportunity to take legal advice but had I been able to do so I have no doubt that extensive changes would have been recommended. I believe that the document and revision number on Shane's letters were identical because it was intended that after being shown to me (to induce me to sign my agreement) it was intended that Shane's 3% letter would disappear down the memory hole forever, replaced by his actual agreement.
36. At point 2.2 of the letter of 6 Feb 2012 reference is made to an email which has also been filed in evidence by the applicants. This was an email from me to my girlfriend (later wife). Their decision to log into my PC using my credentials to trawl through my communications and files is in flagrant breach of my rights to privacy under the Human Rights Act. The search was not conducted for a legitimate purpose but was simply a desperate effort after I had made allegations to find any material to use against me. No attempt was made to seek my consent or to inform me prior to this search.
37. At point 3.1 of the letter of 6 Feb 2012 Dechert claim that LMR took advice that was received from tax counsel in respect of the LMR Incentives Ltd scheme. That is correct, and I have read the detailed minutes of this advice entitled "Note of Conference With Counsel" dated 1 March 2011. I am unable to file this document in evidence. Much of the advice given to LMR during this process was not followed. For example they were advised that the directors at the time, who were professional directors based in Jersey, should be replaced with directors who were more credibly independent and better able to exercise genuine discretion without conflict of interest. In fact shortly after the conference two close business associates of the partners were appointed as replacement directors at least one of whom was receiving 50% rebated fees on his investment in the LMR fund. The latter individual has, since my letter highlighting this, stepped down as a director leaving a sole remaining director.
38. At point 3.3 of the letter of 6 Feb 2012 Dechert state that "*Contrary to your clients allegation none of the members of the partnership have invested via an offshore vehicle*." This is a totally false statement. In fact I have read numerous documents detailing investments made

by the individual partners in a corporate entity LMR Partners (Offshore) Ltd registered in Grand Cayman. Individual members including Ben Levine purchased shares in this company as early as January 2010. I have also read documents showing substantial investments being made by LMR Partners (Offshore) Ltd in the LMR fund. This was therefore a method by which the partners could invest via an offshore vehicle. I enquired as to whether this would be something I was allowed to do and whether it would be beneficial and Ben Levine answered "*If we all did it, it would look really dodgy*".

39. At point 4.1 of the letter of 6 Feb 2012 Dechert state that I "did not take anything like the same risk as the founders in setting up the business and should not be seeking to compare himself to them in relation to compensation." This is absolute nonsense; the founders were taking very little risk by starting the firm. One of their investors alone paid one founder nearly a million US dollars as an incentive to manage their money, and almost half that sum to another. I was not told about this. I was led to believe that they were being relatively poorly paid at the outset and taking a big risk as I was by coming on board a startup.
40. At point 5.3 of the letter of 6 Feb 2012 Dechert refer to purported complaints made by former employee Alex Khundoev about me. They no longer mention this in current proceedings because as Alex confirmed to me these complaints were entirely fabricated and never in fact took place.
41. At point 5.4 of the letter of 6 Feb 2012 Dechert refer to purported complaints made by Vivek Rai about me. Given all the other fabricated complaints and that I have only their account that any complaint was in fact made, I have no reason to believe that this was not also fabricated by the partners.
42. At point 7.3 of the letter of 6 Feb 2012 Dechert write about their offer "*On our analysis, your client has no valid claim for any significant payment from the Partnership. Accordingly, it was a very generous offer in the context of your client's legal rights*." This is an important point and Dechert have shot themselves in the foot here in the sense that they shamelessly state that my profit share agreement of 23 Dec 2010 which they themselves drafted was legally worthless, further confirming my allegations of fraudulent misrepresentation to be true.
43. The letters signed by Shane Cullinane and myself on 23rd Dec 2010, whilst not dated, are letters admitting us into the partnership. They are headed "*Re: Admission to LMR Partners LLP*". Therefore if the applicants' new narrative to explain the existence of the three letters was going to say that Shane's admission letter was from 2009, then the partners would all have to lie to say that he was admitted to the partnership in 2009. This is what they decided to do in the witness statements – they all perjured themselves in order to support this story to cover up the fraud. This was exactly as I had anticipated and emailed them about previously. The applicants refer to these emails in evidence.

44. The partners had forgotten that Jason Butwick of Dechert had written the letter of 6 Feb 2012 in which Dechert clarified that they had drafted the two December 2010 admission letters for Shane Cullinane and for me. That letter and the witness statements of the partners are therefore inconsistent on this point, proving the perjury. Further evidence from filing information at Companies House also confirms that Shane Cullinane became a partner at the end of 2010 at the same time as me and that the partners all lied deliberately on this point. I include a printout of the information from Companies House in AD1. Their talk of a

"typo" affecting all four witness statements insults the intelligence. 2010 cannot be mistyped as 2009 nor would it have gone unnoticed in three statements. To have also coincidentally put the same factual error in Stefan Renold's statement is an absurd notion.

45. Now that these witness statement have actually been filed with the court, the new statements all contain corrections to their predecessors, because the partners were lying in the July 2013 statements in the hope that their statements would never actually be filed at court, it was all just part of a deceit and a great bluff to scare me into accepting being gagged. I was led to believe that I would be financially ruined if I did not agree to the orders, when in fact the applicants did not appear to be seriously contemplating actually going to court. They had not filed the material at court and cancelled the hearing as soon as they could.

46. I was unaware at that time but now know that the four 2013 witness statements and referenced exhibits had not been filed with the court at all. I was supposed to believe that they had been as they were part of the bundle deposited on my doorstep. The application notice of 15 July 2013 is an application with a draft order attached, to be dealt with at a hearing, with a time estimate given of 1h 30 minutes. It relies on an attached witness statement and does not refer to the witness statements or exhibits, which were not filed with court but were served on me with the notice. I do not know, even at the time of writing, what witness statement was filed with this application notice as Dechert have refused to respond to queries on this point. What I do know is that the witness statements and exhibits were only deposited at my home to deceive me into thinking they had been filed with the court. The application notices including this one are filed in the applicants' evidence and I have also filed this notice in AD1.

47. I immediately took advice from Alex Kleanthous of Gannons on this matter and throughout the proceedings of 2013 I was represented by Gannons. When the litigation was later unstayed this year I wished to continue taking advice on this matter from Gannons but they have told me that they are not able to act for me in the present proceedings. The implication of this is that I would have to get another solicitor to a level of familiarity with the entire case that would take a great deal of time and expense as there is so much history and complexity to the dispute. I have also approached another solicitor Jose Grayson of DH Law who had represented me in the mental health tribunal of 2nd Oct 2013, and so already had some familiarity with the history but he is not currently able to assist me. I have approached a number of other firms.

48. It appeared to me that the applicants had no direct evidence of any kind that I sent the emails they claim were sent to two of their investors, nor did they present any evidence that these emails were actually sent at all. In addition, there was no evidence that the letter purportedly attached to these emails was property belonging to LMR, nor that the purported recipients were even investors at all. One of them, Joe Penna, was a close personal friend of Andrew Manuel. Ben Levine says in his witness statement para 46 that Adrian Fairbourne was doing due diligence i.e. was not in fact an investor. Nor have the

applicants provided any evidence that these emails they say were sent had caused any harm at all. This document was marked as a strictly private and confidential letter sent from Goldman Sachs to Andrew Manuel terminating his employment without notice for serious misconduct after he has made significant losses having allegedly deliberately taken on risk well beyond his limits and having allegedly deliberately hidden that from his management. As such it cannot be said to belong to LMR in any way, in fact it should arguably not have been stored on our systems at all let alone the shared drive. Even if they could convince a court that I sent such mails, it was unclear anyway how it would breach any legal obligations justifying the proceedings being brought. Because of this I did not see how their case had any merit at all. However, I was of the (possibly incorrect) understanding that there was a low burden of proof in such a case and that the applicants statement alone that I sent the mails might be enough for them to win and that I might lose if the matter proceeded to court. On advice I therefore sought to settle the matter on any terms the applicants would offer. The letter was kept on the shared drive and as such was readily available to all staff and all visitors accessing the network at any time. In total there are dozens or possibly hundreds of people who would have been able to find and use any files on the shared drive including this one as there was no security on this drive, as it was intended for open sharing of non-confidential material only. Other drives had been provided to staff for sensitive and confidential material with suitable access controls, but Shane Cullinane chose to store many of the firm's most sensitive documents on the shared drive against my repeated recommendations for more care to be taken. The letter is filed in AD1.

