

Maitland & Company
Barristers and Solicitors

TELEPHONE (604) 681-7474
FACSIMILE (604) 681-3896

ROBERT R. MAITLAND (1976)

ROSS C. MCCUTCHEON
MICHAEL L. SEIFERT
GORDON C. BIRD
DAVID G. ASHBY

BRIAN A. MASON*
WM. ARTHUR LUNEY
JEFFREY B. LIGHTFOOT
RONALD G. PATON

700 STANDARD LIFE BLDG.

625 HOWE STREET

P.O. BOX 54

VANCOUVER, B.C.

CANADA V6C 2T6

*PERSONAL LAW CORPORATION

PLEASE REFER TO OUR

FILE ~~92404~~

7 April 1993

Dr. Feng Gao
201 - 1640 West 11th Avenue
VANCOUVER, British Columbia
V6J 2B9

Dear Dr. Gao:

Re: Her Majesty the Queen in Right of Canada
University of British Columbia and
Termination of Appointment

Counsel for University of British Columbia have set an Appointment to Examine you for Discovery on 14 April 1993. An Examination for Discovery is an inquiry under oath touching the matters in question in your action against University of British Columbia and R.C.M.P. You will be required to attend pursuant to the Appointment. Five dollars, cash, conduct money was attached to the Appointment and we enclose this along with the document which tells you where and when the Examination will take place.

You also have the right to Examine a knowledgeable person from the University of British Columbia (presumably Dr. Klawe and a knowledgeable person from the R.C.M.P. In order to do that you will need to make up an Appointment similar to the enclosed Appointment requiring the attendance of each person you wish to examine, arrange with one of the many court reporters a time and place in consultation with counsel for the parties and have the Appointment served along with \$5.00 each conduct money on each party you wish to examine.

Normally you can only examine one person.

In view of what I have to say you will probably not wish to examine either party until after you have been examined yourself, so that you can get a feeling for the nature of the process.

Alternatively you may wish to engage another lawyer to represent you.

At the commencement of this file I had some doubts about the strength of your case. I made it quite clear to you that in the event that we reached a point in the solicitor/client relationship

which in my opinion amounts to a impasse. I would have to withdraw from the case. You wish to proceed directly to trial without Examinations for Discovery. Obviously the Defendants are pursuing the Examination for Discovery of yourself prior to the Trial. For them to have the significant advantage of an Examination for Discovery before the Trial means, in my opinion, you must have a representative of each of the Defendants examined so that a transcript is available for whomever conducts the trial of the action.

You have been, so far, unable to keep you accounts for fees and disbursements up to date. Normally we would not release your file without payment in full of your account. However, in view of the forthcoming Examinations for Discovery set for 14 April you will need your documents.

Therefore, we are enclosing your file so that you can exercise your option to either:

- a) continue to conduct the case in person; or
- b) seek the engagement of an alternate lawyer without delay.

To be fair there have been a number of other areas of disagreement between us; on several occasions you have to disregarded my advice. This is of course your own free choice; however it leads me to the conclusion that you would be better off representing yourself, or with another lawyer.

Accordingly I have filed the Notice of Intention to Act in Person. As soon as I receive back from the Court Registry a stamped copy of the Notice, I will provide you with a copy to complete your file.

I will be sending the Notice of Intention to Act in Person to the lawyers for U.B.C. and R.C.M.P. Up until the time you engage a different lawyer (if that be your choice) the lawyers will have to communicate with you personally.

I wish you the best of luck in getting on with your life.

Yours truly,

MAITLAND & COMPANY



Per:

BRIAN A. MASON

BAM/mmg