

**IN THE MATTER OF THE COMMISSION OF INQUIRY INTO CERTAIN
ALLEGATIONS RESPECTING BUSINESS AND FINANCIAL DEALINGS BETWEEN
KARLHEINZ SCHREIBER AND THE RIGHT HONOURABLE BRIAN MULRONEY
AND IN THE MATTER OF KARLHEINZ SCHREIBER'S APPLICATION FOR FULL
STANDING AS A PARTY TO THE COMMISSION OF INQUIRY**

**NOTICE OF APPLICATION FOR FULL STANDING FOR PART II BY
KARLHEINZ SCHREIBER**

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TAKE NOTICE that the Applicant, Karlheinz Schreiber hereby applies for full standing as a party to Part II – Policy Review and any other proceedings before the Honourable Mr. Justice Oliphant in respect of the Commission of Inquiry into certain allegations respecting business and financial dealings between Karlheinz Schreiber and the Right Honourable Brian Mulroney (the “Commission of Inquiry”)

THE APPLICATION IS FOR:

An Order pursuant to the Commission of Inquiry Rules of Standing and pursuant to section 5 of the *Public Inquiries Act*, R.S.O. 1990, c.P-41, granting Karlheinz Schreiber full standing as a party to Part II – Policy Review, with rights of full participation, including:

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- a) the right to make submissions on the *Rules of Procedure and Practice* as they may relate to Part II;
- b) the right to receive and review all documents relevant to Part II;
- c) the right to receive sufficient notice of all policy experts and/or witnesses to be examined at Part II and to receive copies of their anticipated evidence and to any documentary evidence to be presented to those witnesses during the hearings of Part II;
- d) the right to make objections, make submissions and obtain rulings relating to the hearing of evidence, the tendering of documents and other evidentiary and procedural matters in connection with Part II;
- e) the right to cross-examine all policy experts and/or witnesses called to testify during Part II;
- f) the right to propose witnesses to be called before the Commission of Inquiry;
- g) the right to participate fully in closing arguments by way of oral and written submissions.

THE GROUNDS FOR THE APPLICATION ARE:

1. Section 5 of the *Public Inquiries Act*, R.S.O. 1990, c. P-41 allows the Commissioner to grant standing to any person with a "substantial and direct interest in the subject-matter of its Inquiry".

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2. By Notice of Application dated September 23, 2008, Karlheinz Schreiber applied for full standing in connection with Part I on this Commission of Inquiry;
3. On October 2, 2008, Commissioner Oliphant granted full party standing status to Mr. Schreiber in connection with Part I;
4. Mr. Schreiber repeats and relies upon the submissions made in his Notice of Application dated September 23, 2008;
5. Karlheinz Schreiber has a substantial and direct interest in the subject-matter of Part II of the Commission Inquiry and can contribute to the issues raised by the Commission of Inquiry's Terms of Reference because:
 - a. Karlheinz Schreiber delivered correspondence to Prime Minister Stephen Harper in 2007. The policies and practices at the Privy Council Office governing the provision to the Prime Minister of correspondence from the public is a main issue to be considered in Part II of this Commission of Inquiry;
 - b. The content of Canada's federal ethics rules will be an issue during Part II of this Commission of Inquiry. The content of Canada's federal ethics rules will be studied, in part, because of allegations made by Karlheinz Schreiber about his direct dealings with the former Prime Minister Brian Mulroney. Accordingly, Mr. Schreiber has an interest in participating in proceedings that touch upon the applicable federal ethics rules ;

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- c. Karlheinz Schreiber had direct business and financial dealings with Brian Mulroney which will form the subject matter of this Commission of Inquiry;
 - d. Karlheinz Schreiber is mentioned throughout the Terms of Reference of this Commission of Inquiry and throughout the subject matter of the 17 questions listed in the Terms of Reference; and
 - e. Karlheinz Schreiber is mentioned throughout David Johnson's reports dated January 9, 2008 and April 4, 2008 and by reference in the Public Consultation Paper dated December 15, 2008.
6. Such further and other grounds as this Honourable Commission of Inquiry may permit.

THE APPLICANT MAY BE SERVED WITH DOCUMENTS PERTINENT TO THIS APPLICATION:

- 7. By service upon his solicitors Edward Greenspan, Q.C., Vanessa Christie and/or Richard Auger at the below noted co-ordinates.

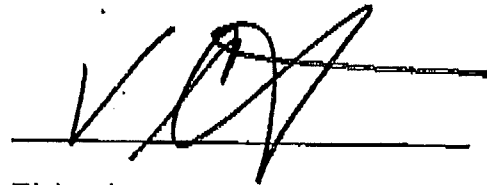
Dated this 15th day of January, 2009.



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Counsel for the Applicant

TO: Richard Wolson, Q.C., Nancy Brooks and Evan Roitenberg
 Commission Counsel

Inquiry into certain allegations respecting Business and Financial Dealings
 between Karlheinz Schreiber and the Right Honourable Brian Mulroney
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 Ottawa, Ontario K1P 5W7
 Fax (613) 995-0785

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AND TO: Registrar, Oliphant Commission of Inquiry
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