49. The speculation by LMR that I sent the purported emails is not only without any direct evidence, but the number of possible people who could have had access to the letter in question was very large. All of LMR's staff, former staff, and all of the third party service provider staff and visitors who connected to our network have had open access to it and many other documents stored in the same place over periods of months and years. Dozens, if not hundreds of different people would have been able to access all of this both before and since 2011. Two firms I can think of immediately had access to our network remotely – Eze Castle Integration and Sophis. Even just considering those firms, large numbers of staff had reason to access our network and could have copied anything they found on the shared drive if they wished to.

50. The fact that Andrew Manuel had been fired for allegedly being a rogue trader was concealed from me throughout my time at LMR and it was concealed from other staff and from the investors. It was very disturbing to me indeed when I discovered the letter on the shared drive because I had been Andrew Manuel's business partner and also had invested in the fund. Had I known about his dubious career history I would certainly never have joined the firm and I could have avoided the catastrophic impact these people have had on my life and the lives of those close to me.

51. There is clear perjury in the applicants statements on this subject, where in the witness statements of July 2013 it says that I was told all about the circumstances of his termination, directly contradicting previous letter from Dechert to Gannons of 6 Feb 2012 explicitly stating that in their view it was none of my business, and that it had nothing to do with his FCA approval. The letter is filed in AD1. The change in their story came about after I

suggested in an email that I could sue them for defrauding me as an investor for keeping this information from me. They claimed it had nothing to do with the process of getting Andrew FCA approval but this is an outright lie as I saw billed time from solicitors Simmons and Simmons who had been specifically asked to advise on how to get him approved in the light of this termination. His termination for alleged gross misconduct was highlighted as a major issue in LMR's documents filed with the FCA applying to approve him for his controlled function. I was only told at the time of this application by Ben Levine that there had been a "difference of opinion" between Andrew and Goldman Sachs leading to his departure. I was also told that a meeting had taken place between the partners and Goldman Sachs and that it had been agreed that they would work together to facilitate Andrew getting FCA approved for his controlled function at LMR. I was also told and it is represented in LMR marketing materials that Andrew Manuel briefly worked for Torsten de Santos, former CEO of LGT Capital Management in early 2009. Torsten de Santos was appointed Director of LMR Partners (Offshore) Ltd, a company incorporated in Cayman Islands (reg 228199) in July 2009. This company made substantial investments in the LMR fund. LGT were an early stage investor in the LMR fund and as such were entitled to preferential fee arrangements. I include a printout of the founders' description page from LMR Partners public website in AD1 which shows how Andrew Manuel's career history has been represented to investors including myself. Contrary to representations made in the applicants' statements, they present three members as "founders" whereas Shane Cullinane and I joined the partnership later (in Dec 2010) and were not considered founders despite also working for LMR from inception. This matter of Andrew Manuel's career history is an important example of LMR's secrets that all this litigation is intended to gag me from repeating. This litigation is not genuinely about harassment, it is an attempt by LMR to try to abuse the courts to gag me from telling the truth on such matters.

52. A court hearing had been listed in these proceedings for Friday 19 July 2013. On 17 July Dechert wrote to Gannons say this had been delayed to the 23rd July as the papers had not been properly served in accordance with the CPR notice rules. I was fully expecting the hearing to go ahead as the application was made for a hearing and the hearing was scheduled. It was my understanding that the terms of the order that were being negotiated were to produce a version that would be subsequently reviewed and modified by a judge and then given to me in court following the appropriate Chancery Guide procedures. The letter is included in AD1.

53. Instead of the hearing going ahead, Gannons signed a draft of the order and sent it to Dechert on 19th July at 12.43pm, with a covering letter. In this letter Gannons stated that Dechert had requested to "*attend at Court before the date fixed for the hearing and confirm that we have no objection to this. Please ask the Court to excuse our non-attendance*". I was surprised when I read this because Gannons had not mentioned this to me and I did not know what was meant by it. In fact Dechert cancelled the 23rd July hearing and no hearing took place as far as I am aware. This letter is included in AD1.

54. At 4.50pm on 19th July Abi Gillett of Dechert sent two PDFs to Alex Kleanthous of Gannons. In the covering letter she says that "*I attach copies of the Orders which were sealed by the*

Court this afternoon. Hard copies will follow by post." The attached Orders were supposed to appear to be scans of hard copy original documents but as explained later were in fact are composite documents i.e. forgeries produced using Photoshop or similar image editing software. She went on to say that the hearing had been vacated. The cancellation of the hearing was done without my prior knowledge or consent and I fully expected it to take place as is required by the CPR. The application was made for the matter to be dealt with at a hearing and the orders were unsuitable for a without-hearing application and had not been assessed by a Master for a without-hearing procedure. Had they been deemed suitable and approved for a without-hearing procedure (which they would not have been as they were too complex), my solicitor Gannons would have been required to write to the court as per the CPR but he did not do so. These issues were highlighted by Sir Robert Owen QC in the hearing of 5th March. The email as forwarded on to me by Gannons is included in AD1.

55. Abi Gillett said in this same letter that hard copies would follow by post. I did not see any hard copy as it was retained by Gannons, so the only version of these orders that I was given in 2013 were the forged PDFs. The purpose of creating the orders using image editing software was to obscure the wording on the part of the stamp that showed it was the stamp of the Interim Applications Court. Had I seen that text written legibly on the PDF versions I would have been alerted to the fact that these were not correctly sealed as they were purported to be but were simply drafts stamped by the interim court listing office. The forgery of these PDFs was therefore intended to cover up the procedural fraud in which drafts stamped by the court office were presented to me as being final sealed orders.

56. Gannons provided me with an extract of some of their email correspondence between themselves and Dechert, in the form of an Outlook PST file. The email sent from Abi Gillett of Dechert to Gannons attaching the PDF orders is filed in AD2. This establishes the chain of custody of these files from Dechert to Gannons and subsequently from Gannons to me.

57. I was not alerted to any of these procedural issues at the time by my solicitors, and so I was unaware of these breaches of the CPR until I became a litigant in person. Once I received the application notices and orders served in the recent proceedings, I was immediately able to see that the July 2013 orders had the wrong stamp on them – the wrong colour ink and the wrong stamp for a final sealed order. At this point I understood that I had been deceived with stamped drafts and defrauded.

58. I then investigated the PDFs more carefully and discovered that they were composite images, by using software to extract the images from the PDF. This process extracted many layers from the images showing clearly how they had been created using image editing software for the purpose of appearing to be scanned sealed orders whilst obscuring the Interim Applications Court text of the stamp. These appear to be professional forgeries as they are carefully constructed in several layers.

59. There is a lot of detailed evidence supporting suspicions about the PDFs. On first examination they appear to be plausible as scans of stamped orders. However they are unsigned, uninitialled and there are blanks that are not filled. The form is unusual for

example the form of the Penal Notice. Various visual clues exist to throw suspicion on whether they are scanned documents. On the harassment order there appear to be two overlapping stamps, and the small stamp has a white opaque background, rather than being transparent. It obscures the larger stamp rather than merging with it, and this indicates that the small stamp itself was created from image layers to form a composite image, rather than being two ink stamps. In AD1 I have shown this and magnified this region to assist in seeing this, but it is much clearer in colour on a screen. The stamps are strangely faded compared to a scan of a real Interim Court stamped document. The fading mostly affects the text "Interim Applications Court". On close examination (again clearer on a colour screen) it can be seen that this has been deliberately modified and this text has been erased and blurred. This is even clearer when the image layers are examined. The large stamps are suspiciously similar to one another as if they may have originated from one image, but that is not conclusive. One order alone has what appears to be the name of Burton written in pen.

