

Vincent WS TONG DD-C DD-BD

2003/10/29 03:01 PM

Urgent

Return Receipt

To: NM CHAN/HD/HKSARG@HD

cc: KY WU/HD/HKSARG@HD

Ada YS FUNG/HD/HKSARG@HD

Subject: PSPS - Mediation

We spoke. The following e-mail is for your information. Please follow up the matter relating to the selection criteria with Greg and John asap. Thank you. Vincent

— Forwarded by Vincent WS TONG/HD/HKSARG on 29/10/2003 02:52 PM —

Simon PS LEE@DOJ

29/10/2003 02:46 PM

Urgent

Return Receipt

To: Gregory PAYNE/DOJ/HKSARG@DOJ

cc: Vincent WS TONG/HD/HKSARG@HD

Subject: PSPS - Mediation

Dear Greg

Vincent Tong rang me a minute ago to tell me that,

- 1 CM Leung, D of Housing, had spoken with Leung Chi Kin of New World,
- 2 New World would agree to extend time to file defence by 14 days for the time being,
- 3 New World would like to see how Government/HA would proceed with the proposed mediation,
- 4 Provided that mediation proceeds satisfactorily, New World will consider a stay of the litigation.

Therefore, Vincent wants us to,

- 1 Set out the criteria for the purpose of selection of a candidate to be appointed as the mediator, he suggests that the candidate should be an experienced estate surveyor with substantial experience in valuation,
- 2 Settle the agreement to refer the disputes to a mediator (for agreement with New World/HA/Government),
- 3 Settle the rules of the mediation (we can borrow the rules of HKIAC), and
- 4 Contact First Star's solicitors on extension of time to file the defence and on the preparation for the mediation.

Grateful if you can approach the solicitor representing First Star on the extension of time and on the preparation for the mediation, discuss with John Corrigan on the criteria to be considered in the selection of a candidate for appointment as the mediator, and with reference to the mediation guidelines/rules adopted by ETWB and the mediation rules of HKIAC, prepare an agreement to mediate to be agreed to by First Star/HA/Government.

I have a meeting at 3pm at the Murray Building and I will discuss with you on the above later this afternoon.

Simon