

Ms Sally Hunt
General Secretary
University and College Union
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29 July 2008

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Our ref. GAP\GZH\20024-2
Your ref.

Dear Madam

INTO University Partnerships Limited and Andrew Colin

We act as solicitors for INTO University Partnerships Limited and its Chairman Andrew Colin. Our clients have consulted us about a campaign being conducted against INTO by the UCU, and in particular in the document described as a "UCU campaign briefing" which is entitled "INTO the unknown? A UCU briefing on INTO".

The UCU "campaign briefing" contains a number of seriously defamatory statements about our clients, including (but not limited to) the following:

- INTO "damage the quality of education and would harm university reputations".
- "INTO have little experience of HE quality mechanisms".
- "A lack of interest in education pervades INTO and the way it operates".
- "the INTO venture is run by ill experienced people with no record in teaching international students and little understanding of English for academic purposes".
- "It makes misleading claims..."
- "Colin appears to believe he can make up details as he goes along ... Colin for example provided seriously misleading information..."
- INTO's negotiations have been characterised by a lack of transparency and integrity.
- INTO "make unrealistic and undeliverable claims "

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There is no truth whatsoever in any of these statements and all of them are seriously defamatory of our clients.

Issues concerning quality of education are extremely important to our clients, and the true position is that when our clients establish joint ventures with universities, the university controls the quality of the academic provision.

In addition the "campaign briefing" contains a number of material factual inaccuracies. The most obvious example of this is that the Union repeatedly states that its criticisms of INTO are based on the fact that INTO is financed by venture capitalists and private equity funds which are in the opinion of the Union unsuitable partners for higher education. The true facts are that INTO has no private equity backing whatsoever. The expressions of opinion of the Union on this issue therefore have no factual basis and are seriously defamatory.

Our clients of course accept that the Union is entitled to its own opinion on our clients' business, and our clients respect the Union right to freedom of expression, but provided that these rights are exercised within the boundaries of what is legally permissible. The law does not permit the Union to publish untrue and defamatory statements or to make defamatory comments based on alleged facts which are untrue.

It is a matter of regret to our clients that it is necessary to write this letter, but our clients cannot permit their professional reputation and integrity in business to be wrongfully damaged by baseless and defamatory allegations. Notwithstanding our client's efforts to enter into a meaningful and constructive dialogue with the UCU (an offer they are happy to repeat), the Union has declined to engage in any dialogue with our clients. This has led to the present legal problem.

Our clients cannot permit damage to their reputations to be caused as a consequence of further publication of your inaccurate and defamatory "campaign briefing", particularly on the UCU website. Our clients therefore require that you should forthwith:

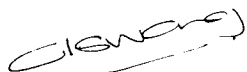
1. Take down from your website the "campaign briefing" and desist from any further publication of the document by any means whatsoever.
2. Undertake not to repeat the defamatory allegations in the "campaign briefing".
3. Sign and return to us the enclosed letter retracting and apologising for the defamatory and untrue allegations made in the "campaign briefing".

Now that you are on notice of the fact that there is no basis for your publications, any repetition of these allegations would inevitably be a much more serious matter.

You will see that this letter requires only the minimum steps to be taken by the UCU to avoid any further damage to the reputation of our clients. Should the Union act promptly as required above our clients will not pursue any of the other legal remedies available to them (including a claim for damages and costs) in relation to this "campaign briefing", unless the UCU repeats its allegations or makes other defamatory statements in the future. In such circumstances our clients reserve their right to seek legal redress in relation to these matters.

In view of the seriousness of the situation we require your response to this letter within 14 days. Pending your response all our client's legal rights are reserved.

Yours faithfully

A handwritten signature in black ink, appearing to read "Olswang", with a horizontal line underneath it.

Olswang