60. I studied a Masters by Research programme at University College London in Computer Graphics, Vision and Image Processing. This, plus my broader technical expertise, gives me an ideal academic background to forensically analyse these files and images myself.
61. I used some freely available software called PDF Image Extractor to extract the image layers from the two order PDF files. The process can be readily repeated and many other pieces of software can be used to verify the results. In AD1 I include a printout of the PDF version of each of the two orders, followed by a series of pages which each show an image layer that was extracted from the PDF order, one layer per page. I have labelled the pages at the top to clarify this. The harassment order which is 3 pages has 8 image layers, rather than the 3 that would be expected in a scanned document. The LMR order which is 5 pages long has 15 layers, rather than the 5 that would be expected in a scanned document. On each page there are multiple images layered on top of one another, and so each page of each order is a composite image.
62. Surely enough, my suspicions were confirmed. Instead of one image layer per page (as one would expect from a colour scan of a document), there were many more image layers than pages in both orders and these image layers were in various image formats. Each page was made up from multiple images layers of different types layered on top of one another. Some of these image layers were monochrome, such as the layers containing the bulk of the text of the order. Later the "blue pen" in which "Burton" is written turned out not to actually be pen but is a monochrome image layer in a single blue colour tone. The "paper" background which shows what appears to be a fold or crease is in fact a colour image layer made to simulate the look of real paper. The parts which are supposed to look like the inked stamps are in fact built from multiple layers. Each stamp is produced from three separate layers, one containing a date stamp and the other two containing the rest of the stamp. The main part of the stamp is on one layer for each order. This layer has had lettering removed and obfuscated. On one of these for example the word "court" has been removed. It can be seen that other letters have been removed. In both cases the text "Interim Applications Court" has been obscured. A second layer exists in both orders which have the date part "19 Jul 2013". This layer is superimposed on the first. Then a third layer exists which is an overlay for the first, and replaces the bits of text around the seal edge that has been removed, such as the word "court". It is in this layer that the alteration work to obfuscate the "Interim Applications Court" text has been done. The paper layers are complete with visual creases

and specks of dirt (one per page) to make them convincing. One of these “specks of dirt” is actually a tiny image layer on its own. In AD1 I have printed the PDF version of the orders and then following each I have printed the layers from which they are constructed, one per page to make it clearer how they were created. I have also created some diagrams with explanatory text to highlight some of the issues described above. The motivation for this forgery was to produce a convincing looking document, in a very short space of time, and that it could be given to me which they hoped I would accept as a valid and properly sealed long term order. I also include in AD1 a scan of a real Interim Applications Court seal for side by side comparison to the seals from the PDFs, which show that the text Interim Applications Court would, without tampering, have been readily visible. I also noticed that the “tag” on the PDF file had been set to appear to come from “Adobe PSL 1.1e for Canon” but it is trivial to edit this value to read anything required without affecting the content of the file, using a piece of metadata editing software which are freely available.

63. I have repeated the results above using other software and asked a graphic design firm Waldorf & Statler Ltd. to have their expert staff independently examine the PDFs to see what they could determine about their origin. I have included their report in AD1 which supports my findings. I also include a number of videos and documents which they produced to accompany their findings in AD2. In the video you can see them open one of the order PDF files in Adobe Pro and then they view and manipulate the different layers on the page. Adobe are the company that created the PDF format and so their software is the industry standard for editing PDF files. They independently confirmed that these PDFs are composite images and not simply scans. They also confirm that they can see clear evidence of modification of the “Interim Applications Court” text in the stamps.
64. I asked another digital media expert Ed Keohane, of The Telegraph, whom I have known and trusted for some years, to take a look at these files for another independent opinion. He concurred with the findings and I enclose his letter in AD1.
65. In AD1 I have also included some diagrams. Diagram 1 highlights how the PDF stamps compare to a genuine scan of a genuine Interim Applications Court stamp. The leftmost stamp is scanned from an application notice, and the other two are from the PDFs. Notice how the “Interim Applications Court” is illegible on the PDFs. Diagram 2 shows side by side the stamps from the PDF version and the two layers from which the main stamp is constructed in each case. Note that the “19 Jul 2013” part of the stamp is in another image layer again, not shown here. Diagram 3 shows a magnified version of the overlapping stamps on one of the orders, highlighting how one obscures the other as a telltale sign that this image layer was itself made as a composite image not from a paper scan of real stamps.
66. I obtained the paper original of the July Orders held by Gannons. These look different to the PDF versions and the “Interim Applications Court” stamp was clearly legible. I was told by Gannons that the reason that the paper and PDF versions did not match is because there were multiple originals. However, I have been unable to locate any other originals, because the court did not have any on file and Dechert have refused to provide theirs or even confirm how many were stamped and where they are. I sent the ones I did have to an independent forensic examiner who confirmed that the stamps were inked (as opposed to printed) and so were likely to be genuine stamps of court albeit not the correct ones for a final sealed order. The forensic examiner wrote to Dechert asking to examine their originals.

Dechert declined to provide these. I include the letters sent to Dechert and their reply in AD1.

67. To date I have been able to locate only the one original paper version of a draft stamped by the listing office, in addition to the two PDFs which were forgeries of scans, with no original paper document matching them. As far as I know there are no other paper originals in existence and having checked with Linda McCarthy, the clerk of Justice Burton she has confirmed that he has no recollection of ever dealing with this case at all. She wrote to me "*Mr Justice Burton was sitting in the Queen's Bench Division (Court 37) for the week commencing 15 July 2013. If he dealt with your case, he has no recollection of it.*" This email chain is filed in AD1. I have written to Dechert, hoping they would clarify how many original paper versions were stamped and why the versions in the court bundle and PDFs appear to have no matching paper originals. I have enquired about the process by which they were produced but they have not chosen to give any explanation.

68. In the hearing of 5th March 2014 Sir Robert Owen QC expressed his grave concerns in respect of these orders and said that these orders are defective. He said "I would say there are a lot of issues." In respect of the form of Order. He then said "*I am concerned about the status or affect of the documents referred to as the Orders of 19th July 2013. I am looking at this for the first time here and I wonder what is going on here. The Orders are peculiar, unsigned, uninitialled and the only semblance of authority is the Court Seal. I have read further into the papers and looked at the copy signed by Gannons which gives the Orders an air of respectability*." He went on to say "*I wonder whether the Judge had the matter referred back to him. It is all unsatisfactory*." He mentioned his concerns about fraud in relation to the orders. He later advised me to investigate this aspect and I did so, both in terms of the procedure and the documents themselves, and in doing so not only did I confirm his suspicions about the procedural fraud but also discovered the forgery and modification of the PDF versions of the documents, which was intended to divert me from becoming suspicious about the Interim Application Court. The "attendance note" from this hearing produced Dechert is included in AD1.
69. I have not yet obtained the official court transcript of this session but my wife and I both agreed after reading it that certain dialogue appears to have been omitted. For example I have been unable to find in this note the comments by the judge that if he were Dechert's client and had been advised to take this course of action he would be unhappy with their advice. Also the applicants enquired of the judge as to whether he had read the Andrew Manuel termination letter filed in evidence and whether he understood its significance and the judge confirmed that he had and did. As I do not have the official transcript at the time of writing I cannot reference this.
70. Daniel Stilitz QC on behalf of the applicants attempted to explain to the judge the series of events by which the hearing was cancelled, without my prior consent or knowledge, and how the orders became stamped despite this cancellation.

71. The version of the order signed by my solicitor was not sealed, and the sealed versions (both paper and PDF) are unsigned by either party. No copies are signed by Dechert, or by the

applicants, or by myself, and no copies are initialled by a judge or have the correct seal of court.

72. The Queen's Bench Listing Office confirmed that the only copy of the orders they had on file were a black and white unsigned photocopy, again with the Listing Office Interim Applications Court seal. Before the unstaying of proceedings this year, I was told this was the only document on file at the court relating to these proceedings.

73. I delivered an affidavit to Dechert in the terms of the order. Attached to this affidavit was a list of files that I had in my possession when I got the notice of removal. This list of files according to Alex Kleanthous was around 2500 pages long. I later enquired as to how this affidavit had been filed with the court and was told that it had not been filed with the court. This further aroused my suspicions that the process had been fraudulent. In fact my affidavit was never filed with the court, and nor was the attached list of files. Amongst these files were documents which I believed were primary evidence of money laundering, tax evasion, and other serious offences by the applicants, so I had been surprised that they had filed the list with the court. The fact that they had not, and that the whole litigation had been fraudulent with most of the material (including the orders) not even being filed with the court, made sense of this. This document is in the evidence provided by the applicants.

74. Throughout this process and subsequently I was given to understand that the terms of the orders prevented me from speaking to regulators to exercise my rights (and duties) in line with the Public Interest Disclosure Act, to disclose suspicions I had, having seen much supporting evidence, of regulatory breaches and criminal conduct. In particular it was the terms specifying no derogatory comments that, I was given to understand, prevented such disclosures. I was very surprised at this. I have not disclosed the full extent of the wrongdoing by LMR/Dechert and supporting evidence in this statement as some of this is not directly relevant to the allegations made by the claimants, but these activities certainly cast a great deal of further doubt on their credibility as witnesses. I did not understand at the time that true statements about the applicants could be classed as being derogatory and in breach of any order.

75. I had already made an appointment to see the whistle blowing team at the FCA about some of my concerns when the litigation was brought against me and in light of my understanding of the orders I cancelled this appointment.

