
D6 – Inter-Solicitor Correspondence

Communications between parties' Solicitors
showing lack of cooperation from Claimant's side

southgate solicitors

Ms Sarah Walker
Hughes Fowler Carruthers
Academy Court
94 Chancery Lane
London
WC2A 1DT

Our Ref: LC/102369

Your Ref: BJ.SW.bs.WAL023

10 January 2025

Dear Colleagues

Spalletti & Walker - 92 Ollerton Road

We have recently been instructed by Ms Irene Spalletti in matters relating to 92 Ollerton Road, London, N11 2LA. Please ensure that all future correspondence is sent directly to Ms Lucy Cornish, Solicitor with conduct of this matter, at lc@southgate.co.uk.

We note the deadline of 13 January 2025 you have given our client to respond to your Letter Before Action dated 13 December 2024.

In light of our recent instructions, we write to inform you that we are unable to respond in full by the stipulated date and time. Rest assured we are in the process of taking instructions from our client with the view to provide a full response promptly.

Our client is keen to resolve matters outside of court and therefore we urge your client not to take any further action. We put you on notice that should your client escalate matters unreasonably, our client will be seeking costs against him.

You shall hear from us soon.

Yours faithfully



southgate solicitors

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Molly Claridge

From: Sarah M Y. Walker <S.Walker@HFCLAW.COM>
Sent: 15 January 2025 09:58
To: info@mrpennisi.com
Cc: Bryan Jones
Subject: RE: FAO Ms Irene Spalletti [HFC-HFC.FID176697]

Dear Mr Pennisi

I have received a letter from Ms Spalletti's solicitors dated 10 January 2025, but I am not currently able to respond to them directly because of my client's bail conditions. They say in their letter that they are taking instructions and that they will provide a full response promptly but I have heard nothing since. As Ms Spalletti knows, my client is keen to resolve matters swiftly. Please can she therefore provide us with a date by which she expects her solicitors will respond.

Yours sincerely

Sarah Walker

Sarah M Y. Walker
Senior Associate Solicitor

Hughes Fowler Carruthers
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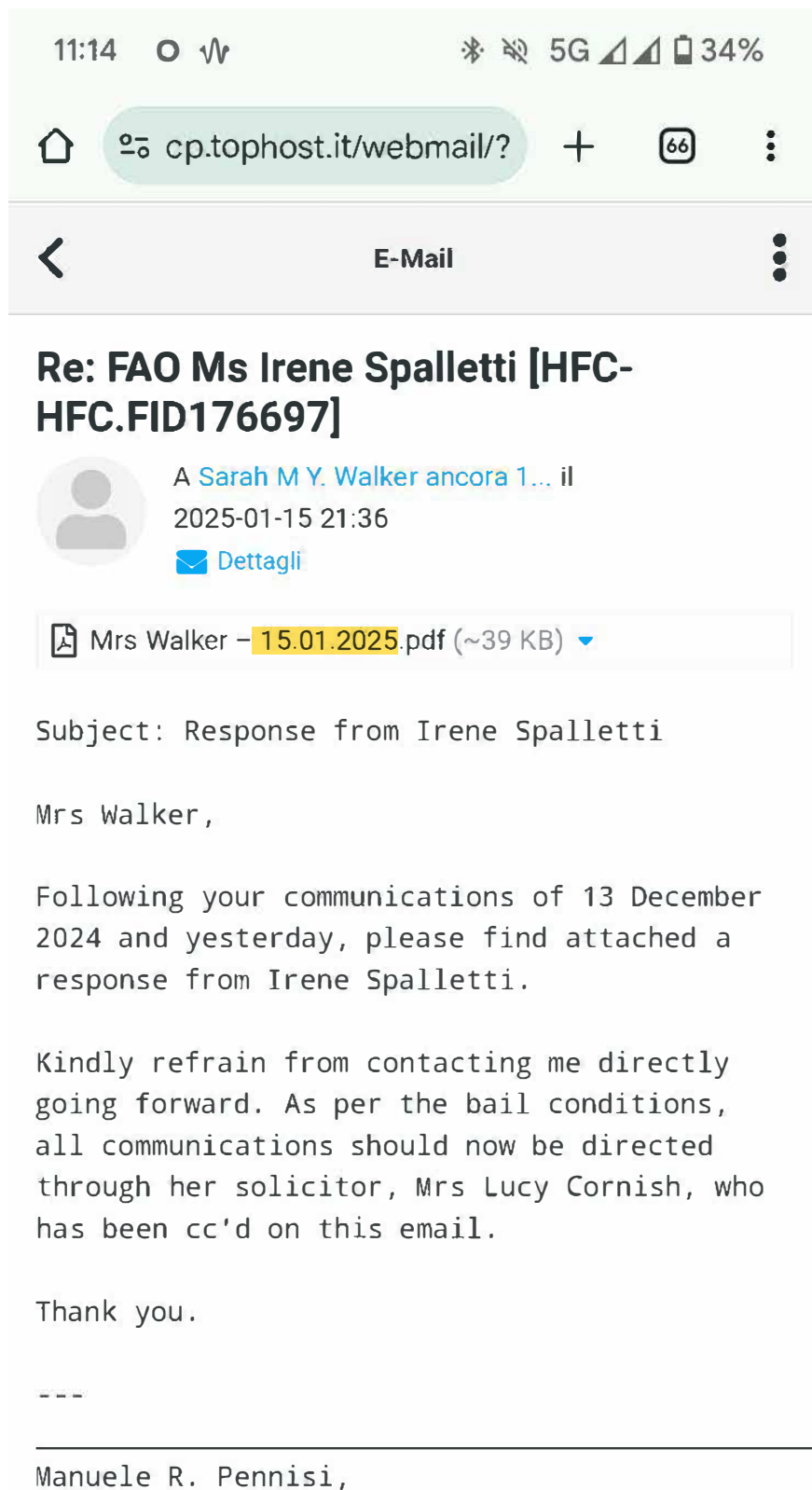
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FAO: Mrs Sarah Walker
Hughes Fowler Carruthers
By email: s.walker@hfclaw.com

