

TAB 9

John B. B. B.
A COMMISSIONER, ETC.

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From: Peter Howard [PHoward@stikeman.com]
Sent: Friday, August 25, 2006 5:17 PM
To: Leonard, Bruce
Cc: Brian.M.Denega@ca.ey.com; jeffrey.d.kerbel@ca.ey.com
Subject: RE: IvacoPrivilegeIssue

Mr Meadows described a category of documents that he said were "left behind". It is my recollection that he referenced more than one document as being to or from Davies but the transcript will show that. In any event we are not in a position to accept your characterization that there is only one document "to which privilege could arguably apply. Mr Meadows firm would be subject to the same restrictions and consequences as your firm with respect to privilege so dealing with them doesn't advance matters. Once again as a first step please provide copies of all the documents that were in the pile of documents before Mr Meadows at the interview. With all due respect it is idle to speculate as to what "would seem possible" when you have not yet answered the basic questions nor provided the documents that we have requested. we can also disagree as to what Mr Meadows said about the opinion he obtained on privilege. I am not sure that this part was on the record but if it were then again the transcript will show what it shows. I am now more troubled by your advice that you had the documents the day before, had them copied but did not provide as copy in advance and have still not provided them.
