

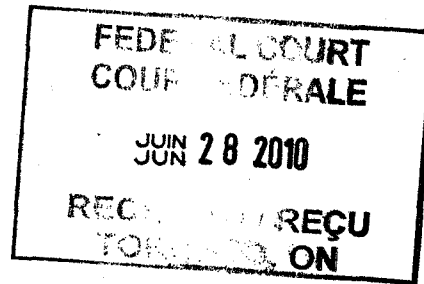
OGILVY  
RENAULT

Direct Dial: (416) 216-1905  
Direct Fax: (416) 216-3930  
bgray@ogilvyrenault.com

**VIA PROCESS SERVER**

Toronto, June 28, 2010

Administrator  
Federal Court of Canada  
180 Queen Street West  
Suite 200  
Toronto, ON M5V 3L6



Dear Sir:

**RE: His Highness Prince Karim Aga Khan v. Nagib Tajdin, Alnaz Jiwa, John Doe *et al.***  
**Federal Court File No. T-514-10**

---

We are the solicitors for the Plaintiff, His Highness Prince Karim Aga Khan, in the above-noted matter. This letter concerns the scheduling of multiple motions for summary judgment in this proceeding, which are presently returnable on July 12 and July 19 respectively. We ask that you bring this letter to the attention of the appropriate judge and/or registrar.

The Defendants, Mr. Tajdin and Mr. Jiwa, have each brought separate motions for summary judgment to dismiss the Plaintiff's action against them. These motions were filed on June 21, 2010 and are both returnable on July 12, 2010.

Enclosed, please find a copy of the Plaintiff's Motion Record (Plaintiff's Rule 213 Motion for Summary Judgment). By operation of Rule 213(3) of the *Federal Courts Rules*, the Plaintiff's motion for summary judgment cannot be returnable until July 19, 2010.

It is apparent from the motion records of both parties, that the parties are in agreement with respect to the issues that need to be determined on both motions, namely: (i) whether the Plaintiff has consented to the Defendants' publication, distribution and sale of the Infringing Materials; and (ii) whether the present action was commenced without authority of the Plaintiff.

As a result, the Plaintiff proposes that the most efficient use of judicial resources would be for the Court to hear both motions on the same day.

Counsel for the Plaintiff has contacted the Defendants to propose that both motions be returnable on July 19, 2010 and to schedule cross-examinations. The Defendants have advised, however, that they will not consent to adjourn their motions until July 19, 2010. The Defendants have not yet provided their availability for cross-examination, although they have been requested to do so.

In view of the circumstances, the Plaintiff respectfully requests the direction of the Court concerning a schedule for the hearing of both motions for summary judgment, including a schedule for the completion of cross-examinations and the exchange of supplementary motion records. The schedule proposed is extremely tight, but we suggest the following:

- Cross-examinations to be completed by Friday July 9, 2010;
- Supplementary motion records to be served and filed by Wednesday July 14, 2010;

Counsel for the Plaintiff is available for an immediate case teleconference.

Respectfully submitted.

**OGILVY RENAULT LLP**



Brian W. Gray

BWG/KEW/cl

Enclosures