

**IN THE MATTER OF ORDER IN COUNCIL P.C. 2008-1092,
MADE PURSUANT TO PART I OF THE *INQUIRIES ACT*:
COMMISSION OF INQUIRY INTO CERTAIN ALLEGATIONS
RESPECTING BUSINESS AND FINANCIAL DEALINGS BETWEEN
KARLHEINZ SCHREIBER AND THE RIGHT HONOURABLE
BRIAN MULRONEY**

**NOTICE OF APPLICATION
RIGHT HONOURABLE BRIAN MULRONEY, P.C., C.C.**

1. The Right Honourable Brian Mulroney makes this Application pursuant to Rule 4 of the *Rules of Procedure and Practice*. The Application asks the Commissioner to convene a public hearing to consider a revision to the proposed hearing schedule for the Part I – Factual Inquiry.

2. The current hearing schedule provides that the Commission's public hearings related to the Part I – Factual Inquiry will commence on March 30, 2009. For the reasons set out here below, the Applicant proposes and requests that the start of the hearings be postponed until April 14, 2009.

I. REQUEST FOR CLARIFICATION

3. On March 16, 2009, the Applicant filed a Request for Clarification with respect to the Commissioner's Ruling on Standards of Conduct issued on February 25, 2009. The Request for Clarification asks the Commissioner to clarify and address certain new questions raised by the Ruling on Standards of Conduct.

4. Although a date for the public hearing to consider the Applicant's Request for Clarification has not been set, the Applicant understands that Commission Counsel is presently working with the various parties to determine the first available date during the week of March 23, 2009.

5. At the standards hearing on January 7, 2009, the Commissioner noted that the Applicant and his counsel should know what standard he would be applying in order to

“properly prepare to meet the case that needs to be met” adding, “it’s only fair to counsel to know what the rules are before the game starts and not after it’s completed.”

6. In addition, in his Ruling on Standards of Conduct, the Commissioner noted: “I think it important that, before I hear evidence in the Factual Inquiry, all parties granted standing, particularly Mr. Mulrone, know by what standard of appropriateness Mr. Mulrone’s business and financial dealings...will be assessed.”

7. In light of the foregoing, the Applicant respectfully submits that the start of the Part I – Factual Inquiry hearings should be briefly postponed until such time as the Commissioner has had an opportunity to consider the Applicant’s Request for Clarification along with any submissions that might be made by the other parties.

II. REVIEW OF DOCUMENTS

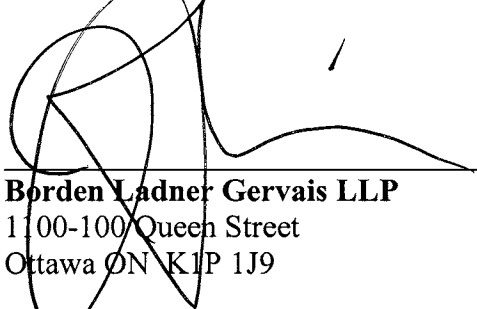
8. A postponement would also provide the parties and their counsel with additional time to review and consider the substantial number of documents which have been received in recent weeks. In the last week alone, the parties received close to two hundred new documents which are potentially relevant to the subject matter of the Inquiry.

9. Due to the scheduled observance of religious holidays, no public hearings were scheduled for the period between April 8, 2009 and April 13, 2009. The proposed revision to the schedule would therefore affect only six hearing days, but would provide parties and their counsel with an additional two weeks to review these documents.

10. The review of documents is further complicated by the possible uncertainty surrounding the Ruling on Standards of Conduct. The Request for Clarification, and any resulting directions from the Commissioner, could affect either the relevance or the admissibility of certain documents.

11. In the event that the Commission required more time to complete the Part I – Factual Inquiry evidentiary hearings before May 22, 2009, which we respectfully submit is unlikely, the current schedule already provides that the Commission could sit on the occasional Friday or Saturday as required to meet that deadline.

ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS 16th DAY OF
MARCH, 2009.

A handwritten signature in black ink, appearing to read 'G. Pratte', is written over a horizontal line. The signature is stylized and somewhat cursive.

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