76. On 29th July Dechert wrote to Gannons a letter explicitly warning that they believed there was no proper basis for regulatory disclosures and threatening contempt of court proceedings if the order were to be breached. I believe that one of the main reasons for the litigation being brought was to prevent me reporting wrongdoing by LMR to the regulators. The issue of whether I was able to speak to regulators came up a number of times in correspondence. If LMR did not have anything to hide from regulators then they would not have made any issue about this. Subsequently I have been told clearly by Sir Robert Owen QC in the hearing of March 12 2014 that I was never in fact prevented from making such disclosures and so my understanding of this had been in error.

77. After I paid £50,000 on 13th August 2013 to Dechert for the fake orders, I became increasingly aware that I had been tricked. I had suspicions about the lack of a hearing before a judge, about the fact I had not been given a court original document at all in 2013, about the perjury in the statements, and about the PDF orders which had visual clues of forgery. It was also suspicious that the applicants sought to prevent me having access to the witness statements or evidence and that I had to hand them over to Alex Kleanthous of Gannons, because it was my understanding that they had been filed at the court and were therefore public documents. I wrote to Jason Butwick to get clarification on the issue of Shane Cullinane's admission date pointing out the inconsistency between the witness statements and other facts, but he refused to respond on this matter. They have now claimed this was a typo. If it were in fact a typo, which it demonstrably cannot be anyway, then Dechert would not have hesitated to correct it. After all, these were supposedly witness statement filed at the High Court, or at least I was supposed to believe that.

78. I telephoned Jason Butwick on 3 Sep 2013. He was not expecting my call and refused to speak except to say he could not speak to me. Alex Kleanthous then wrote to him "I understand that Aaron intends to write to you, and I confirm that I have no objection to you responding to him directly." However he was not amenable to speaking to me despite this. Therefore I wrote to him "*Hi Jason As the litigation is stayed and I think we all want to keep the temperature down so to speak hence I wanted to just ask you this directly, rather than your client, as you should certainly know the answer. I'm confused because Ben said in his witness statement that Shane became a member in 2009, whereas you said you wrote the admission letter for him in Dec 2010, and Dec 2010 is also what is on Companies House, same as for me. There was at least one typo in the Order of Court (a 2012 instead of 2013) so maybe there was a simple mistake in the docs you submitted to court as everything happened in a bit of a rush. Are you able to clarify this?"* On 4 Sep 2013 Jason Butwick replied by email "*Dear Mr Dover You should raise your questions about the proceedings and the terms of the Consent Order with your own solicitor.*" To which I replied "*Sorry if my email was unclear. I have no questions about the proceedings or consent order. This is simply a request for you to clarify your own position on Shane's admission date. Alex Kleanthous, like me, is unable to reconcile the facts you have presented with those of your client. There is a clear inconsistency hence my question. It seems unlikely that you and your client are in dispute over something as straightforward as the admission date of a member, but do please confirm whether that is the case*." I received no further reply to this. This email chain is in AD1.

79. On 4th Sep 2013 at 12.44pm I wrote to James Croock, a partner at Dechert to whom I was directed for the purpose of making a complaint about Jason Butwick's conduct. It appeared to me that he had either actively participated in helping the other partners to defraud me, by producing the letter, and/or he was allowing them to commit perjury. This would mean that he was not just representing LMR but he had participated in their misconduct which would also put him in a conflict of interest position, because Dechert were potentially implicated. In my email to James Croock I sought to explain the situation for the purpose of making a complaint. Before sending the email I had a phone conversation with James Croock

and explained the reason for my complaint. On the phone he suggested that I put my complaint to him by email. I wished to bring a complaint internally at Dechert before taking the matter up any further to give them a chance to investigate.

80. On 4th Sep 2013 at 1.04pm James Croock replied to my email "*I understood from our brief conversation that you were a client of this Firm. That is clearly not so. I would suggest that any allegations of impropriety should be dealt with through your own legal advisers*." I enclose this email chain in AD1.

81. On 6th Sep 2013 at 1.16pm I received a very disturbing email from Alex Kleanthous of Gannons. Whilst Dechert had ceased to reply to my correspondence at this point, they had contacted my former solicitor Alex Kleanthous knowing very well that he was no longer instructed, to make threats toward me that they wished him to pass on. I was told that Bernard Caulfield of Dechert had phoned Alex Kleanthous and made a series of sinister threats. These were made by phone via a third party presumably so that Bernard Caulfield retained plausible deniability about the exact wording of the threats. Alex Kleanthous passed the threats on to me by email but I will not disclose these as I am warned that doing so could violate my legal privilege with him and that this would have complex consequences. Presumably this is why Bernard Caulfield chose to make the threats via Alex Kleanthous. In response to the threats I instructed Alex Kleanthous to write back saying I would drop my complaints about Dechert, which were totally legitimate. I received a subsequent email at 2.21pm about further threats made by Bernard Caulfield. In this call he had asked if I had been to any regulators with complaints and suggested that if so, I should contact them again to tell them I am dropping my complaints. Reportedly he said that I should make immediate assurances that I would do this as they would not want to "start any more hares running", and then said that my confirmation on this point would "allow people to stand down" from imminent action against me. I have included this email chain in AD1 with some redaction of advice given, in order to maintain privilege of the advice I was given in response to these threats.
82. I found these threats immensely disturbing and concerning. To say that these were improper and that these threats constituted harassment would be a great understatement. If these threats were proper legal threats then Dechert would have written to me. Sinister phone calls to my former lawyer are not the proper means through which to make legal threats. It was clear to my wife and me that these were not just legal threats but were intended to terrify me into silence about my legitimate concerns. I stopped sleeping properly for the following week (and subsequently in hospital) and was extremely distressed.

83. On 8th Sep 2013 ar 2.04pm I wrote to Dechert "*Please could you send me the breakdown of costs in relation to the litigation? I previously took Alex Kleanthous at his word that the costs incurred were at this level, and that he said he got this information from you. I was never shown any information in support of these purported costs. I believe I am entitled to this information so please pass it to me*." On 9th Sep 2013 James Croock replied "I *refer to your various emails over the past few days addressed to me, Mr Caulfield and Mr Butwick. We note that all allegations made by you against this firm have been*

withdrawn through Mr Kleanthous. As far as your recent query is concerned, we confirm that our client's costs in connection with the Court Orders to which you consented exceeded the contribution of £50,000 which you agreed to pay. We do not intend to provide, and you are not entitled to receive, a breakdown or any details of the costs incurred by our client. This firm does not intend to meet with you or respond to any further emails. If you wish to raise any further matter with us, please do so through properly appointed solicitors." I include this email in AD1.

84. On 8th Sep 2013 I wrote to the Solicitors Regulatory Authority to report the misconduct and the threats and to ask if the SRA could help me and my wife as we were feeling extremely scared. We were panicking and did not know where to turn for help. My wife Claudina believed our lives could be in danger and I was becoming very concerned for her mental wellbeing and she began to become concerned about mine. Neither of us has ever experienced such a terrifying situation. I believe that the sinister threats made by phone via my former solicitor were totally improper and amount to serious harassment of myself and my wife, and they caused very severe anxiety and distress for us both. I include this email in AD1. These threats eventually cause so much distress that they led to my hospital admission the following week.

85. I received a letter on 13th Sep 2013 from James Croock of Dechert denying the possibility that Jason Butwick had fabricated the admission letter to enable Ben Levine to deceive me. That therefore suggested that if the admission letter was genuine from Jason Butwick's point of view then his clients had all perjured themselves by stating that Shane Cullinane was admitted in 2009. This is consistent with emails I had sent to Dechert previously noting that if they brought proceedings they would need to perjure themselves to cover up the fraud which originally caused our whole dispute. The email went on to accuse me of harassment which seemed like an absurd and desperate effort to stop me asking difficult question, and a perversion of the notion of harassment. I include this letter in AD1.
86. On 14th Sep 2013 my wife Claudina Castelli told me that she was very worried about the level of anxiety I was experiencing and that I had been unable to sleep since receiving the threats from Bernard Caulfield of Dechert. She told me that she wanted to me to have a psychiatric evaluation and I agreed to make an appointment with a psychiatrist to do this. I was extremely stressed and anxious. She insisted that she wanted me to do it straight away and that she could call 111 (the NHS out of hours GP service) to do this. I told her that she should not do that under any circumstances because they were likely to misunderstand the situation and overreact. She was adamant that she was going to do this irrespective of my objections. She went out of the flat to meet with people that day and was behaving very erratically since. She told me that if I did not go along with the psychiatric assessment that "they wouldn't let us be together". I was very disturbed by this comment and tried to clarify what she meant, who "they" were, and who had been speaking to her that had caused her to become suddenly much more anxious and to come up with this psychiatric evaluation idea out of the blue. I strongly suspected that Dechert may have been starting to pressure members of my family having failed to sufficiently scare me into silence with the fake litigation. It later turned out that Dechert had indeed been secretly speaking to members of my immediate family around this time and since. I include an article from the Evening Standard relating to the hospital detention in AD1.

