

Although there is, of course, no legal restriction in the parties to a conflict discussing resolution of issues between themselves, there are a few reasons why I would suggest they not do so in this case until the terms of any settlement are finalized between counsel. In saying this, I realize that your client may be looking for suitable accommodation for his father, but I suggest even this step be guided by counsel to ensure we are all on the same page.

In this case, be aware of the following reasons why I am convinced that counsel be the only negotiators:

(a) In the circumstances of this case there is a presumption on your client of undue influence in achieving any settlement of any issues between father and son that would not be arguable if the settlement process were conducted between their respective counsel and, thus, they each have received independent legal advice;

(b) Your client apparently brought Dr. Bruce Jamieson to the Sunday meeting of the parties to discuss settlement, much to the surprise of my client and Mr. Slegers. I am advised that Dr. Jamieson apparently conducted an interview of my client and pronounced him capable of handling his own affairs! If your client did in fact invite this doctor to be present to examine my client, he has acted inappropriately to say the least and clearly has attempted to prejudice my client's rights; and

(c) As I told you over the telephone on Tuesday, last, at that same meeting your client presented my client with two discharges of the two caveats our office registered against the farm lands. Apparently, they were drafted by a daughter of my client, Lynda Staub, who is an employee of the Land Titles Office. Such action was also inappropriate in view of the fact that this action is an obvious attempt to take advantage of my client and, once again, to prejudice his rights by having him discharge his legitimate claims against his son. This is particularly reprehensible behavior in the face of their knowledge that their father has legal counsel.

Accordingly, in addition to your request to your client to tell his father to call me at the above number as soon as possible, I request you advise your client to then stay away from my client and not to have any further contact whatsoever with him except as advised by you, his counsel, as such contact may be agreed between counsel.

Thank-you,

Winston

Winston F. Smith, Q.C.
Hook & Smith
Barristers, Solicitors & Notaries Public
201-3111 Portage Ave
Winnipeg, Manitoba
R3K 0W4
tel: 204-885-4520
tel: 204-837-9846
tel: 204-488-0765
tel: 204-955-0001
email: wsmith@hookandsmith.com

IMPORTANT NOTICE: This message is intended only for the use of the individual(s) or entity or entities to whom it is addressed, and, together with any attachments, may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this communication and/or any attachments is strictly prohibited. If you have received this communication and you are not the intended recipient, or employee or agent thereof, please notify Hook & Smith immediately by email at wsmith@hookandsmith.com. Thank you.

No virus found in this incoming message.

08/2008

I am extremely concerned that a member of the Manitoba Land Titles office, with knowledge of the fact that he father has counsel and who is aware of the claims against your client, would draft such documents and arrange for their provision to my client for signature. Such action is reprehensible and also, in my opinion, reportable to the Registrar General of the Land Titles Office. In addition, please warn Lynda Staub that she is not to interfere with her father's legal rights in the future.

I look forward to your response.

Yours truly,

HOOK & SMITH

Per: **FILE COPY**

Winston F. Smith, Q.C.

WFS/ca
Enclosure

cc. Lionel Bouchard

HOOK & SMITH

Barristers, Solicitors and Notaries Public

201 - 3111 Portage Avenue
Winnipeg, Manitoba
CANADA
R3K 0W4
Tel: (204) 885-4520
Fax: (204) 837-9846
E-Mail: wsmith@hookandsmith.com

Dennis A. Smith, LL.B.
Bernard Toews, B.A. LL.B.
Winston F. Smith, Q.C.
Grant W. Davis, B.A. LL.B.
Sarah Thurmeier, B.A. Adv. LL.B.
Gordon P. Hook (Retired)
Garry N. Harvey (1944-1998)

File No 110905

September 8, 2008

CONFIDENTIAL

Winnipeg Land Titles Office

276 Portage Avenue
Winnipeg, MB R3C 0B6

Attention: Mr. Barry C. Effler, Deputy Registrar General and District Registrar

Dear Sir:

Re: Complaint concerning employee Lynda Staub

I act for Mr. Lionel Bouchard, an 84-year-old gentleman, who is in the midst of a dispute with his son, André Lionel Bouchard. Your employee, Lynda Staub, is a daughter of my client and her recent actions could have caused serious financial loss by my client.

To protect his claim against his son as an unpaid vendor and his entitlement to a life estate in a residence on land sold to his son, my client caused two caveats to be registered in the Portage La Prairie Land Titles Office. With knowledge that her father, my client, had retained our firm to enforce his rights against his son as claimed in the caveats, it is our belief that Lynda Staub drafted discharges of those caveats for her brother so that he could have my client sign them. Luckily, my client resisted signing the discharges.