Your Ref: BJ.SW.bs.WAL023

CC: Mrs Lucy Cornish
By email: lc@southgate.co.uk

15 January 2025

Dear Mrs. Walker,

Spalletti & Walker - 92 Ollerton Road, N11 2LA

In response to your email received today:

(1) Solicitor Instructions and Communication

I have instructed Mrs. Cornish within the time frame dictated by your client; despite this, you are now demanding a response within less than three working days from instruction, which is entirely unreasonable. Mrs. Cornish requires sufficient time to review your voluminous, hostile, harassing communications and address their redundant content. Unlike you, she is taking the necessary time to thoroughly examine the case and the relevant legal matters, ensuring that she does not repeat the same unhelpful communications you have sent thus far.

(2) Family Law Act Proceedings

My solicitor has been instructed solely for property matters. You are not to contact Mrs. Cornish or send me further threats through the various means of communication you have devised in relation to family-related matters. Similarly, please refrain from contacting Mr. Pennisi further; bail conditions do direct you to communicate through my solicitor.

You have inundated me with emails—including repeated threats—regarding the hearing for the non-molestation order, despite knowing that I was not legally represented at the time. This behaviour breaches the Solicitors Regulation Authority (SRA) Code of Conduct. I suggest you review it thoroughly, as it seems you may have forgotten its Standards and Regulations, and I strongly urge you to adjust your approach to align with the established guidelines. Please be advised that I remain unrepresented in family law matters, and I caution you against further attempts to exert undue pressure or issue threats concerning the upcoming hearing.

(3) Tone and Conduct of Communication

The threatening and harassing tone of your letters, particularly the repeated references to legal costs and proceedings, is entirely inappropriate and unacceptable. Solicitors are bound by the SRA Code of Conduct, which prohibits the misuse of legal proceedings to harass or intimidate. I would remind you that this case involves domestic abuse, controlling and coercive behaviour. Your lack of tact and persistent abusive communication is especially troubling given the sensitive nature of this case. I do not respond well to scare tactics or threats; should you fail to tone down your communication and moderate its content, I will have no choice but to take further action.

Following your letter before action communicated on 13 December 2024:

I have contacted Mr. Jones on 11 December to address how Mr. Walker intended to handle the essential renovations required to make the property ready for sale. Rather than providing a constructive response, I received a baseless and accusatory five-page letter alleging my unwillingness to sell. This misrepresents the facts, distorts my genuine inquiry, and appears to be a deliberate attempt to deflect responsibility.