87. At this time I had eventually managed to find work after LMR caused me to be fired from Prologue, which was no easy task, and I was working as a contractor for Credit Suisse.
88. The following morning my wife Claudina Castelli called 111, despite me pleading with her not to do so. As she persisted in this, I left the flat to get a coffee in Hampstead Village. Less than an hour later I found myself the subject of a major police manhunt involving a police helicopter and more than ten cars searching for me around Hampstead, with police and dogs trawling the Heath. Police approached me and told me that I was to be taken to hospital under Section 136 of the Mental Health Act, despite my appearance of being fine, based on the information given to them about me which was highly concerning. Based on the information she provided I was detained on 15th September against my will for assessment and in total I was detained for 17 days in Highgate Mental Health Centre. My position has always been that whilst I was very distressed by the disturbing legal situation I was in and the sinister threats, at no time was my detention in hospital required or in any way appropriate to the situation.
89. My detention in Highgate Mental Health Centre was the most frightening and disturbing experience of my life. During my detention I became aware that my family must secretly be in contact with LMR. On more than one occasion I was approached on the ward by nurses who had been told by my family in phone calls to the ward that I had sent email in respect of LMR and that the staff should confiscate my laptop and phone, and deny me access to the computer on the ward, to prevent any further emails being sent. It would have been impossible for my family to be aware of any emails I sent to LMR unless someone was speaking to them or to Dechert. I emailed asking my family a number of times if anyone was speaking with LMR or Dechert and it was denied. I emailed asking if anyone in the family had received threats from them and did not receive a reply. Concerned by this, I then emailed asking if anyone could confirm that there had been no threats and again I got no reply. It was deeply disturbing to know that LMR and Dechert were secretly influencing my family to pressure the doctors to detain me and impose unusual restrictions on me, all of which was deeply sinister behaviour to say the least.
90. Once I was detained under section 2 of the Mental Health Act I was able to lodge an appeal challenging the basis of my forcible detention and there was a tribunal hearing on 2nd October. The tribunal found that there was no evidence of any mental health issue except for the collateral information provided by my family members, and that I should be immediately released without any requirement for further treatment. Alex Kleanthous of Gannons attended the hearing and demonstrated to the court that many of the things the doctors suspected were delusional were in fact true. The doctors had found it impossible to believe what I was telling them myself about the dispute that had caused me to be under so much pressure and had not allowed me to show them evidence proving, for example, that I really had received these sinister threats in regard to reporting to regulators from Bernard Caulfield of Dechert. Once Alex kleanthous showed the court that the facts I had related were true and not delusional there was considerable embarrassment on the part of the doctors who had been responsible for making the case for my detention. I include the tribunal report from the First Tier tribunal that released me on 2nd October in AD1.
91. On 11th October 2013 I was informed by Credit Suisse that my services were no longer needed. I have been unable to find work since this event and the loss of another job caused even further misery, and yet more damage to my mental wellbeing since.

92. On 5th March 2014 a hearing took place in front of Sir Robert Owen QC. The attendance note produced by Dechert is included in AD1. The attendance note omits some of the statements made in court by the judge and is therefore not an accurate reflection of what was said. It omits to include some harsh criticism that was made of Dechert, in which he stated that he would be very unhappy had he been their client and advised to proceed as they have done. He also confirmed when questioned that he had read and understood the potentially embarrassing nature of the letter of Goldman Sachs to Andrew Manuel of 2007. I believe that he was asked this question partly to ascertain whether he was able to read the letter which although filed in evidence has been made almost illegible. Having examined it closely I believe that the quality of the document was deliberately degraded by modifying the black threshold to cause random visual noise around the sensitive parts of the text which makes it almost illegible. A copy of the letter is filed in AD1. Note that the second page is a different size and shape to the first and I suspect that this is because some of the content was removed prior to submitting it to the FCA.
93. During this hearing of 5th March the judge raised a number of concerns about the July Orders and stated that they were defective for a number of reasons. He said for example "The Orders are peculiar, unsigned, uninitialled and the only semblance of authority is the Court Seal. I have read further into the papers and looked at the copy signed by Gannons which gives the Orders an air of respectability." In light of his comments I carried out further investigation of the Orders and the process by which they were created. To this end I asked a forensic document examiner Kate Strzelczyk to examine the only paper originals that I was able to obtain (those held by Gannons). I attempted to obtain the originals from court and had it confirmed by the listing office that the only copy on the court file was a black and white photocopy. Kate Strzelczyk wrote a letter to the court seeking access to the court copy, and this is included in AD1. Given that the court held no originals of these documents on file she was only able to examine the ones from Gannons.
94. On 8th March 2014 Kate Strzelczyk wrote to Bernard Caulfield to request that they deliver to her their originals of the orders. This letter is in AD1. Dechert replied on 10th Mar 2014 to her and failed to send her the documents, instead suggesting that she should look at the official copy filed at court (which, as mentioned, did not exist). This reply is in AD1. Therefore until now only one set of originals (i.e. paper versions with inked Interim Application Court seals) is known to exist. However there are many versions filed in the applicants evidence which would appear to come from different originals. I wished to trace the origins of all these copies to establish the lineage and origin of the photocopies but none of them appear to match the only originals of which I am aware. If Dechert had nothing to hide on this point then they would have cooperated with the forensic examiner. The fact that they have refused to cooperate is highly suspicious.
95. On 30 June 2014 I sent a letter from Kate Strzelczyk to Justice Burton via his clerk Linda McCarthy, seeking to investigate the orders further. The letter is filed in AD1. She replied on 2 July 2014 writing simply "*Dear Mr Dover, The Judge still has not recollection whatever of this application or hearing. He notes that Counsel are recorded as having been present on both sides and no doubt they can assist. Regards, Linda McCarthy*"
96. It has now become clear that the black and white photocopy versions, the PDF versions and the paper originals held by Gannons are different to one another. Stamps appear in various locations, with differing degrees of legibility. The colour of the PDF stamps is different to the

colour of the stamps on the paper originals, and these are all different again to the final sealed order stamps of the Queen's Bench Associates that appear on the orders properly made in the proceedings this year. The originals from which the photocopies were produced have not been located. The originals matching the PDF versions have never been seen and, given that the PDFs have been shown to be composite documents and not scans, do not exist. Dechert have been totally uncooperative in explaining all of this and numerous questions remain in regard to how many originals were produced and where they are. These are in addition to questions that remain about how, where and by whom the paper and PDF versions were produced.

97. My wife and sister were so frightened about revealing the contact they were secretly having with Dechert about me that they kept it secret from me over many months even after my release. It was only once I read the affidavit of Jason Butwick served in these proceedings that the full extent of this contact and saw how much detailed information was being passed to him by my sister both throughout my hospital detention and even after this in November. This contact is entirely improper, very disturbing and extremely sinister and I consider it to constitute harassment of my sister and wife and thereby, indirectly, of myself.
98. On 9th April 2014 I reported this as harassment of my wife and sister to the police and PC Ash Hussain of West Hampstead police station took a report of this and I showed him the affidavit of Jason Butwick as evidence of this secret contact. In light of the secret harassment of my wife and sister by Jason Butwick it is appalling and utterly hypocritical that he has sought in this litigation to characterise my communications with his firm, which have been in respect of a legitimate dispute between me and his client, as harassment.
99. My wife Claudina Castelli was so scared to discuss why she, in conjunction with my sister Anna Dover had been regularly passing information about me secretly to Jason Butwick since I was admitted to hospital, that when I tried to discuss this matter with her she suddenly and unexpectedly moved out of the flat literally within hours, refused to tell me where she had gone, has refused to speak to me since, and we are now in the process of getting divorced as a direct result of this series of events. In my view LMR and Dechert deliberately sought to destroy the relationships between myself and my wife and sister with this secret menacing contact. Shane Cullinane describes in his witness statement that LMR took comfort in my detention in hospital and the evidence shows that it was far more than that – they were exerting a strong influence on my psychiatrists via my family to cause my wrongful detention to continue at the same time as using this contact to spy on me.
100. I felt total outrage at the conduct of LMR and Dechert in destroying my career over and over again, with their incessant bullying of me and my family causing total destruction of my career, my reputation, my marriage, my personal relationships, and my family relationships. Given that this dispute had now cost me four jobs and had ruined all aspects of my life, and had dragged on for years, getting steadily worse and escalating further and further, I was despairing as to how I would ever find safety from LMR and Dechert hounding me. I had tried all avenues to settle matters with them, and to seek assistance and protection from police and numerous other bodies to no avail.
101. On 15 May 2014 I wrote to Jason Butwick of Dechert asking them to submit the hitherto secret communications with my family in evidence as is required for full and frank disclosure. They would not respond to this and so I sent them a Data Subject Access Request

