

Federal Court of Appeal



Cour d'appel fédérale

Date: 20110519

**Dockets: A-59-11
A-60-11**

Ottawa, Ontario, May 19, 2011

Present: MAINVILLE J.A.

BETWEEN:

NAGIB TAJDIN and ALNAZ JIWA

Appellants

and

HIS HIGHNESS PRINCE KARIM AGA KHAN

Respondent

ORDER

THIS COURT ORDERS that:

1. Any documents, materials or things delivered up by either of the appellants after the date of this Order pursuant to paragraph 6 of the Judgment dated March 4, 2011 of Harrington J. in Federal Court docket T-514-10 shall be made to the person or authority identified in writing by the respondent or by his legal counsel acting under the respondent's authority and instructions, and shall be kept in a safe and secure place for preservation and safe-keeping under the

responsibility and authority of the respondent who shall ensure that they are not destroyed, damaged, modified or otherwise tampered with.

2. Paragraph 9 of the Judgment dated March 4, 2011 of Harrington J. in Federal Court docket T-514-10 is stayed, and the appellants are hereby ordered to tender and pay the Registry pursuant to section 149 of the *Federal Courts Rules* an amount of \$30,000, such payment to be made within 15 days of this Order. In the event the appellants fail to tender and pay this amount to the Registry as of the 15th day following this Order, the stay shall expire forthwith.

3. This Order shall remain in effect until the final disposition of the consolidated appeals in dockets A-59-11 and A-60-11 or until otherwise modified or repealed by an order of this Court.

"Robert M. Mainville"

J.A.