It is our opinion that an investigation by your office will confirm that your employee acted outside her authority as an employee of the Land Titles Office in drafting and providing the discharges of two caveats to her brother. Such an investigation will also confirm that your employee not only purposely acted in such a manner as to effectively deprive my client of his right to consult counsel, but also interfered with my professional relationship with my client when I believe she had full knowledge of her father's claims as stated in the

caveats and the fact that he had retained legal counsel to pursue those claims. Furthermore, she took advantage of an 84 year old gentleman.

If the discharges had been signed and registered, my client would have suffered substantial and irreparable damage, especially when the issue of his entitlement to a life estate was before the court and due to be heard only a few days (August 13, 2008) after the discharges were presented to him to sign.

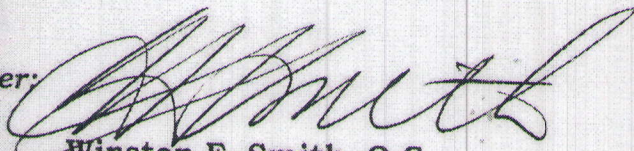
Enclosed herewith are copies of the discharges that were brought to my office by my client with the explanation as to how he received them and with advice that they had not been signed, fortunately, although my client was under substantial pressure to sign them. Also enclosed are copies of the caveats themselves.

I respectfully request your investigation into the actions of Lynda Staub and such discipline as is justified by the results of your investigation.

Yours truly,

HOOK & SMITH

Per:



Winston F. Smith, Q.C.

WFS/ca
Enclosure

- cc. The Law Society of Manitoba
- cc. Lionel Bouchard
- cc. Chapman Goddard Kagan
Attention: Kelly Land, Solicitor for André Bouchard

Chapman Goddard Kagan Barristers & Solicitors

E. Chapman, Q.C.
R. Goddard, B.A., LL.B.
Chapman G. Kagan, LL.B.
Kelly P. Land, B.A., LL.B.

Alfred N. Jackson, B. Comm., LL.B.
Michael J. Law, B.A., LL.B.
Kristine K. Barr, B.A., LL.B.
Rachel J.O. Smith, B.Sc., LL.B.

1864 Portage Avenue
Winnipeg, Manitoba, R3J 0H2
Ph. (204) 888-7973
Fax (204) 832-3461
E-Mail address: info@cgklaw.ca
Writer's Direct Line: (204) 831-3103
Please refer to File No. 32,316

Gen. Theo. Chapman, Q.C. (1923 - 1985)

December 23, 2008

Linda Staub
Box 15 Grp 201 RR2
Winnipeg, MB R3C 2E6

Dear Ms. Staub:

RE: MARLENE

Further to your fax of December 10, 2008, perhaps you misunderstood what involvement I could have in regards Mr. Smith's correspondence to both your employer and the Law Society.

Firstly, in respect to the Law Society, I have no idea why Mr. Smith would have copied the Law Society in respect of this matter. The Law Society deals with conduct of lawyers, not individuals, and as such that complaint could not have been about yourself or anything that you were alleged to have done. I can only assume that Mr. Smith is trying to somehow involve the writer in the matter, however I can confirm that I too have received nothing from the Law Society which would indicate to me that the matter went absolutely nowhere. If Mr. Smith is intent upon trying to tie up the writer in Law Society proceedings then it would mean that I would no longer be able to represent Andy in regards his ongoing dispute with your father, given the nature of the allegations made therein. I do not wish to do that and therefore I am not in a position to send anything to the Law Society on your behalf. It would be my strong advice to you that you not deal with the Law Society in regards to this correspondence other than you may wish to make a complaint against Mr. Smith yourself for his rather reckless actions in providing an unsubstantiated letter to your employer. I am not sure whether Mr. Smith has violated any provisions of the Code of Professional Conduct in doing so given that no doubt the instructions came from Marlene to try to make your life as difficult as possible. I leave that, however, to you to decided whether you wish to follow that course.

With respect to the Land Titles Office I would think again, the wise course here is to simply go to your employer and make sure that the correspondence has absolutely no impact. It is sufficient to simply deny the allegations rather than provide Hook and Smith more information as to where those forms originated. It was not a matter that involved you directly, or indirectly, and therefore they are effectively making allegations with no proof whatsoever of any involvement on your part. If you want a letter confirming that you had no involvement, the easiest source to obtain that letter is from your brother, Andy, who can confirm simply that you were not involved in any way, shape, or form in regards to your father's dispute with Andy or the production or filing of any Land Titles documents in the matter whatsoever. If Andy needs some assistance in writing a correspondence I would be happy to assist him in that regard.

...cont.

3 of 4 / gm. 6
NOV 23/09

Confax 1112

Following or shadowing in or on
a person at home or at work after being told not to do so
marked vehicle outside the victim's home.

03-24-2009 08:34 SOLOMONWISECONSULTING 6044655632