

Court Manager  
West London County Court  
181 Talgarth Road  
Hammersmith  
London W6 8DN

148  
Ms N Klosterkötter-Dit-Rawé

22 August 2007

(Defendant)

**BY FAX TO: West London County Court 020 8600 6860**

**cc. Mr Ahmet Jaffer, Portner and Jaskel – BY FAX 020 7258 8520  
(Fax of 8 pages in total)**

Ref: West London County Court claim, **7WL 00675**, dated 27 February 2007

Dear Madam / Sir

**Yet more deceit by Rootstock Overseas Corp and its advisers**

Some time today, the attached two-page (plus cover page) "*Skeleton argument on behalf of the Claimant for hearing on 24 August 2007*" produced by Mr Greg Williams of 2 Gray's Inn Square Chambers, and attached covering letter from Mr Ahmet Jaffer of Portner and Jaskel were delivered by courier to my PO Box address.

I wish to draw your Court's attention to the following in the skeleton argument:

**Point 5** states "*The Claimant has not received a copy of the Defendant's skeleton argument in support of her application. The Defendant asserts in correspondence that the Claimant has had her skeleton argument since 4 May*"

I categorically assert that, at the time I sent your Court my skeleton argument on 3 May 2007, I also sent a copy to Portner and Jaskel. As can be seen from the attached copy (page # 7), I did this by '*Special Delivery – Next day*'. (I will bring the original receipt at the 24 August 2007 hearing). (A call to your Court today confirmed that the hearing is due to take place at 10h00).

The following day, I visited the Royal Mail website from which I captured the attached printscreens (# 8). It confirms that the document was delivered to Portner and Jaskel.

In addition to this, I also draw your Court's attention to the following:

- Rootstock's advisers have waited until 48 hours prior to the hearing to make this claim.
- In my **30 June 2007** letter to Mr Ahmet Jaffer (I supplied a copy to your Court with my 12 August 2007 letter), I state, in the penultimate third paragraph: "*You have had my skeleton argument since 4 May 2007. I require that you provide me with your skeleton argument within seven days of receipt of this letter...*"
- In his **12 July 2007** reply (copy also supplied to your Court with my 12 August 2007 letter), Mr Jaffer totally ignored this part of my letter. Why? If it were the case that he had not received my skeleton argument, why did not he say so? Reason: because Portner and Jaskel received it on 4 May 2007.

In light of the above, my reply to **Point 8** of the skeleton argument:

*"The Claimant has delayed service of its skeleton to the present date in the hope that it may have been able to respond constructively to Defendant's arguments on the application"*

is as I stated in my 16 August 2007 letter to your Court: "*...this breach of the rules of court is... calculated to inhibit your Court from furthering the overriding objective*"

Other point in the skeleton argument:

**Point 7** – "*Having read the enclosures of 30 June the Claimant is uncertain what argument the Defendant is making in respect of contesting jurisdiction*"

Why has the Claimant waited all this time to state this? What is it unclear about?

2 of 8

**Point 6** – "...the Defendant sent to the Claimant... lengthy enclosures which she states are full copies of her evidence sent to the Court on 4 April"

What I sent to Portner and Jaskel with my 30 June 2007 correspondence is an identical - bound copy - of the bound document I sent your Court on 4 April 2007.

At the time, I also asked the printing company to bind my own copy. Using the same printing company I had used to make the 4 April 2007 copy for your Court, on 28 June I gave the company my copy from which it removed the spine in order to make the copy for Portner and Jaskel.

Thank you for your time.

Yours faithfully



N Klosterkotter-Dit-Rawé

348

**PORTNER AND JASKEL LLP**  
S O L I C I T O R S

63/65 MARYLEBONE LANE  
LONDON W1U 2RA

Telephone: 020 7616 5300  
Fax: 020 7258 8520  
DX: 9067 West End

Members  
Harvey Jaskel  
Brian Portner  
David Baker  
Mitchell Griver

Consultants  
Peter James

Our ref: AJ/SVM/23208/2  
Your ref:  
Date: 22<sup>nd</sup> August 2007

Ms N Y S Klosterotter-Dit-Rawe

e-mail: [ahmet.jaffer@portnerandjaskel.com](mailto:ahmet.jaffer@portnerandjaskel.com)

**BY COURIER**

Dear Madam

ROOTSTOCK OVERSEAS CORP -V- YOURSELF  
WEST LONDON COUNTY COURT  
CLAIM NO. 7WL00675  
HEARING: FRIDAY 24<sup>TH</sup> AUGUST 2007

We enclose herewith by way of service upon you Skeleton Argument on behalf of the Claimant.

