

Alnaz I. Jiwa
215 - 805 Middlefield Rd.
Scarborough, ON M1V 4Z6
Tel: (416) 494-2484
Fax: (416) 494-3907
jiwalaw@yahoo.ca

March 28, 2012

By fax to: Fax: 416 954-5068 ____ # pages

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

ATTENTION: Madam Prothonotary Milczynski

**Re: Jiwa et al. ats His Highness Prince Karim Aga Khan
Court File No.: T514-10**

I respond to the letter sent to you by Mr. Gray, dated March 22, 2012, and Mr. Tajdin's letter dated March 15, 2012.

I had informed Mr, Gray that I would respond to the undertakings and refusals by March 17, 2012. I regret that I could not complete them by then. I am a sole practitioner and was involved in numerous court matters, including a 9-day trial (in February), a 4-day trial (in first week of March) and I had four court appearances last week all for separate matters and I was tied up.

I intend to complete my undertakings by this weekend. However, I anticipate that Mr. Gray will bring a motion, in any event, for refusals.

I would like to bring a motion for summary judgment for the accounting issues. In my defence I had pleaded that I bought books (96 books) for \$50.00 each and distributed them for \$50.00 with many books distributed for free. The books were distributed by me without any motivation for profit. The claim alleged that the books were sold by us for \$50.00 each. In fact I have given documents to Mr. Gray (for the book which I sold to a USA resident who paid me by cheque) to prove that I sold the book for \$50.00 and she paid me exact amount to reimburse m for the cost of shipping that I paid to ship her.

Mr. Gray's examination of me (if you read it in full) is harassment and is being done for ulterior motives, and is in the nature of a fishing expedition. Even if no credit was allowed to me for the purchase of the books, I am prepared to pay the full value of \$4,800.00 (96 books at \$50.00) to the Aga Khan as profits even though I have not made any profits but have actually lost money as many books were not paid for.

Accordingly, I wish to bring a motion for summary judgment to deal with the profits issues against me.

I note that Mr. Gray and Mr. Tajdin have agreed to dates between April 20 to May 10. I am available only on: April 23, 24, 27, 30 to April 4. I have motions, case conferences and a family law trial (May 7 to 11, but because of Judges conference the trial will be held 7 and 8, and three days may be held the next week (depending on judge's availability).

Could someone please call my office to confirm my availability before fixing a date to ensure that I am available on the date (as some dates can be imposed on my schedule). For the moment I will book out the dates noted above as available for the motions in this matter.

Yours very truly,

Alnaz I. Jiwa

cc: Nagib Tajdin, co-defendant, via email

cc. Mr. Gray, via fax to: 416 216-3930