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OIFIG AN ARD AIGHNE
(Attorney General's Office)
BAILE ÁTHA CLIATH
(Dublin 2)

30th November, 1976.

Dr. Knut Suhr, LL.M.,
Messrs. Bowlmann, Kiesselbach & Siemers,
Kleineyohann Strasse 4,
2000 Hamburg, 11.
GERMANY.

Re: 3674/5.

Dear Dr. Suhr,

Minister for Finance v Schluter.

I have received a copy of your letter of the 11th November, which you addressed to Dr. Gunther, and in which you reported on developments in these proceedings. I have also received a copy of the memorandum of November 8th, 1976, from Dr. Linders, which was enclosed with your letter.

As I am sure you are aware, I am responsible for advising the Minister in this action. Could I suggest that in order to overcome the delays inherent in the present procedures that, in future, we communicate direct with one another? I will arrange for copies of all communications to be sent to the Department of Foreign Affairs for their files. Perhaps, you could arrange for copies to be sent to Dr. Gunther for his files?

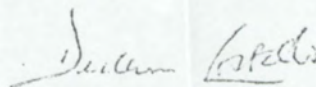
Arising out of your letter of the 11th November, I have the following comments to make;

1. I would be grateful for your advice whether, as a matter of German Law, this is a case in which the Minister should lodge security for costs.
2. The judge has suggested that the defendant should make an offer to settle the case. When informing me of the offer (if one is made) could you give me an estimate of the amount of costs involved on both sides?
3. If an acceptable settlement is not now reached and the case proceeds to a final decision favourable to the Minister and an Order for "costs" is made against the defendant will such an Order include "expenses";
 - (i) incurred in negotiating with Schluter.
 - (ii) the costs of Dr. Gunther.
 - (iii) the amount required to bring three witnesses from Ireland and one from the U.S.A. for the trial.

4. It would be helpful to know whether there is any procedure available by which it can be ascertained (a) what goods Schluter sold, (b), the price he obtained, and, (c) his profit.

I would like you to know how grateful I am for your assistance in this case and I look forward to co-operating with you towards a successful outcome.

Sincerely yours,



Declan Costello, S.C., T.D.
Attorney General.

Perhaps, you could arrange for copies to be sent
Dr. Gunther for his files?