

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

Ms N Klosterkotter-Dit-Rawé
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[]
[]

5 June 2008

(By 'Special Delivery')

Ref: West London County Court claim, **7WL00675**, dated 27 February 2007 – Ref JHESVM232082

Dear Madam / Sir

Further to Mr Ahmet Jaffer, Portner and Jaskel, copying your Court on his 23 May 2008 letter to me, in which he states, among other:

"This case is listed for a fast-track hearing with an estimated length of one day. It is unlikely that the Judge hearing this case will have sufficient time to read the very voluminous bundle of documents you have submitted as well as hear oral evidence and submissions on both sides within one day. We would suggest therefore (subject to the Court's approval) that this case be transferred to a Multi-Track listing with an estimated length of hearing of 2 days..."

I draw your attention to the following major failing on the part of the Claimant – and its implication:

- **The Claimant has failed to send me its Witness Statement by the stated deadline of 4 June 2008** – as reported in my attached letter of 5 June 2008 to Mr Jaffer ¹ The WLCC **9 April 2008** Case Management directions Order states: *"(3) Both parties shall, by 4 pm on Wednesday, 4th June 2008, serve on each other the witness statements of themselves and of all witnesses (other than expert witnesses) on whom they intend to rely"*

As you know from being copied on my 3 June 2008 covering letter to Portner and Jaskel, I have sent my Witness Statement on that date. (I did this by *"Special Delivery next day before 13h00"*)

- **The 9 April 2008 Case Management directions Order state: "4) No party may rely on or adduce the evidence of any witness whose statement has not been served in accordance with this Order"**

Clearly, this failure by the Claimant has major implications in terms of the management of the case.

Yours faithfully

N Klosterkotter-Dit-Rawé

cc. Mr Ahmet Jaffer, Portner and Jaskel, Solicitors, 63/65 Marylebone Lane, London W1U 2RA (By Recorded Delivery)

¹ My 5 June 2008 letter to Mr Ahmet Jaffer, Portner and Jaskel



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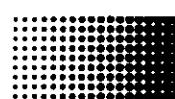
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