Yours faithfully

  
**PORTNER AND JASKEL LLP**

Encl:

A of P

IN THE WEST LONDON COUNTY COURT CLAIM NO.7WL00675

BETWEEN:

ROOTSTOCK OVERSEAS CORP

Claimant

-and-

NOËLLE YVONNE SYLVIE KLOSTERKOTTER-DIT-RAWÉ

Defendant

---

SKELETON ARGUMENT ON BEHALF OF THE  
CLAIMANT FOR HEARING ON 24 AUGUST 2007

---

Greg Williams  
2 Gray's Inn Square Chambers  
21 August 2007

1. This is a skeleton argument on behalf of the Claimant for the hearing listed on 24 August 2007. time estimate 2 ½ hours.
2. The Claim was issued on 27 February 2007 but served by the Court on the Defendant on 9 March. The Defendant, acting in person, filed an Acknowledgment of Service on 23 March stating her wish to contest the jurisdiction of the Court.
3. On 19 April 2007 District Judge Nicholson listed the Defendant's application to contest jurisdiction for 8 May 2007. time estimate 2 ½ hours, with the parties directed to file and serve skeleton arguments by 03 May. The time limit for filing skeletons was extended by one day to 4 May upon a request by the Defendant.

SW 13/11/07  
www.2gis.co.uk  
011 8150

4. On 3 May 2007 the Court upon its own motion vacated the hearing to the first open date after 18 May following a letter from the Claimant's solicitors expressing concern that they had not received a copy of the Defendant's application to contest jurisdiction or any evidence in support, or a defence to the claim.
5. The Claimant has not received a copy of the Defendant's skeleton argument in support of her application. The Defendant asserts in correspondence that the Claimant has had her skeleton argument since 4 May.
6. Following correspondence between the parties, on 30 June 2007 the Defendant sent to the Claimant a letter with lengthy enclosures which she states are full copies of her evidence sent to the Court on 4 April.
7. Having read the enclosures of 30 June the Claimant is uncertain what argument the Defendant is making in respect of contesting jurisdiction.
8. The Claimant has delayed service of its skeleton to the present date in the hope that it may have been able to respond constructively to Defendant's arguments on the application.
9. Notwithstanding the above, the Claimant respectfully submits that the Court does have jurisdiction to hear the Claim.

Greg Williams

2 Gray's Inn Square Chambers

21 August 2007

E 0/8

IN THE WEST LONDON COUNTY  
COURT

CLAIM NO. 7WL00675

BETWEEN:

ROOTSTOCK OVERSEAS CORP

Claimant

-and-

NOËLLE YVONNE SYLVIE  
KLOSTERKOTTER-DIT-RAWÉ

Defendant

---

SKELETON ARGUMENT ON  
BEHALF OF THE  
CLAIMANT FOR HEARING ON  
24 AUGUST 2007

---

Messrs Portner & Jaskel LLP  
63/65 Marylebone Lane  
London  
W1U 2RA

Tel: (020) 7616 5300  
Fax (020) 7258 8520  
DX: 9067 WEST END

Solicitors for the Claimant

745

**Royal Mail special delivery**

guaranteed by 1pm **next day**

**to** Name Pontnere Jaskel  
 Address 8765 Marylebone LA  
London

Postcode W1U 2RA

Ref: ZU 6285 3129 1GB

**Royal Mail special delivery**

guaranteed by 1pm **next day**

**to** Name Web London CC  
 Address 181 Talgarth Rd  
London

Postcode W68DN

Ref: ZU 8596 5126 9GB



Post Office Ltd.  
Your Receipt

Ludgate Circus  
15 - 18 New Bridge Street  
London  
Greater London  
EC4V 6HX

NAT REG No. 243 1700 02  
03/05/2007 15:35  
SESSION : 6-1529344-2

Post Label SD		
1	3	6.00
Post Label SD		
1	3	6.00
TOTAL DUE TO POST OFFICE		12.00
Cash	FROM CUSTOMER	12.00
BALANCE		0.00

PLEASE RETAIN THIS RECEIPT AS PROOF  
OF POSTING FOR ITEMS LISTED BELOW

ITEM NO	BUILDING NAME OR NUMBER	POSTCODE
1	.....	.....
2	.....	.....
3	.....	.....
4	.....	.....

