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January 21, 2003

COURT OF APPEAL
NORTHWEST TERRITORIES
Clerk of the Court,
Yellowknife Registry
No. A-0001-AP-2003000001

via fax 867 873-0291

Attn: Gerri

North American Tungsten Corporation Ltd., (Appellant) v. Mackenzie Valley Land and Water Board (Respondent); AP-2003000001

I have been retained to represent the Mackenzie Valley Environmental Impact Review Board (Board) in the above-captioned. At issue, among other things, is an application for a stay of execution as against my client relative to its decision to proceed with an environmental assessment of the Appellant's Cantung Mine.

My client was served yesterday with the materials for today's hearing, though not too much turns on the lateness of filing given the Board's instructions to me relative to what I should present in Court, which is this: Essentially, the Board has set forth an explication for proceeding with its environmental assessment process in its December 23, 2002 letter. This letter included *reasons* for the Board's decision as described on page 2 of the December 23rd letter, Exhibit "F" of the Affidavit of Stephen Leahy. In summary, the Board is engaged in a statutory decision and sufficiency of time is essential to the quality of the environmental assessment.

This is my submission to the Court; the Board is otherwise neutral regarding today's Application. My client will respect and abide by whatever decision the Court renders today.

Should I need to be contacted today, I can be reached at 403 246-7505 and will be on standby all afternoon if needed.

Respectfully submitted,


William A. Tilleman Q.C.

cc: Mr. John U. Bayly, Q.C.; Ms. Kelly Payne

Also member of the Washington D.C., Utah, and N.W.T. Bars

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