

8. I then received an order from the Court dated 13<sup>th</sup> December 2017, advising me that a judge has considered the file and having seen that the questionnaire was received on 20<sup>th</sup> November 2017, has decided to apply the sanction as set out in the order dated 06<sup>th</sup> November 2017. As a result the Claim was struck out and the interim injunction made on 09<sup>th</sup> August 2017 was discharged. A copy of the order is attached under exhibit LI4.
9. Upon receiving the above order, I emailed the Defendant's solicitors Mr Onwusiri and advised him that the Court made the order in error as the Claimant had filed the directions questionnaire electronically on 17<sup>th</sup> November 2017. Mr Onwusiri was fully aware of this fact as he was copied in to the email. A copy of my email to Mr Onwusiri dated 15<sup>th</sup> December 2017 can be found under exhibit LI5.
10. On 14<sup>th</sup> December 2017, Ms Zena Ndereyimana on behalf of the Claimant's legal services emailed the Edmonton County Court advising that Claimant's directions questionnaire was emailed to the Court on 17<sup>th</sup> November 2017 and provided evidence in support. The email requested that the Court reconsider the order dated 13<sup>th</sup> December 2017 as the Claimant has complied with the earlier directions order made on 06<sup>th</sup> November 2017. A copy of the email correspondence to the Court can be found in exhibit LI6.
11. **The Claimant has received no response from the Court following the email it sent out on 14<sup>th</sup> November 2017.**
12. On 03<sup>rd</sup> January 2017 I received an order from the Edmonton County Court ordering the Claimant to pay the Defendant's costs of the action on a standard basis to be assessed if not agreed. Please refer to exhibit LI7. The order was made after the Defendant's representatives filed an application notice at Court on 21<sup>st</sup> December 2017. The application was only received by the Claimant on 27 December 2017 and as I was on annual leave, the application notice only came to my attention on 03<sup>rd</sup> January 2017 so I was not able to respond.

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