

Meshchanski District Court
Moscow
Russia

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23 July, 2004

Your Honor,

I am writing you in my capacity as medical expert retained by Mr Tim Osborne of Wiggin Osborne Fullerlove Solicitors, the lawyers representing Mr Platon Lebedev, d.o.b. November 29, 1956, Russian national, now defendant in the criminal case which the Meshchanski Court (the "Court") is hearing at the moment.

I understand that on July 12, 2004 the honorable Court passed a Ruling ("Opredeleniye") in the matter of Messrs Khodorkovsky, Lebedev and Krainov that

- The Court has no jurisdiction over conducting medical examinations as such examinations are within the authority of the Pretrial Detention Facility's ("SIZO") Administration,
- There are no grounds for ordering that a medical examination of Defendant Lebedev be conducted
- The medical reports by foreign experts are not acceptable in that such experts have not had an opportunity to examine the Patient, and
- That the Patient has been undergoing "close and active" medical examinations and observation since December 2003 by SIZO doctors.

I respectfully submit that, as mentioned in my Medical Report dated July 7, 2004, Mr Platon Lebedev's condition is serious and potentially life-threatening.

I therefore believe that it is my duty as a medical doctor, in accordance with the Oath of Hippocrates which I and indeed all doctors have sworn, to offer my services to come to Moscow at your convenience and that of the honorable Court, in order to provide witness testimony, answer any and all questions the honorable Court might wish to clarify and, most importantly, with the Court's permission, to visit Mr Lebedev in the SIZO with a view to examining his condition in person.

I would then be prepared to testify before the honorable Court as an expert medical witness. The Court should be aware that I have over 10 years experience acting as such before English courts. I fully understand that in these matters my overriding duty is to the court and not to the party who instructed me.

I fully realize that the Court may take outside medical experts' views with some reticence in that they have not had an opportunity to examine the Patient in person. Please allow me to mention in this regard that we obviously could not examine Mr Lebedev while he is in SIZO and that it is precisely with this purpose in mind that I am respectfully requesting your permission to come to Moscow, examine Mr Lebedev in his cell and then report my findings to the honorable Court.

It should also be borne in mind that, as I mentioned in my July 7, 2004, Medical Report, I was provided by Mr Lebedev's lawyers with a considerable number of medical documents which while not sufficient for making a definitive determination regarding Mr Lebedev's exact health condition or recommending any specific detailed plan of treatment, are nevertheless quite sufficient to conclude that his health may potentially be in grave danger and certainly does warrant an in-depth examination, which can only be carried out in a specialist medical facility.

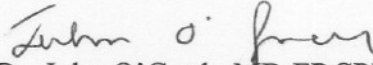
It further occurs to me, with all due respect, that the formulation in the July 12, 2004 Court Ruling to the effect that Mr Lebedev is being "actively observed" by medical specialists might be somewhat of a contradiction in terms in that the honorable Court further confirms that between December 2003 and July 2004 Mr Lebedev has only been examined once, by the Medical Consilium on March 2, 2004. I earnestly believe that his condition warrants a more frequent, focused and detailed specialist scrutiny.

I am a member in good standing of the British Society of Gastroenterology, British Association for the Study of the Liver, European Association for the Study of the Liver and the American Association for the Study of Liver Disease. My credentials can be independently verified and confirmed by the honorable Court through the Russian Academy of Medical Science.

I look forward to hearing from you, Your Honor, as well as the honorable Court and wish to reaffirm my availability to come and testify, with a view to establishing the truth that I am sure is the Court's overriding objective.

Thank you.

Very truly yours


Dr. John O'Grady MD FRCPI
Consultant Hepatologist



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A Report from Dr Martin Harris



Meshchanski District Court
Moscow
Russia

16 July, 2004

Your Honor,

Re: Mr Platon Lebedev, d.o.b. November 29, 1956,

I am writing to advise you of my availability since I provided a general medical practice report as an Expert Witness for Mr Platon Lebedev at the request of Mr Tim Osborne (Wiggin Osborne Fullerlove).

I am concerned for the poor prognosis of the patient detailed in my medical report 9 July 2004. I have seen the medical documents relating to the patient. Between December 2003 and July 2004 Mr Lebedev was examined once, by the Medical Consilium on March 2, 2004. His condition warrants a more frequent, focused and detailed specialist scrutiny. He needs medical examination and treatment. I stated in my report that I have not yet had the opportunity to see and examine the patient. The reason for writing to you directly is to reconfirm that I am willing to visit, attend,

examine and assist the patient. I confirm I would then be prepared to testify before the honorable Court as an expert medical witness. His health may require further examination and investigation within a specialist medical facility.

My expertise & qualifications include:

- (1) I am general medical practitioner at the Temple Fortune Health Centre with 24 years experience in General Medical Practice.
- (2) In addition for the last 22 years I have been a lecturer in the Department of Primary Care and Population Sciences (Department of General Practice) at the Royal Free Hospital & University College Hospital Medical Schools, London; my interest in the department is the disability its identification in the elderly population.
- (3) I also hold the position of Honorary Consultant Surgeon at Great Ormond Street Hospital for Children in London.
- (4) My qualifications include Bachelor of Pharmacy Honours degree from London University in 1971. I qualified in medicine in 1976 from The (Royal) London Hospital Bachelor of Medicine MB BS (London) Licentiate of the Royal College of Physicians LRCP (London) Member of the Royal College of Surgeons MRCS (England). I qualified in 1981 as a Member of the Royal College of General Practitioners MRCGP. I was elected a Fellow of the Royal Society of Medicine FRSM in 2002.
- (5) Memberships of professional bodies/associations include British Medical Association BMA, Medical Defence Association MDU, and General Medical Council GMC
- (6) I have a particular interest in the preparation of medical report for legal purposes. My instructions include legal work on a joint instruction basis. Memberships of professional bodies/associations include Association of Personal Injury Lawyers APIL, Association for the Victims of Medical Accidents AVMA, Assurance Medical Society, National Directory of Medical Examiners I am a member of the Expert Witness Institute EWI, UK Register of Expert Witnesses, and am listed in 'The Law Society Directory of Expert Witnesses' (Sweet & Maxwell)

- (7) I am a Clinical Assessor to the Independent Review Panel UK since 1996, and appointed an External Professional Advisor EPA to the Office of the Health Service Commissioner (Ombudsman).
- (8) My experience includes prison visits.
- (9) I have visited Russia on several occasions including Moscow (3 times), Novosibirsk (once) and as a visiting lecturer to the Medical School of the St Petersburg Hospital (once).

I look forward to hearing from you in the event that I can be of assistance to the Court at any stage.

Yours sincerely,

Martin Harris

Dr Martin Harris

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16 JUL 2004

Cc Ministry of Health

Cc Ministry of Justice