

Ard-stiùiriche na h-Eaconomaidh
Director-General Economy
Liz Ditchburn



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0131-244 5598
E: DGeconomy@gov.scot

Jim McColl
Clyde Blowers Capital IM LLP
5 Redwood Crescent
Peel Park
East Kilbride
G74 5PA

By email: [REDACTED]

21 June 2019

Dear Jim,

Further to recent correspondence, we have now received the Independent View of the claim obtained on behalf of Scottish Ministers.

I have enclosed the written opinion in full. This is a confidential document and is shared for you and your legal advisers' information only. It is shared in STRICT CONFIDENCE, and must not be disclosed to any other party. The opinion will also be shared with CMAL on a similar strictly confidential basis.

We are sending this to you, as requested, in your role as Chair of FMEL and will inform Gerry Marshall in his role as CEO, and recipient of previous correspondence on this matter, that the opinion has been shared. Should this be shared further within FMEL it should be done so expressly within the strictly confidential criteria outlined above.

I am copying this to [REDACTED] of CBC as requested. The strict confidentiality described above applies equally to CBC.

[REDACTED]

You will want to read and digest the Independent View with your advisers and consider your next steps. It is clearly for FMEL to determine whether they wish to pursue the claim through the courts.

[REDACTED]

We remain committed to the delivery of the vessel, securing the workforce and the future of the site. [REDACTED]

is clearly in the interests of all parties for us to work together in partnership on the best outcome - especially for the workforce at the site.

We will need to understand urgently the thinking of the Directors of FMEL and CBC in light of the independent view – in particular:

- [REDACTED]
- FMEL's obligation to complete the vessels.

[REDACTED]

Ministers will also be offering their continued support to the workforce in discussions with the Unions, although we will not be sharing the View with them.

I suggest your team meet with officials on Monday to discuss any proposals you have and for us to outline the options available to SG. We will clearly both be keen to avoid uncertainty for the workforce and any further delay to the delivery of the vessels.

Yours sincerely

[REDACTED]

LIZ DITCHBURN