Thank You

898

# West London County Court

[http://www.royalmail.com/portal/m/trackresults?catId=22700601&pageId=brt\\_rmresultspage&keyname=3A\\_track&requestId=135589](http://www.royalmail.com/portal/m/trackresults?catId=22700601&pageId=brt_rmresultspage&keyname=3A_track&requestId=135589)

[Log in](#) [Register](#)



Home > Track and trace >

Track and trace  
Your item is being tracked

## Track & Trace

Tracking your

Please enter your 13 digit reference number  
e.g. AA 0001 0001 9GB

ZU959651269GB

[Track item](#)

Links

Find a postcode

Postal prices

Post

Track an item

Direct A-Z

Help for us

Customer service

[How to find your reference number](#)

### Delivered

Your item with reference ZU959651269GB was delivered from our HAMMERSMITH Delivery Office on 04/05/07.

Thank you for using this service.

We can confirm that this item was delivered before the guaranteed time.

The electronic Proof of Delivery may not be available for this item yet. Please allow up to 72 hours

[View Proof of Delivery](#)

# Portner and Jaskel

[http://www.royalmail.com/portal/m/trackresults?jsessionid=WTNP5QHFD5CPAFB2IGEEQEQUHRAYMQ2K?catId=22700601&pageId=brt\\_rmresultspage&keyname=3A\\_track&requestId=135589](http://www.royalmail.com/portal/m/trackresults?jsessionid=WTNP5QHFD5CPAFB2IGEEQEQUHRAYMQ2K?catId=22700601&pageId=brt_rmresultspage&keyname=3A_track&requestId=135589)

[Personal](#) [Business](#)



For us it's personal.

[Search](#)

[Delivery Services](#)

[Marketing Services](#)

[Logistics Services](#)

[Discounts & Payment](#)

[Log in](#) [Register](#)



Home > Track and trace >

Track and trace  
Your item is being tracked

## Track & Trace

Tracking your

Please enter your 13 digit reference number  
e.g. AA 0001 0001 9GB

ZU628531291GB

[Track item](#)

Links

Find a postcode

Postal prices

Post

Track an item

Direct A-Z

Help for us

Customer service

[How to find your reference number](#)

### Delivered

Your item with reference ZU628531291GB has been delivered.

If the item is being delivered to you at work, and you have not received it, please check with the mailroom or your colleagues.

You can now see the electronic Proof of Delivery for this item by clicking the button below.

[View Proof of Delivery](#)

TRANSMISSION VERIFICATION REPORT

TIME : 23/08/2007 08:18  
SER.# : C7K960000

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

23/08 08:13  
902095006860  
00:04:16  
08  
OK  
STANDARD  
ECM

RWLCC

TRANSMISSION VERIFICATION REPORT

TIME : 23/08/2007 08:25  
SER.# : C7K960000

DATE, TIME	23/08 08:20	<i>Portner</i>
FAX NO./NAME	902072588520	
DURATION	00:04:42	
PAGE(S)	08	
RESULT	OK	
MODE	STANDARD ECM	

**FAX**  
TRANSMISSION

To:  
From:  
Subject: Delivery Status Notification (Failure)  
Message: This is an automatically generated Delivery Status Notification.

\* Delivery to the following recipients failed  
Maria.DaSilveira@partnerandjaskel.com

23 Aug 2007 -

To Mr Ahmet Joffere

In light of this message - in spite of  
Receiving a successful transmission  
Report (Attached) I am hoping to  
have this billed over to you.

N Kloster Koller - Dit. RAWÉ

After sending

NKDR's Admin note: Courier company phoned  
at 10<sup>h</sup>30 to confirm that my letter had been  
delivered to Partner and Jaskel.  
Will issue copy of the signature confirming  
delivery by tomorrow, Friday 24 August.

Company Name  
Address  
Tel: Fax:  
Email: Website:

Cost of courier £10

This fax was sent by GFI FAXmaker for Exchange