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Appendix 1.10

Our Ref.: 08050/2010/SW/L

Your Ref.: CB(3)/IC/09/5

Date: 11th January 2011

Investigation Committee,
Legislative Council,
Legislative Council Building,
8 Jackson Road,
Central,
Hong Kong.

By Hand

Dear Sirs,

Re : **Investigations Committee established
Under Rule 49B(2A) of the Rules of
Procedure in respect of the Motion to censure
the Honourable Kam Nai-wai**

We refer to the above matter and to the transcript of the testimony of Ms. Anita Lui given during the 8th hearing which took place on 16th November 2010.

We note from the said transcript that Ms. Lui had adopted an un-cooperative attitude during the hearing in that she refused to answer any further questions, and she also stated during the hearing that she would not answer any more questions which the Committee might ask her in regard to her testimony or her previous two written statements provided to the Committee. Hence, neither the Committee nor our client is able to verify and/or assess the truthfulness and/or correctness of her testimony or the contents as deposed in her statements made before the hearing.

We are of the strong view that the testimony and the two previous statements of Ms. Lui should have no bearing on the fact-finding task of the Committee, as they cannot assist the Committee in its investigation and in the compilation of the investigation report. To give any weight at all to the evidences of Ms. Lui, would be unsafe, unfair and prejudicial to our client.

In this regard, we respectfully request the Committee not to take into account of or consider the contents the testimony or the two previous statements of Ms. Lui when compiling the investigation report.

Yours faithfully



Y. S. Lau & Partners
SW/ec



PRINCIPALS

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