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VIA FACSIMILE

Toronto, July 26, 2010

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

FEDERAL COURT
 COUR FÉDÉRALE

JUL 26 2010

RECEIVED / REÇU
 TORONTO, ON

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 cross-examinations respecting the Plaintiff's and Defendants' motions for summary judgment. The Plaintiff has filed a motion in writing dated July 22, 2010, requesting that a case management judge be designated to assist with this case. Until this motion is determined, however, we ask that you bring this letter to the attention of the appropriate judge and/or registrar.

On June 21, 2010, the Defendants, Mr. Tajdin and Mr. Jiwa, each filed separate motions for summary judgment to dismiss the Plaintiff's claim against them. On June 28, 2010, the Plaintiff filed his own motion for summary judgment for a declaration that the Defendants have infringed the Plaintiff's copyright infringement, *inter alia*. Further to a teleconference on July 2, 2010, Madam Justice Heneghan issued a Direction dated July 6, 2010 adjourning the motions for summary judgment *sine die* in order to be heard at the same time, by the same judge, at a special sitting. The Direction further states that cross-examinations on the summary judgment motions will occur between August 9 and August 26, 2010.

The parties have agreed to a schedule for the majority of the cross-examinations to take place the week of August 9, 2010. However, in the course of scheduling cross-examinations, two issues have arisen which require the assistance of this Court, as follows:

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1. The Defendants, Mr. Tajdin and Mr. Jiwa are both self-represented litigants. The Plaintiff intends to cross-examine both Mr. Tajdin and Mr. Jiwa on the affidavits they have filed in support of their own respective motions for summary judgment, as well as on the responding affidavits they have each filed on the Plaintiff's motion for summary judgment. Since both Mr. Jiwa and Mr. Tajdin are witnesses in this case, the Plaintiff has requested that they not attend each other's cross-examination. The Defendants have denied the Plaintiff's request. As a result, the Plaintiff requests that this Court issue a direction that Mr. Tajdin cannot attend Mr. Jiwa's cross-examination and vice versa.

2. The Defendants requested an 8-day extension of time to file a response to the Plaintiff's motion for summary judgment dated June 28, 2010. The Plaintiff consented to this request. The Defendants each filed a responding motion record on July 16, 2010. Both Defendants included the same expert affidavit in their respective motion records - the Affidavit of Graham P. Ospreay, sworn July 14, 2010. The Ospreay Affidavit contains three separate handwriting analysis reports. None of the handwriting specimens studied to prepare the reports are attached to the Affidavit. The Plaintiff has asked the Defendants to provide the original specimens for inspection. Upon receiving these documents, the Plaintiff may wish to file an affidavit in reply, if necessary. The Plaintiff hereby requests leave from the Court to file an affidavit in reply to the Ospreay affidavit, if required, after cross-examinations of the individual defendants commence on August 9, 2010, but before the cross-examination of Mr. Ospreay.

If required, Counsel for the Plaintiff is available for a case teleconference to determine these matters.

Respectfully submitted.
OGILVY RENAULT LLP

A handwritten signature in black ink, appearing to read "Brian W. Gray".

per: Brian W. Gray

BWG/KEW/jb

cc. Mr. Alnaz Jiwa (via e-mail)
Mr. Nagib Tajdin (via e-mail)