

Our ref: BJ.SW.bs.WAL023

FAO: Ms Lucy Cornish  
Third Floor, Crown House  
47 Chase Side  
London. N14 5PB

**By email: [lc@southgate.co.uk](mailto:lc@southgate.co.uk)**

31 January 2025

Dear Lucy

**Irene Spalletti and Alexander Walker – 92 Ollerton Road**

I write in response to your letter dated 30 January 2025. Again, I note the delay in your reply to our letter dated 23 January 2025 (which is not adequately explained by one day of leave on 24 January 2025).

For the avoidance of any doubt, my client does not wish to proceed via court but appears to have little other option given your client's continued prevarication, lack of proper engagement (in these proceedings at least) and general unwillingness to agree the inevitable.

Notwithstanding first writing on this issue on 5 November 2024 and chasing (without any proper response), my client's letter before action was sent on 13 December 2024. Your client was given until 13 January 2025 to substantively reply i.e. four weeks. You will of course be aware that Paragraph 6(b) of the Practice Direction - Pre-Action Conduct and Protocols states that the prospective Defendant should respond within a reasonable time, namely 14 days in a straightforward case. Our letter thus gave double that time.

The fact that your client only chose to instruct you less than three working days before that deadline (as made abundantly clear in her own letter direct to us on 15 January 2025) is entirely a matter for your client.

In any event, in response to your holding letter dated 10 January 2025 (in which you stated you would provide a full response promptly), you were given until 24 January 2025 to respond i.e. a further 14 days. There is no doubt that this is a straight forward case. It is a simple matter of whether or not your client agrees to an order of sale, the mechanics thereof and some basic equitable

accounting. As you say, you are not instructed in the Family Law Act proceedings. They are by and large irrelevant to this issue. The relevant papers are thus minimal.

The pre-occupation with the Family Law Act proceedings, as you put it, is exactly that on behalf of your client. By your client's latest applications (which she has clearly made in response to my client's letter before action), she has made it clear that she is under the misapprehension that an Occupation Order provides a method of: delaying the inevitable order for sale; avoiding her clear financial responsibilities; and, curtailing my client's genuine attempts to resolve this issue via correspondence. I cannot see it as coincidental that your aim is to provide a response by the end of next week i.e. after the 5 February 2025 Family Law Act hearing.

Finally, in those circumstances, the suggestion that my client will in any way have to bear your client's costs is extraordinarily unrealistic given the provisions of both CPR 44 and the Practice Direction - Pre-Action Conduct and Protocols.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sarah Walker', with a stylized flourish at the end.

**SARAH WALKER**