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December 6, 2002 File No.: NOR00307

## DELIVERED BY FACSIMILE

Mackenzie Valley Environmental Impact Review Board P.O. Box 938 200 Scotia Centre, 5102 – 50<sup>th</sup> Avenue Yellowknife, NT X1A 2NZ

Attention: Mr. Todd Burlingame

Chair

Dear Sirs/Mesdames:

## Re: North American Tungsten Corporation Ltd. - Stay Application

We act on behalf of North American Tungsten Corporation Ltd. ("NATCL") in respect of the matter of the proposed environmental assessment referred to your Board by Mackenzie Valley Land and Water Board ("MVLWB").

Mr. Cowper of our office wrote to you earlier, asking that the proposed environmental assessment be deferred until the completion of a judicial review application which we proposed to take on behalf of our client in respect of a decision of that Board. That judicial review application has now been completed. The judgment of the Honourable Justice V.A. Schuler resulted in a dismissal of our client's application.

The purpose of this letter is twofold. First, we wish to alert you of NATCL's decision to bring on an appeal from the judgment of the Honourable Justice V.A. Schuler, before the Court of Appeal hopefully at it's Yellowknife sitting beginning January 21, 2003. Mr. Bayly of our Yellowknife office will forward you a copy of the Notice of Appeal when it has been filed.

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The second purpose of this letter, is to request of your Board a stay of the environmental assessment proceedings before it, pending a determination of the appeal being taken by NATCL in respect of the decision of Honourable Justice V.A. Schuler.

May we please have your early response as we are in the course of preparing documents for filing with the Court of Appeal, the nature and extent of which is determined, in part, by your response.

Yours truly,

FASKEN MARTINEAU DUMOULIN LLP

wid H. Leavle

David H. Searle, C.M., Q.C.

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