

# Herbert Smith

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Our ref  
2076  
Your ref

Date  
06 March 2012

## Private and Confidential

### By post and email

Dear Madam

### Our client: Credit Suisse (Europe) Limited ("Credit Suisse")

We are instructed by Credit Suisse.

Our client has informed us that you have been in contact with "The Sunday Times" with a view to them publishing a story relating to your time when employed by our client and in particular in relation to an incident which took place on 16 April 2010, and the subsequent Police investigation.

It appears, from details which were provided to our client by "The Sunday Times", that you have made a number of statements regarding our client's handling of the incident and the subsequent Police investigation and that those statements are defamatory of our client. Hence we have been instructed to write to you to put you on notice of that.

In particular, you have criticised our client's handling of the matter and alleged that our client did not investigate your allegation regarding Michael Shillaker in accordance with its grievance procedure. As you are well aware those allegations are untrue. Our client supported you when you made your original complaint to the police and ensured that the Police were given full access to all necessary information, including camera footage outside of our client's building, and potential Credit Suisse employee witnesses. Indeed you yourself acknowledged and thanked our client for the support it was providing (for example see your email dated 21<sup>st</sup> April 2010 to Steve East where you wrote "*Thanks, Steve. I very much appreciate all you and CS have done to help.*"). At no stage before you left our client's employment to join Morgan Stanley did you initiate the formal grievance procedure. If you had wished to do so the procedure was clearly laid out and known to you.

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Whilst "The Sunday Times" wisely chose not to publish these allegations, we put you on notice that if you repeat the same or any similar allegations to any other third party our client will be entitled to bring proceedings for defamation against you. We trust that that will not be necessary but reserve all of our client's rights.

Yours faithfully

A handwritten signature in black ink, appearing to be 'M. A. S. L.', written over a horizontal line.

**Herbert Smith LLP**