



Strictly Private & Confidential

Ms Lesley O'Brien

Code A

Our ref: SLE/GML/00492-15579/9932985 v1

Your ref:

Sarah Ellison

Partner

Code A (Direct Dial)

Code A

8-28 June.

01 May 2009

Dear Ms O'Brien

General Medical Council - Dr Jane Barton

I write further in the above matter.

I am the partner with overall responsibility for Dr Barton's GMC case. By way of update, Tamsin Hall is currently on maternity leave and I am now being assisted by Rachel Cooper and **Code A**, although **Code A** is leaving the firm at the end of May.

My colleagues and I are in the final stages of preparing the case for a hearing before the GMC's Fitness to Practise Panel ("FTPP"). The FTPP hearing is listed to begin on Monday 8 June 2009, at the GMC's hearing centre in London.

We are currently finalising, with Counsel, a list of those individuals who will be required to attend and give evidence at the FTPP hearing. The list may change depending on whether Dr Barton admits any of the allegations that are the subject of the GMC investigation.

We expect that the witnesses, called on behalf of the GMC, will be required to attend the hearing for one, or possibly two days, between **8 June and 3 July 2009**. I would be most grateful if you could inform either Rachel Cooper (telephone: **Code A** or email: **Code A** or **Code A** **Code A**) (telephone: **Code A** or email: **Code A**) of any dates on which you will not be available during this period. My apologies if you have done this previously but we thought it would be best to have an up to date list.

May I request that you contact Rachel or **Code A** as soon as possible. In the event that we do not hear from you, we will work on the basis that you are available throughout the whole period. Please note

Field Fisher Waterhouse LLP 27th Floor City Tower Piccadilly Plaza Manchester M1 4BD

Tel +44 (0)161 200 1770 Fax +44 (0)161 200 1777

E-mail info@ffw.com Web www.ffw.com

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that, although every effort will be made to work around your availability, there may be circumstances when this is not possible.

We expect to be in a position to finalise the witness running order within the next two weeks. Once the running order is finalised, we will be in touch with you to confirm the date on which you will be required to attend the FTPP hearing and arrangements for your travel and, if necessary, accommodation.

If it transpires that you are not required to attend the FTPP hearing as a witness, it would assist us greatly if you could please confirm whether it is your intention to attend the hearing as an observer. It is very hard to estimate what will happen on each day of the hearing. At the beginning we will outline the charge of serious professional misconduct against Dr Barton and then over the following weeks we will call evidence of the individual patient cases. Each patient's case will be considered several times during the hearing as family, nursing and expert witnesses give evidence and then the defence's witnesses, expert and Dr Barton respond. At this stage it would be impossible to say on which days any particular patient case would be considered.

Code A

Sarah Enson
for Field Fisher Waterhouse LLP Code A

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