(4) Legal Threats and Abuse of Process

Your repeated threats of legal costs and references to applications under the Trust of Land and Appointment of Trustees Act 1996 (TOLATA) appear to serve no purpose other than to harass and coerce me. As previously noted, your client's financial interests are better served by adhering to the judge's order rather than pursuing costly and unreasonable litigation.

(5) Misrepresentation of Facts and Offers

- **Nature of Offence:** Mr. Walker is not on bail for "breaking a lamp".

No false allegations have been made on 2 September 2024

I strongly urge you to review all relevant evidence, including the police call, before making further unfounded and insulting allegations.

- **Property Offers:** The proposals presented are entirely unreasonable and contradictory. I previously rejected your client's offer in July and have consistently stated and reiterated my position, as outlined in my statement (referenced on p.43), which remains unchanged:

(35) The renovations necessary for us to be able to sell the house as soon as possible

(41) Would that not be possible I ask for the respondent to buy me out immediately

It is entirely unreasonable to now demand that I "buy him out" when:

1. I have already declined this option.
2. My financial exhibits clearly demonstrate I am not in a position to do so.
3. These circumstances are solely due to your client's relentless abuse.

If there is genuine urgency to resolve matters regarding the property, your client, who has the financial means and resources, should buy me out. Persisting with this impractical demand reflects either a failure to review my evidence or a deliberate attempt to exert undue pressure.

(6) Financial Contributions

Your claim that your client contributed £222,000 toward the property is unsubstantiated. I request proof of this assertion, as my exhibits demonstrate Mr. Walker has failed to contribute financially to the property or its contents.

(7) Property Sale and Renovations

I have never refused to sell the property.

While renovations must be completed as specified, I will not permit Mr. Walker's usual workman access beyond the one day required to finish work started in July. The judge has granted my refusal to allow this individual to carry out further work due to prior conduct; despite this, you insist I am obligated to comply.

Conclusion:

Your ongoing refusal to review my full statement and exhibits obstructs meaningful progress in resolving this matter. I strongly advise that you:

1. Review all documentation, including my statement and exhibits, before making further inaccurate assertions.
2. Refrain from issuing any further communications that are threatening, coercive, or unnecessarily hostile.

Until you are prepared to act responsibly, engage constructively, and uphold basic standards of professionalism, I see no value in engaging in further discussions with you; I will instruct my solicitor to disregard any communications from you that are redundant, already addressed in my initial statement, or devoid of legal merit.

Until then, I kindly request that you refrain from contacting me.

Yours sincerely,

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

Irene Sara Spalletti

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

20 January 2025

Dear Lucy

Irene Spalletti and Alexander Walker

Thank you for your letter dated 10 January 2025. I apologise for the delay in responding but, as your client will be aware, my client was previously prohibited from contacting your client through anyone other than Mr Pennisi until very recently. The bail conditions have now been amended so that I can communicate with you.

I will forward to you all of the correspondence that I have sent to Ms Spalletti (via Mr Pennisi) since I was instructed in November 2024, together with all of the documents arising from your client's unnecessary application for a non-molestation order and an occupation order, which was resolved by consent at a hearing on 26 November 2024. Regrettably your client forced my client to incur the costs of that hearing when (despite your client's application being wholly without merit), in an attempt to resolve matters, my client had offered a full suite of non-molestation undertakings in advance.

As you will see from the correspondence, our clients' relationship ended in mid-July 2024. Since then, my client has tried his very best to engage constructively with your client to resolve the matters arising from their separation, including in relation to the sale of their joint property, 92 Ollerton Road. Unfortunately, your client has not engaged substantively and until recently has ignored all of my correspondence about this, leaving my client with no choice but to send a letter before action notifying your client of his intention to commence TOLATA proceedings in the event of her ongoing failure to cooperate. He asked for a response by no later than 13 January 2025, having given your client a full month to respond to the letter before action and in circumstances where he has repeatedly invited your client to collaborate in relation to the property since last summer.