to exercise my rights to obtain a copy of this personal data about me under the Data Protection Act. Dechert responded by writing a letter to me on 19th May 2014 denying this request on the basis of litigation privilege. I have not yet been able to take legal advice on this response. Jason Butwick has made false and defamatory statements in his affidavit which purport to be from these communications my sister. By excluding these from evidence and refusing to supply them to me I am being prevented from knowing what my position is in relation to these false and defamatory statements. The Subject Access Request and their response letter are filed in AD1. I do not see any proper reason for the contact between Dechert and members of my family and certainly see no reason why they should be allowed to keep them confidential from me even when they refer to them in their statements. If their position is that this communication was proper and was not in fact sinister then it is hard to see why they would so strongly object to disclosure in evidence. The relevant paragraphs in the affidavit of Jason Butwick describing his extensive secret contact with my family are paras 38-39, 42-43, and 58-61.

102. On 17th June 2014 I returned home from travelling abroad to find that someone had accessed the street entrance to the stairwell serving my flat and had put powerful super glue in both locks of the front door of my flat. I reported this to police and they attended with forensics and I subsequently had to get a locksmith to drill out the locks to gain access to my flat. The crime reference number is 2314732/14 CRN. Once I gained access to the flat I saw that the perpetrator had put a Joker playing card through the letterbox with the initials "JB" written on in pen. I do not know if this could potentially be a reference to Jason Butwick, and I have cannot ask him whether he might know anything about it without breaching the terms of the temporary Order under which I can only communicate with him about these proceedings. Clearly by this act some unidentified person means to cause me harassment alarm and distress.

Notes on Affadavit of Ben Leslie Levine of 2014

103. In para 2 Ben Levine describes the four other partners as the "Partners" omitting me arbitrarily, when I was purportedly in exactly the same position in the partnership as Shane Cullinane apart from my profit allocation, and this is therefore highly misleading. Here Ben Levine states that "*Whilst he remains a key member of the wider business, Stefan is now based in Hong Kong and no longer provides his services for LMR on a day to day basis*." This is inconsistent with the description presented both in the affidavit and also with public statements made by the firm. As can be seen from the press clippings submitted in AD1 (entitled "LMR Partners Opens Hong Kong Office" and "Paloma backed hedge fund boutique looks to Asia") the public statements made by Ben Levine in regard to this move are inconsistent with his affidavit. In all the public documents and media accounts I have seen, it is represented that Stefan Renold continues to work for LMR and that he runs the Hong Kong office for the firm. I was told by an undisclosed member of LMR staff that Stefan Renold in fact moved to Hong Kong to reduce his tax liabilities, having built up a very substantial amount of accrued pay. I have included some of these news clippings in AD1.

104. There are statements in the affidavit of Shane Cullinane, confirmed as true in Para 3 which are false (see later).

105. The basis of the application in Para 4 is that I acted in breach of the Orders of 19th July which have been said to be defective and as stated I believe are defective and also that the litigation and orders are fraudulent. In the hearing of March 5th 2014 the applicants

changed their whole position on this, and their suggestion that they would seek to commit me for contempt based on the purported breaches, in light of the Sir Robert Owen QC's clearly expressed view in open court that the orders are defective.

106. In para 11, from the applicants perspective they say I have harassed them, and contacted their colleagues, business contacts and families inappropriately damaging their reputations. From my perspective, they have harassed me, and contacted my colleagues, business contacts and family inappropriately damaging my reputation and causing irreparable and very real damage to all aspects of my life. The applicants have not demonstrated any actual harm arising from my purported conduct, whereas the harm caused to me is all too evident. I have lost my marriage, my career, my personal and professional reputation is ruined, and I am no longer on speaking terms with immediate family as a result of Dechert involving them. I cannot forsee those relationships being mended after Dechert's secret and menacing intervention in my medical affairs intended to illicitly monitor and control me. The threats and harassment my family and I have been subjected to are appalling.

107. Para 12-17, I have never spoken to Mr. Sussman and had no intention of breaching any order had I done so. Two days after receiving this letter I was subjected to a police man hunt and detained in a mental hospital with Dechert in secret contact with the very same family members who provided the evidence to doctors causing them to section me for assessment. I do not believe that the close proximity of these two events was necessarily a coincidence, but I have no proof that Dechert influenced my detention in hospital before admission.

108. Para 18-22, I was suffering extreme mental distress as a result of the threats received from Bernard Caulfield (see earlier) and was in a very desperate situation of being imprisoned in a mental hospital with LMR indirectly influencing my assessment through my family, the extent of which I was only partially aware at the time. I literally had no idea what to do and I was in a state of panic and terror as a result of my detention that was causing me to behave irrationally. As you can see from the emails I was not in a stable state of mind at the time of sending them and the evidence of Dr. Lekkos supports this view.

109. Para 23-24, I was enormously distressed and furious beyond words at the ordeal I had been subjected to, with Dechert's assistance.

110. Para 25-27, following my release from hospital I became extremely unwell with depression and anxiety and was enormously frustrated at being fired from another job after being through the ordeal of the mental hospital. From my perspective LMR and Dechert were responsible for pressuring my family to get me detained and had ruined my life, all in an effort to gag or discredit me. I was terrified at what they might do next and felt that the best way to prevent further malign interference would be to make sure people knew what they were doing to me. I do not see that my contact with Ben's wife and father was improper. I had met them both before, and had attended a wedding with Ben and Miranda Levine so we had been on friendly enough terms previously and I thought they might help. Neither of them replied and we have only Ben's word that they felt upset. It would not be surprising if they felt upset by the conduct of Ben toward me, but the intention of the emails was to inform them in order to deter any further similar conduct, not to harass anyone which I do not believe they did.

111. Para 28-29, It is extremely sinister that at this time, almost a month prior to my being discharged from hospital, that Dechert continued to secretly spy on me through my family members and I consider this to be a course of conduct of harassment toward my family members and myself.

112. Para 30, LMR and Dechert were freely contacting my family members in secret from me. The July Orders do not impose a different standard of criminal harassment upon me than bears upon them and all parties are entitled to use the same regime of protection from harassment. Their allegations, even if they had merit, pale in comparison to the harassment they have visited upon me and those around me and seem trivial by comparison.

113. Para 32-33, my communications with Laszlo Gillemot were never intended to be shown to the partners, in fact I was quite sure at the time that he would certainly not want to do so. Dechert were refusing to respond to any communication and so I had no channel through which to negotiate the settlement of the dispute without bringing the matter to court. I wanted to exhaust other options before bringing the matter to court because clearly LMR have vastly greater financial resources than I do and in my current circumstances having lost my career and earning potential I am not in a position to take a risk with enormous legal costs. I was immensely frustrated at the position I had been left in by this whole dispute and was desperate to find a solution that would properly end the conflict and bring peace of mind to all parties, so that is why I reached out to Laszlo with whom I have been friends since 2009 although it this is now very awkward, clearly. I do not believe any members of staff have been "harassed" – this is a misrepresentation. They are simply caught in the crossfire of a nasty dispute that their management won't settle and it had been very awkward indeed for everyone involved.

114. Para 34-52, At the end of February once I came to realise that there had been secret pressure applied by LMR and Dechert to my family to have me sectioned and detained, and to have additional restrictions imposed upon me, I was unable to contain my anger and sent some emails which reflected that. I am of the view that my mental health has been extremely poor since being detained and losing my job and now my marriage as a result of the dispute with LMR.

115. Para 53-58, My greatest wish is to settle this dispute which has dragged on for far too long already and has been very costly for everyone involved in many ways. I do not think an order of court will provide peace of mind; I do not think there is any substitute for an agreed settlement and I would ask if the applicants would consider any form of mediation.

Notes on Affadavit of Shane Patrick Cullinane of 2014

116. Para 1-7 I have addressed these points already.

117. Para 8 LMR through Dechert actively interfered and prolonged my wrongful detention in hospital through illicit communication with my family members. They also destroyed the trust in these relationships such that I am no longer in communication with my wife and sister. Here it is said quite shamelessly that LMR took comfort in the fact that I was detained against my will. This is appalling conduct that in my view goes beyond anything normally characterised as harassment, and certainly far beyond anything described by the applicants as harassment.

