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VIA FACSIMILE (416) 973-2154

Toronto, September 27, 2010

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

ATTN: Case Management

Dear Sir/Madam:

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

We are the solicitors for the Plaintiff in the above-noted proceeding. We ask that you bring this letter to the attention of Prothonotary Mireille A. Tabib, who has been appointed as the Case Management Prothonotary for this action.

This letter is further to the Order of Prothonotary Tabib dated September 24, 2010. In that Order, Prothonotary Tabib set out a procedure for the Plaintiff to bring a motion for leave to file the affidavit of Brian Lindblom, sworn August 10, 2010 (the "Lindblom Affidavit").

The Defendants, Mr. Jiwa and Mr. Tajdin, have since advised that they will consent to the filing of the Lindblom Affidavit provided he is made available for cross-examination. Copies of the Defendants' e-mails providing their consent are attached. We have confirmed Mr. Lindblom's availability for cross-examination in Ottawa the week of October 4, 2010 and are working out the exact arrangements with the Defendants.

We are writing to request a Direction permitting the Plaintiff to file the Lindblom Affidavit and dispensing with the need to bring a formal motion.

Thank you for your consideration.

Respectfully submitted.
OGILVY RENAULT LLP



per Allyson Whyte Nowak
AWN/

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

WhyteNowak, Allyson

From: Alnaz Jiwa [alnazjiwa@hotmail.com]
Sent: September 24, 2010 10:40 AM
To: WhyteNowak, Allyson; Gray, Brian; Nagib Tajdin
Subject: Expert's report

Dear counsel:

I will give my consent to filing your Expert's report. Mr. Tajdin will also consent to doing so. I trust that cross-examinations will take place in Ottawa, I am off till Monday and will confirm place of examination. I won't be long, so can start at 11:00 if that is convenient for you, or we can start at 10:00 am.

Have you received the order or minutes of the Conference?

Alnaz Jiwa
Sent via iphone

WhyteNowak, Allyson

From: Nagib Tajdin [nagib@tajdin.com]
Sent: September 24, 2010 10:55 AM
To: Gray, Brian
Cc: WhyteNowak, Allyson; 'Jiwa Law Office'
Subject: Federal Court File No. T-514-10

Dear Mr Gray,

I agree that you file Mr Lindblom's affidavit. This is on condition that Mr Lindblom will be cross-examined on his affidavit.

Regards,

Nagib Tajdin

From: Gray, Brian [mailto:bgray@ogilvyrenault.com]
Sent: Wednesday, September 22, 2010 10:00 AM
To: 'CMT_Ottawa@cas-satj.gc.ca'
Cc: WhyteNowak, Allyson; 'nagib@tajdin.com'; 'Jiwa Law Office'
Subject: Case management Conference

Dear Sirs:

Please bring this e-mail and attachment to the attention of Madame Prothonotary Tabib. Below is a proposed agenda for the case management conference tomorrow.

1. Status of the cross-examinations: We believe that all cross-examinations are completed. Cross-examinations of Mr. Tajdin, Mr. Jiwa, Mr. Sachedina and Mr. Bhaloo were completed on the week of August 9, 2010. Cross examination of Mr. Ospreay was completed on August 18, 2010.
2. Reply affidavit: Prior to the commencement of the cross-examinations, the Plaintiff served on the Defendants the reply affidavit of his expert Mr. Lindblom. This is attached. Mr. Jiwa has indicated that the Defendants will not be cross-examining on this affidavit. The Plaintiff seeks leave to file it and the Defendants object to this.
3. Hearing date: After the filing of the affidavit of Mr. Lindblom, the Plaintiff is ready to have the motion for summary judgment heard. We would like the assistance of the court in scheduling the hearing of this motion. We would, of course, revise our written submissions to reflect any new material which has come out in the cross-examinations and we would be happy for the court to set a time limit for that.

Respectfully submitted,
Brian Gray

Brian W. Gray

T: 416.216.1905

27/09/2010