It is disappointing that it took until 15 January 2025 for my client to receive any response to his reasonable and practical proposals in respect of 92 Ollerton Road. I attach a letter that I received directly from your client in which she appears to suggest that, despite having previously indicated otherwise, she would be content: (i) for my client to buy her out of her share of the property; or (ii) for the house to be sold as soon as possible.

Since you are now instructed, I am not able to correspond with your client directly in relation to these proposals. Notwithstanding your client's unacceptably aggressive and hostile approach to matters, as you will see from my previous correspondence, my client is committed to resolving matters swiftly and amicably without the involvement of the court. However, it is now seven months since our clients separated and no progress has been made. My client is currently living between a friend's house and his mother's house. His current living situation is not sustainable and so the financial matters arising from our clients' separation do need to be resolved forthwith. Please, therefore, let me have your client's detailed proposals in relation to 92 Ollerton Road by no later than 4pm on Friday 24 January 2025.

Yours sincerely



SARAH WALKER

Enc.

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

23 January 2025

Dear Lucy

Irene Spalletti and Alexander Walker – 92 Ollerton Road

I write in response to your email dated 21 January 2025.

My client is dismayed by how long it is taking for your client to respond to his straightforward proposals in relation to our clients' jointly owned property, 92 Ollerton Road. I first wrote about this issue on 5 November 2024 and my client has been attempting to engage constructively with your client about this since last summer. There can be no possible justification for the ongoing delay. My client has not been able to live in his own property since September 2024.

His current living situation is unsustainable and there must be a route to him being able to extract his share of the equity from the property so that he can appropriately house himself.

In addition to this, for the months of November 2024 and January 2025 your client has only paid 50% of her half share of the mortgage (i.e. 25% of the monthly payment due), leaving my client to pay the rest. This is completely unacceptable and if your client does not reimburse him forthwith, my client will be seeking that the overpayments he has been forced to make on your client's behalf are deducted from your client's share of the proceeds of sale of the property.

Your client has had more than six weeks to respond to my client's letter before action dated 13 December 2024 and she has since made a further application within the Family Law Act proceedings to vary an order that was *made by consent* on 26 November 2024. In light of this, my client has no confidence at all that your client will engage constructively in the sale process, and I therefore have instructions to make an application under the Trust of Land and the Appointment of Trustees Act 1996 for the court to make an order for sale forthwith.

southgate solicitors

Ms Sarah Walker
Hughes Fowler Carruthers
Academy Court
94 Chancery Lane
London
WC2A 1DT

Our Ref: LC/102369

Your Ref: BJ.SW.bs.WAL023

27 January 2025

Dear Sarah

Spalletti & Walker - 92 Ollerton Road

I write further to your letter dated 23 January 2025 to which I have only just had sight of given that it was emailed to me outside office hours on Thursday evening and, as you are aware, I was out of office Friday.

My client is extremely disappointed to read that your client now wishes to proceed via court and especially given that we have written to you on two separate occasions advising that efforts are ongoing to ensure that a full response is provided as soon as practicably possible.

I understand and can appreciate that the matter has been ongoing formally via solicitors since November 2024 however, for the most part of November, parties were preoccupied with Family Law Act proceedings. Thereafter, and following receipt of your Letter Before Action dated 13 December 2024, my client actively sought representation but due to the Christmas period fast approaching this proved difficult.

As you are aware, I was instructed by Ms Spalletti just over two weeks ago and there is a considerably large volume of papers to consider before a comprehensive response can be given. You will appreciate that I require reasonable time to respond on behalf of my client and do not consider your proposed deadline of 24 January a reasonable nor helpful timeframe. Not to mention, the continual chasing and threats are not assisting matters and are in fact impeding a more prompt response from us. Further, my client does not appreciate the persistent communications since this is contributing materially to her increasing legal costs which will be brought to the court's attention if an application is made.

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As previously stated, my client is keen to resolve matters outside of court. My client simply does not wish to provide a meaningless and unhelpful response to your client's proposals and therefore requires reasonable time to ensure her response is thorough and addresses all issues raised.

We will aim to provide you with a response as soon as possible and by end of next week. We urge your client not to escalate matters in the meantime and again, put him on notice that should he proceed to make an application to court, my client will be seeking costs against him.

Yours sincerely

Lucy Cornish
southgate solicitors

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

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 straightforward 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



SARAH WALKER