118. Para 9 I visited the lobby of LMR's office to meet a friend for a coffee and had no intention of interacting with any of the partners. For the avoidance of doubt, the lobby is

shared with a number of firms and I know former colleagues who worked in other firms in the same building. I only entered the common area of the building, and there is nothing which restricted me from doing so. Shane Cullinane approached and confronted me, and this was highly inappropriate, in order to create a scene that they could misrepresent as they have done in these statements.

119. During my visit, as described in Shane Cullinane's statement, he hid out of sight to make a covert audio recording of my conversation. I was unaware of this until I read his statement. He subsequently filed this in evidence. I believe that his decision to make this recording, and to pass it on and now to put it on the public record at court, all without my knowledge or any attempt to obtain my consent, is in violation of my rights to privacy. I do not believe that there is any proper legal basis for him to have made this recording nor to submit it in evidence.

120. Para 10-13 I have address these points already.

121. Para 14 The allegations of bullying were fabricated and were not based on any actual allegations and I have never been made aware of specific allegations or any evidence either to support such allegations or even to show that the allegations were in fact made by Vivek Rai. As I detail in the document "*Response to Dechert Correpondence*" there were further fabricated allegations from other staff members made in correspondence which were also unsubstantiated and are no longer even mentioned here, because I subsequently obtained proof that they were fabricated. For example it was stated by the applicants that another employee Alex Khundoev had complained about me before he resigned from the firm, but he confirmed that this was totally fabricated by Ben Levine and that he had made no such complaint nor would he have had reason to. The whole account of the reason for firing me is entirely false. As is clear from reading the emails in question I was fired because I challenged the partners having discovered that they had been defrauding and deceiving me in respect of my prospects at the firm ever since admitting me as member to the partnership.

122. Para 15-20 These points are addressed elsewhere.

123. Para 21-23 This allegation has been addressed by my affidavit of 2013 which, like the other evidence and exhibits, was not actually filed with the court but has by now been filed in evidence.

124. Para 24-30, These points are addressed elsewhere.

125. Para 31, The common factual error in which all the July 2013 affadavits say falsely that Shane Cullinane was admitted in 2009 was not a typographical error is was clearly a deliberate perjury and I have explained the motive earlier in this statement. The statement in this affidavit that it was a typographical error is further perjury to cover up the previous perjury in respect of the admission dates whose purpose was to conceal the fraudulent misrepresentation in respect of my pay that started this dispute.

126. Para 32-45 these points are addressed elsewhere.

127. Para 46, Various claims are made by the partners that persons other than themselves are distressed or alarmed or suffering great consternation due to receiving my emails. However there is no evidence from a single one of these people to support these allegations. If these people were as upset as the partners suggest then they should submit first hand evidence of this, because the applicants' case in this respect is all hearsay.

128. Para 47-60 these points are addressed elsewhere.

129. Para 61 Shane Cullinane's real fear about me being in the building was simply that I might tell people the truth about what LMR had been doing to me.
130. Para 62-63 I was in the building to meet with Larry if he was free, or a friend who worked in another firm in the building (a former colleague Jesse McCormick who worked for Occitane) if he were not. Shane Cullinane, having sent someone to confront me, tried to entrap me into making derogatory comments that he could record by hiding out of sight, and then subsequently confronted me in person. That is not consistent with the behaviour of someone who is seeking to avoid harassment and confrontation.
131. Para 64, I was friends with Laszlo Gillemot and Bhavin Chotai and thought they might like to join me for a coffee. I have been friends with Laszlo since 2009 and with Bhavin since 2005. The dispute with LMR has, clearly, made things very awkward for everyone and I have done my best to be sensitive to this.
132. Para 65-66 it was entirely inappropriate for Shane Cullinane to confront me and threaten me with police.
133. Para 67-68 I left the building and left the area as soon as Shane came down to confront me. On my way out I saw Sasha Holland who has been a friend since well before my time at LMR (I had recommended her for the job). I have also been close friends with both her sisters Anna Holland and Jane Holland for many years as they went to school with my sisters and I was at college and then worked with them as colleagues earlier in my career. The idea that any of them would be scared of me (as opposed to scared of getting pulled into the dispute) is completely absurd as the applicants well know. I was on friendly terms with all the staff at LMR throughout my time there prior to November 2011 and had recommended a number of them to be hired in the first place. To the extent that the members of staff are aware of the events in our dispute they have expressed absolute horror and outrage at the partners for their conduct towards me but of course they would not express this to the applicants. The characterisation of the staff as being menaced by me is an absurd reversal of the facts. It is the applicants who create fear and distrust amongst their staff, not I, as the evidence amply shows.
134. Para 69-71 I was in or in the environs of the building for at most fifteen minutes in total, and departed as soon as Shane came to confront me. I had left long before Shane called the police to waste their valuable time and fabricate an "incident".
135. Para 72-75 these points are addressed elsewhere
136. Para 76 This perjury was not plausibly a typographical error, as explained in detail elsewhere.
137. Para 77 these points are addressed elsewhere
138. Para 78 as I have shown elsewhere the partners expressed concern about me approaching regulators and made sinister threats via Dechert pressuring me to call off any regulators. This attempt to prevent me speaking to regulators was one of the main motivations for the applicants tricking me into thinking there were real orders that prevented it. The orders were fake and in any case would not have prevented it.
139. Para 79-86 these points are addressed elsewhere
140. Para 87 I have no recollection of calling Ben and did not do so deliberately. Whether I did so accidentally is something I cannot confirm as I do not currently have that phone in my possession to check the call log. I certainly did not speak to him or intend to.

141. Para 88-91 I have a contact list that includes some current, previous and potential investors of LMR as would be expected given that I have worked in this industry for my entire career and have worked in four hedge funds, numerous investment banks and industry service providers. It is a very small industry and because of this most firms take great care in the first place not to undertake improper activity such as defrauding, firing, or imprisoning business partners, and it is this moderation of behaviour to fit within normal social and legal parameters that is the usual method of preserving a good reputation. Also, firms usually take great care not to let disputes escalate and certainly never to take them to court. There is not usually any need for court proceedings in this industry because the firms in question are so wealthy that they can settle disputes with what to them are tiny sums of money. LMR is, to my knowledge, unique in their approach to these matters of public relations.
142. Para 92-140 these points are addressed elsewhere
143. Para 141 The applicants have not substantiated in any way or provided any evidence that any financial harm has befallen them as a result of anything I have purportedly done.
144. Para 142-145 these points are addressed elsewhere.

Notes on Affadavit of Jason Butwick of 2014

145. Para 1-9 these points are addressed elsewhere
146. Para 10 these orders were agreed as drafts to be submitted to the scheduled hearing which was subsequently cancelled by Dechert. I was deceived as I have explained in detail elsewhere and this litigation and the resultant orders were based on fraud. The costs figure was not substantiated in any way and as I have evidenced, Dechert declined to provide any basis.
147. Para 11 Dechert filtered my mails and decided which ones to forward on to LMR without giving me any indication or response. I therefore do not know which ones were sent on.
148. Para 12-13 these points are addressed elsewhere
149. Para 14 Jason Butwick knew very well that the importance of the perjury which is now described falsely as a typographical error was a misguided effort to try and cover up the fraudulent misrepresentation which was the origin of this whole dispute.
150. Para 15-17 Jason Butwick did not want to reply to my allegation because he knew that his reply would either incriminate himself or his client. He was so desperate to avoid replying that he contacted Alex Kleanthous who was not instructed as my solicitor at the time and then insisted that they would only correspond through Alex Kleanthous despite this. Both Alex Kleanthous and I were unhappy about this and thought it improper.
151. Para 18 After Mr. Croock confirmed that he would not take a complaint from me in relation to Jason Butwick I decided to take my issue up with the Solicitors Regulatory Authority.
152. Para 19-24 these points are addressed elsewhere
153. Para 25 Mr Caulfield made extremely sinister and distressing threats via Alex Kleanthous toward me which caused my wife and I to suffer very severe alarm and distress and to feel very seriously harassed. In fact my wife told me in light of the threats that she believed our lives were in danger. The account here is not consistent with the account given by Alex Kleanthous in his email reporting these threats to me.

154. Para 26-37 these points are addressed elsewhere

155. Para 38-43 the secret contact between Dechert and my family revealed in this affidavit is extremely disturbing. There was no proper basis for any contact between Jason Butwick and anyone in my family, less so to interfere in my medical affairs, less so to do so in total secrecy, and less so again to threaten my family to have me locked up in hospital using the prospect of contempt proceedings based on the fraudulent July orders to do so. This is in my view criminal harassment of my family members and of me.

