

HY

BOX 10026 PACIFIC CENTRE SOUTH  
TORONTO DOMINION BANK TOWER  
700 WEST GEORGIA STREET  
VANCOUVER, B. C.  
V7Y 1B3

-219

March 30, 1993

Maitland & Company  
Barristers and Solicitors  
P.O. Box 54  
700 - 625 Howe Street  
Vancouver, B.C.  
V6C 2T6

Attention: Brian A. Mason

Dear Sirs and Mesdames:

**RE: Dr. Feng Gao v. University of British Columbia**

We enclose herewith an Appointment to Examine for Discovery for April 14, 1993 at 10:00 a.m. ( $\frac{1}{2}$  day) at the offices of Official Court Reporters. Please acknowledge service of the enclosed document by signing and returning to our office the enclosed copy of this letter.

We enclose conduct money of \$5.00.

Yours truly,

FARRIS, VAUGHAN, WILLS & MURPHY

Per: *[Signature]*  
for Donald L. Richards

/djc  
encl.

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

**DR. FENG GAO**

PLAINTIFF

AND:

**THE UNIVERSITY OF BRITISH COLUMBIA and  
HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

DEFENDANTS

**APPOINTMENT TO EXAMINE FOR DISCOVERY**

TO: Dr. Feng Gao

AND TO: His solicitors

TAKE NOTICE that you are required to attend for your examination for discovery at the time, date and place set out below. You are required to bring with you all documents in your possession or power relating to the matters in question in this action. Please note the provisions of the Supreme Court Rules reproduced on the back of this appointment.


Time: 10:00 a.m. (½ day)

Date: April 14, 1993

Place: Official Court Reporters  
210 - 800 Smithe Street  
Vancouver, B.C.  
V6Z 2E1

March 30, 1993

Dated

  
Solicitor for the Defendant, The University  
of British Columbia

Name and address of solicitor:

Jack Giles, Q.C.  
Farris, Vaughan, Wills & Murphy  
Barristers & Solicitors  
2600 - 700 West Georgia Street  
VANCOUVER, B.C. V7Y 1B3  
**Attn:** Donald L. Richards

Rules 2(5) and 56(4) of the Rules of Court state in part:

"2(5) Where a person, contrary to these rules and without lawful excuse,

- (a) refuses or neglects to obey a subpoena or to attend at the time and place appointed for his or her examination for discovery,

then

- (f) where the person is the plaintiff, petitioner, or a present officer of a corporate plaintiff or petitioner or a partner in or manager of a partnership plaintiff or petitioner, the court may dismiss the proceeding, and
- (g) where the person is the defendant, respondent, or a third party or a present officer of a corporate defendant, respondent, or third party or a partner in or manager of a partnership defendant, respondent, or third party, may order the proceeding to continue as if no appearance had been entered ...

56(4) A person who is guilty of an act or omission described in Rule 2(5), or Rule 40(19), in addition to being subject to any consequences prescribed by those rules, is guilty of contempt of Court and subject to the court's power to punish contempt of court."