

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

Our ref: AJ/SVM/23208/2

Your ref:

Date: 22nd August 2007

Ms N Y S Klosterotter-Dit-Rawe

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

e-mail: ahmet.jaffer@portnerandjaskel.com

BY COURIER

Dear Madam

ROOTSTOCK OVERSEAS CORP -V- YOURSELF
WEST LONDON COUNTY COURT
CLAIM NO. 7WL00675
HEARING: FRIDAY 24TH 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:

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.



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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.

ABSOLUTELY!

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.

ABSOLUTELY!

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.

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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

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

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