156. Para 44 Jason Butwick's hope of coercing my family to get me wrongly diagnosed with a mental disorder failed when I was released by the tribunal. It is no wonder that he was scared about my reaction because his conduct toward me was clearly criminal and deeply disturbing and sinister. No action has been taken in response to the applicants many calls to the police and this is because the complaints were clearly too trivial to constitute a criminal offence. They are asking the court to find these matters to be criminal harassment having failed to convince the police of the same – but it is the police who provide the normal regime for acting in respect of harassment. The applicants are demonstrably, by their own account, seeking a higher level of protection than is granted under the protection of harassment act and they have no basis on which to expect this.

157. Para 45-50 these points are addressed elsewhere

158. Para 51 Yet again the applicants have sought to involve police but failed to do so and have failed, by their own account, to even convince the police to bother to pick up the evidence because their allegations are so trivial.

159. Para 52 Master LL Quant Dual is the name of a UBS client which shared the same postal address as LMR's office but had a different and unusual name. I discovered trade contracts in the name of Master LL Quant Dual, counterparty UBS bank, in the scans folder of the shared drive, signed by Shane Cullinane. Therefore the claim that Shane Cullinane was not familiar with this entity is clearly a deliberate false statement. I strongly suspect that these contracts are not legitimate trades but may be US dollar payments disguised as trades in exotic currency derivatives, specifically "Non Deliverable Forward" contracts. The existence of all the trading in these instruments was kept secret from me during my time at the firm and these contracts contributed to our profits whilst not being factored into the risk and positions. I know this absolutely for certain as I wrote the bespoke system (referred to elsewhere in the proceedings as Risk Ninja) that calculated all of these. For these trades to exist in secret from me was a strong indication that they were not legitimate. When I investigated the contractual terms and how the market operated in great detail, I became quite convinced that these signed scans were evidence of money laundering on a large scale. There were dozens of these trade contracts in the scans folder with the contracts signed by Shane Cullinane; some on behalf of Master LL Quant Dual and others on behalf of LMR.

160. I was asked to represent a list of the currencies associated with these trades as US dollar in our bespoke system formerly known as Risk Ninja. The system calculated P&L, positions and risk at a position level and across trading books. I can say with total certainty that the currency positions created by the trades in Non Deliverable Forward contributed to the profits, but were not accounted for in positions (they showed up as USD cash) or in the risk, where they were also treated as USD cash. At the time I was told that the repeated appearance of obscure currency positions, for example in Korean Won, was due to a bug in the upstream Sophis system and that actually these should be shown as being US dollars. I

do not mean that a currency conversion took place at a conversion rate between the two currencies; I mean that a position of 1 million KRW from the upstream system would be treated as 1 million USD by Risk Ninja. To users of the system they would never see these positions except as USD cash. This was the case for all the currencies that were being traded in these contracts, but the existence of this trading was kept entirely secret from me. I do not believe that the trades that I have seen would make sense in the strategies that they were being booked in, and it is impossible that any legitimate trading should have been kept secret from me given that my bespoke system needed to model all our positions in all instrument types.

161. Para 53-57 these points are addressed elsewhere

162. Para 58-61 Jason Butwick had no proper basis for speaking to my family members about me in secret from me and this contact is extremely sinister. No basis is provided for why this contact took place whilst Dechert continued to refuse any contact with me. Much of the information purportedly passed on from my family is false and misleading but as Dechert refuse to divulge the communications referred to here I am unable to properly respond.

163. Para 63 I felt it was better to get my story out in the press than to run the risk of LMR/Dechert trying to have me wrongfully sectioned again to discredit me from whistle blowing on them.

164. Para 64-68 these points are addressed elsewhere

165. Para 69 LMR operate a scheme whose real purpose is solely for avoidance of tax but it is represented to the HMRC as an “incentivisation and deferral scheme”. It was designed for the purpose of avoiding tax and detailed advice was taken by the firm on how to minimise the risk of the HMRC taking issue with it. I have read detailed minutes of meetings in which advice was given to LMR on what it had to do to make the scheme seem more legitimate, and some of this advice was followed but the directors of LMR Incentives Ltd. that were appointed subsequent to this meeting were friends of the partners who had tacitly agreed to simply follow the instructions of the partners without exercising real independent discretion. This scheme has allowed the partners to reduce their tax liabilities by many millions of dollars in total, which is not legitimate, and they sought to incriminate me when I was a member by forcing me to participate. I declined, sensing that it was a trap and being uneasy with tax avoidance schemes in general.

166. Para 70-82 these points are addressed elsewhere

167. Para 83-85 It was, and remains, solely the decision of LMR to take our dispute to the High Court and they did so in full knowledge of the risk to their reputation and business in so doing. The applicants cannot have a reasonable expectation of secrecy in public proceedings such as these, by definition. They have only themselves to blame for causing consternation by doing so. If the applicants choose to seek a public order explicitly banning me from using a specified document then they can hardly be surprised that this would draw more attention to the document in question. If they wanted secrecy around their dealings with me in this dispute then they should obviously not have involved the High Court.

168. Para 86 I do not now who LMR’s investors are. I had some knowledge in 2011 of who some of the investors were at that time but even then my knowledge was very limited as investor relations was not a focus of my job. Some of the people who replied positively to my email seeking work told me that they were formerly investors of LMR. There is nothing

contradictory in that. There is no reason why I should not contact any of these organisations to seek work or for any other legitimate reason. What possible authority do LMR think they possess to instruct me who in the industry I may or may not contact? I have a right to free association and the right to pursue my career without interference from LMR and Dechert and they have infringed and continue to infringe that right.

169. Para 87-92 these points are addressed elsewhere

170. Para 93 LMR and Dechert made a huge error of judgement by thinking that they should use mental hospitals, police and courts to try and gag me as an alternative to settling our dispute and addressing my legitimate grievances. The consequences of their decision to pursue this approach, in the face of all reason and sensible advice, have been totally catastrophic for me and they may yet prove catastrophic for the applicants. I have suggested mediation many times but it has always been refused or the suggestion ignored.

171. Para 94-95 these points are addressed elsewhere

Notes on Affadavit of Andrew Manuel of 2013

172. Para 1-9 these points are addressed elsewhere

173. Para 10 the termination letter was on the firms shared drive and as such was freely accessible to all members of staff and also all staff of third party service providers who has access to the firm's network, as the shared drive was totally unprotected and open access and was intended to store only non-confidential documents as I reminded the staff on numerous occasions. It is during an audit of what was being stored on this drive that I came upon this document for the first time. As CTO I was responsible for data security and backup and ensuring that content is appropriately stored was a key responsibility of my role.

174. Para 11 I was unaware of the circumstances of Andrew Manuel's departure from Goldman Sachs and had not seen the letter nor knew of its existence before November 2011. In this paragraph it is claimed that I was aware and kept abreast of discussions which is false. This directly contradicts the letter from Dechert to Gannons of 6 Feb 2012. In section 6.1d) of this letter it states "*Mr Manuel's dispute with Goldman Sachs is historic and has nothing to do with your client. There is nothing sinister about it in any event and it did not in any way affect his authorisation by the FSA."* The reason for the total reversal of position on this matter was no doubt the email I sent them on 10th July 2013 in which amongst other things I suggested that I might have a legal claim in respect of their hiding from me (and other investors) information which was material not only to my decision to enter into partnership with these individuals but also to my investment decision.

175. Para 12 it is I, not the applicants, who has suffered repeated irreparable damage to my career and reputation as a result of their malicious conduct. The information they are so concerned about leaking is simply the truth, whereas the badmouthing and allegations they have made about me have been consistently false and fabricated.

176. Para 13 I became aware of the letter and the circumstances described therein of Andrew Manuel's departure in November 2011. Prior to that I had been told only that he had a difference of opinion with his employer and he told me during our ski trip that he had been paid "ten million" in his final year with the bank. I was told that he spent some time during early 2009 doing some kind of work with LGT that was not trading prior to the launch of LMR in late 2009.

177. Para 14 I was extremely upset at having been fired from a highly paid and prestigious job as a result of the badmouthing by LMR in direct breach of our Deed of Release of April 2012.

178. Para 15 the conduct of the partners since November 2011 has caused me and many people close to me to suffer a terrible ordeal of alarm and distress that has now gone on for two and a half years and has entirely wrecked every aspect of my life.

Statement of Truth

I believe the facts stated in this witness statement to be true.

Signed:

Date: 3 July 2014