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**URGENT**

3 October 2005

Chairman  
Bills Committee on Smoking (Public Health)  
Amendment Bill 2005  
Legislative Council Building  
8 Jackson Road, Central  
Hong Kong

Dear Sir,

**Oral Representation on 6 October 2005**

We act for Japan Tobacco Inc. and refer to the letters sent to us from Ms. Doris Chan, Clerk to Bills Committee, dated 27 September 2005 and 29 September 2005.

We advise that the 3-minutes standard time allocation for the oral representation is clearly insufficient for our case. As mentioned in our letters to you dated 13 June 2005 and 2 September 2005, our client has substantial and complex legal issues to bring to the attention of the Bills Committee relating to the proposed descriptor ban in the Bill. It is for this reason that our client has sought counsel representation by Mr. Michael Thomas QC and Ms. Winnie Tam of Counsel, who will be making the oral representation.

Furthermore, our client wishes to bring to the Bills Committee's attention certain issues and concerns faced by them uniquely, which the Bills Committee would not be able to hear from other organisations making oral representation. These are specific issues concerning one of the most valuable brands of cigarettes owned by our client, namely *Mild Seven*.

We appreciate that 3-minutes is the standard time slot for oral representations, but stress that our case on descriptors is unique and complex. As a result, the Bills Committee may require some additional background information from us in order to fully comprehend our case.

ANDREW J.L. AGLIONBY  
BRIAN BARRON  
EDMOND CHAN  
ELSA S.C. CHAN  
RICO W.K. CHAN  
BARRY W.M. CHENG  
MILTON CHENG  
DEBBIE F. CHEUNG  
PEGGY P.Y. CHEUNG  
CHEUNG YUK-TONG  
STEPHEN R. ENO\*\*  
DAVID FLEMING  
GEORGE FORRAI\*

GRAEME R. HALFORD  
WILLIAM KUD  
HARVEY LAU  
ANGELA W.Y. LEE\*\*  
LAWRENCE LEE  
NANCY LEIGH  
ANITA P.F. LEUNG  
CHEUK YAN LEUNG  
LI CHIANG LUNG  
JACKIE LO  
ANDREW W. LOCKHART  
LOO SHIH YANN  
JASON NG

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GARY SEIB  
STEVEN SIEKER  
CHRISTOPHER SMITH  
DAVID SMITH  
ANDREW TAN  
TAN LOKE KHOON  
PAUL TAN  
POH LEE TAN  
CYNTHIA TANG\*\*  
KAREN TO  
ROCKY YIU

REGISTERED FOREIGN  
LAWYERS  
SCOTT D. CLEMENS  
(NEW YORK)  
JOHN V. GROBOWSKI  
(WASHINGTON, DC)  
STANLEY JIA  
(NEW YORK)  
ANDREAS W. LAUFFS  
(NEW YORK; GERMANY)  
WON LEE  
(NEW YORK)  
FLORENCE LI  
(NEW YORK)

JULIE JIMMERSON PENG  
(CALIFORNIA)  
JOSEPH T. SIMONE  
(CALIFORNIA)  
RICHARD L. WEISSMAN  
(MASSACHUSETTS)  
WINSTON K.T. ZEE  
(WASHINGTON, DC)

\*Notary Public

\*\*China-Appointed Attesting Officer

In the interest of fairness, **we will ask only for 20 minutes in total for our oral representation** (as opposed to the 45 minutes to an hour requested in our previous letter). We are of the view that 20-minutes is the absolute minimum time that will be adequate for our case.

Please confirm urgently that our request above is in order. Thank you for your attention.

Yours faithfully,

A handwritten signature in cursive script that reads "Baker & McKenzie". The signature is written in dark ink and is positioned above the printed name of the firm.

Baker & McKenzie