



December 27, 2011

Ref: 1/3/7 – 220

Representative Dave Camp,  
House of Representatives,  
Congress of the United States,  
341 Cannon House Office Building,  
Washington DC 20515-2204

Dear Representative Camp,

I wish to thank you for your communication relating to the World Leadership Program (WLP), dated December 1, 2011. At the outset I wish to state that I am deeply disappointed that our participation in the efforts of the WLP has been tarnished by the assertions now being made by Ms. Margaret Cone. It is my hope that this letter will help to clarify our position as it relates to our participation in that program.

In order to assist you in your evaluation of our position, I would like to share with you the following:

- 1) The United Arab Emirates entered into only one contract regarding the WLP. That contract was with the University of Michigan. Under that agreement the University of Michigan agreed to oversee the project, including distribution of grant funds in accordance with its internal mechanisms and controls. The UAE did not exercise any control of the development of the budget for the WLP. Further, it did not approve the budget for the WLP, nor did it approve any of the line-items therein. At no time did the UAE specify how such funds were to be allocated by the University of Michigan. The UAE simply offered a grant to the University of Michigan to cover the estimated costs of the program.
- 2) The United Arab Emirates fully performed its duties under the grant agreement with the University of Michigan, distributing the full amount of the grant to the University.
- 3) The UAE exercised no control of the distribution of the grant once the funds were deposited with the University of Michigan. Decisions related to grant distribution were made by the University of Michigan, who exercised independent oversight of the grant funds. At no time during the process did the University of Michigan consult the UAE or its agents regarding distribution of the grant funds.



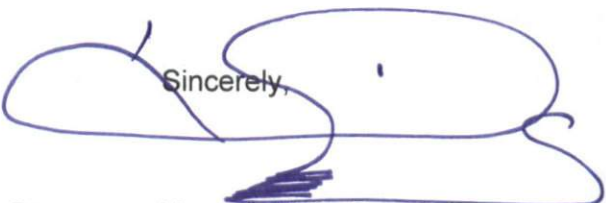
- 4) The University of Michigan returned a portion of the grant funds to the UAE when it discontinued its participation in the program. Our contractual obligation to the University of Michigan came to an end upon its termination of the project. It is not left to us to speculate as to why the University pulled out of the program. The University would be best positioned to explain its actions. Further, the University is best positioned to explain why it did not reimburse Ms. Cone for any purported expenses she may have incurred in connection with her participation in the WLP while it was housed at the University of Michigan.
- 5) The UAE assisted in moving the WLP to Georgetown University. This action was not undertaken by virtue of any contractual arrangements with Ms. Margaret Cone, the WLP, or Georgetown University. No contractual arrangements between the UAE and the above-mentioned parties exist. The UAE undertook its action gratuitously and was under no legal obligation to do so.
- 6) Ms. Cone, through counsel, has threatened legal action against the UAE regarding its participation in the WLP. Ms. Cone and her counsel were informed, in August of 2011, that the UAE will assert all legal rights and defenses against any claims that she may bring against the UAE, up to and including the assertion of our jurisdictional immunity under the Foreign Sovereign Immunities Act.

I have attached a copy of a letter that was sent by our Embassy counsel, Mr. Byron K. Fogan, to Ms. Cone's counsel, dated August 25, 2011. This letter affirms our position as it relates to these matters. It is my hope that upon learning the full facts of this matter, you will consider this issue closed as it relates to the UAE.

In the meantime, I look forward to an occasion when we can discuss the many areas where our two countries continue to work towards the promotion of partnership, cooperation, and mutual understanding across many sectors and endeavors. We wish you a Happy Holiday Season and extend our best wishes for a prosperous New Year for you, your family, and your staff.

All the best,

Sincerely,

  
Yousef Al Otaiba,  
Ambassador







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VIA FACSIMILE, E-MAIL AND US  
CERTIFIED MAIL/RETURN RECEIPT

August 25, 2011

Mr. Michael Heck  
Charters, Heck, O'Donnell, Petrusis & Tyler, P.C.  
City Center Building  
888 West Big Beaver Road, Suite 1490  
Troy, Michigan 48084  
FAX NUMBER: (248) 362-1030  
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*RE: Letter to the Embassy of the United Arab Emirates, dated August 18, 2011*

Dear Mr. Heck:

Please accept this letter as the official response of the Embassy of the United Arab Emirates in Washington, DC to your letter dated August 18, 2011, addressed to His Excellency Yousef Al Otaiba, UAE Ambassador to the United States, and His Excellency Omar Al Shamsi, Deputy Chief of Mission for the UAE Embassy in Washington.

First, the Embassy and the Government of the UAE are disappointed that Ms. Cone continues to engage in misguided conduct aimed at tarnishing the good name and reputation of the UAE through defamatory statements and threats of legal action, while at the same time imploring high-ranking UAE officials for assistance in the matters outlined in your letter. For Ms. Cone to send a letter like the one sent on August 23 to the Crown Prince, His Highness General Sheikh Mohamed bin Zayed Al Nahyan (copy attached), and not to disclose that she has engaged lawyers who have sent a litigation threat to the UAE Embassy and that she has pursued a course of defamatory statements against the UAE, is duplicitous. This conduct demonstrates a lack of good faith or professionalism. Ms. Cone should cease such conduct and instead focus her energy (and those of her counselors) on more appropriate parties with whom she may have a dispute arising from her dealings with the WLP and the University of Michigan.

Further, it is not now, nor has it been, the duty, interest, or intent of the Embassy of the United Arab Emirates, or its counselors, to determine the validity of Ms. Cone's purported expenditures as they relate to the WLP. The UAE Embassy and its counsel are not the appropriate parties with whom she should have such discussions. Her complaint, if she has one, is with the University of Michigan personnel who were responsible for overseeing fund distribution and expenditures relating to the WLP. The UAE played no role in this process. We have made that clear on repeated occasions to Ms. Cone directly and to her counsel.



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Setting aside the lack of any merit to the claims your August 18 letter purports to describe, we also ask that you and Ms. Cone take note of the following pertaining to any legal action that she may contemplate against the United Arab Emirates:

- 1) The United Arab Emirates is immune under the Foreign Sovereign Immunities Act from jurisdiction on claims of the type described in your August 18 letter. If you examine the caselaw under the FSIA, this will become clear to you. The UAE will vigorously assert its FSIA jurisdictional defenses in the event legal action is attempted on the claims you have described.
- 2) Neither the Ambassador, nor the Deputy Chief of Mission, nor any other diplomat or employee of the Embassy of the United Arab Emirates in Washington are appropriate or authorized parties who can accept service on behalf of the United Arab Emirates. Nor am I or anyone affiliated with my firm authorized to accept service. Parties who wish to use the courts of the United States to assert claims against the UAE must comply fully with the procedures for service as described in the FSIA.

It is regrettable that Ms. Cone is seeking to sully the UAE's participation in the WLP, the purpose of which was to foster dialogue between the West and the Arab world and to forward the diplomatic aims of the Government of the United Arab Emirates in the United States. We are confident that Ms. Cone has no legitimate claim against the UAE relating to the World Leadership Program. We request again that Ms. Cone abandon her efforts, through counsel or through other communications with UAE officials, to disparage the UAE's participation in the WLP or its dealings with her.

Sincerely,

THE FOGAN LAW GROUP

Byron K. Fogan, Esq.

*Counsel to the Embassy of the United Arab Emirates*