

HOOK & SMITH

Barristers, Solicitors and Notaries Public

201 - 3111 Portage Avenue

Winnipeg, Manitoba

CANADA

R3K 0W4

Tel: (204) 885-4520

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Dennis A. Smith, LL.B.

Bernard Toews, B.A. LL.B.

Winston F. Smith, Q.C.

Grant W. Davis, B.A. LL.B.

Gordon P. Hook (Retired)

Garry N. Harvey (1944-1998)

File No 110905

July 31, 2008

Hand delivered

Lionel André Bouchard

Box 81

Elie, MB R0H 0H0

Dear Sir:

Re: Lionel André Bouchard v. André Lionel Bouchard – claim of interest in land

As discussed on several occasions, I am taking the opportunity of enclosing herewith my account for services between May 15, 2008, and July 31, 2008. I trust you will find the enclosed in order. You will note that there is a client time diary attached to the account that itemizes the time spent.

You may recall that from the retainer that you arranged to pay to us through Marlene Legare in the amount of \$2,500.00, \$1,121.25 was deducted from that retainer to pay Dennis Smith's account dated May 15, 2008. The balance of \$1,378.75 has been applied as follows:

Paid to Minister of Finance for Notice of Application	\$200.00
Paid to Patrick Robson for process service	<u>488.46</u>
Balance	\$690.25

If you have any questions please do not hesitate to contact me.

Yours truly,

HOOK & SMITH

Per:



Winston F. Smith, Q.C.

WFS/ca

Enclosure

cc. Marlene Legare (via email)

HOOK & SMITH

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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 11275W

July 31, 2008

Hand delivered

Lionel André Bouchard

Box 81
Elie, MB R0H 0H0

Dear Sir:

Re: Lionel André Bouchard v. André Lionel Bouchard – claim of interest in land

As earlier discussed, I am taking the opportunity of enclosing herewith our account for services rendered from the commencement of our services in mid June 2008 to July 31, 2008, relating to the above-mentioned action. You will note that I have deducted the retainer received leaving a balance due.

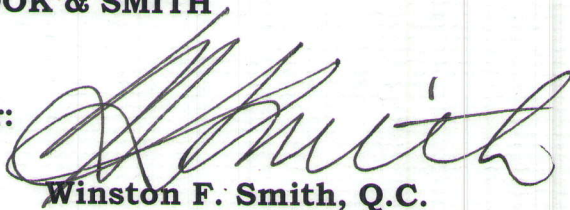
I am also enclosing herewith a copy of the Statement of Defence in which André Lionel Bouchard denies owing you any money whatsoever and refer to the January 22, 2008, release that we have reviewed.

If you have any questions about the account or the Statement of Defence, please do not hesitate to contact me. With regard to the defence, the next step would normally be to prepare a list of documents, but I will not proceed with that step at this time.

Yours truly,

HOOK & SMITH

Per:



Winston F. Smith, Q.C.

WFS/ca
Enclosure

cc. Marlene Legare (via email)

IN ACCOUNT WITH

HOOK & SMITH
BARRISTERS AND SOLICITORS

Re: Action for accounting and payment of monies owing

Lionel André Bouchard
Box 81
Elie, Manitoba
V2X 0N7

DATE: July 31, 2008

OUR FILE NO.: 11090S

G.S.T. # R122243298

FOR OUR PROFESSIONAL SERVICES RENDERED

Between May 15, 2008, and July 31, 2008, as per the attached Client Time Diary, and including Notice to commence action, drawing Statement of Claim and commencing action, drawing Notice of Motion for Pending Litigation Order, supporting Affidavit and Order, filing and serving same, attendance at Motions Court before a Master to obtain Pending Litigation Order and arranging for filing in Land Titles Office, receiving service of Statement of Defense and perusing same, all correspondence, memorandums, and other matter necessarily incidental thereto;

Winston F. Smith: 9.9hrs @ \$225.00/hr	\$2,227.50	
Sarah Thumeier: 2.7 hrs @ \$125.00/hr	337.50	
Total fees:		\$2,647.50

Disbursements subject to GST

Paid administration, postage, photocopying, etc.	\$25.00	
Subtotal:		25.00

Disbursements exempt from GST

Paid to Minister of Finance	275.00	
Paid to Minister of Finance	40.00	
Subtotal:		315.00

7% P.S.T.:		185.33
5% G.S.T.:		<u>133.63</u>

ACCOUNT TOTAL: \$3,306.46

Less monies transferred from trust: -1,192.25

BALANCE DUE AND OWING: \$2,114.21

E. & O.E.
WFS/ca

We accept VISA, MasterCard and Interac

07/31/08
SELECTED DATA

HOOK & SMITH Barristers & Solicitors
CLIENT TIME DIARY

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INIT	DATE	HOURS	DESCRIPTION	RATE	FEE\$	CUMULATIVE	TAX CODE	LOC	SEQ	JOB	
CLIENT# 11275			BOURCHARD, LIONEL ANDRE								
MATTER# 1			ACTION FOR ACCOUNTING & PMT OF \$\$ OWING								
SH	06/25/08	0.50	Research for file	125.00	62.50	62.50	73		2	H000	
SH	06/27/08	0.50	Research for file	125.00	62.50	125.00	73		3	H000	
SH	06/27/08	0.10	Telephone call to Portage Land Titles Office (John Kushniruk - District Registrar)	100.00	10.00	135.00	40		4	H000	
SH	06/27/08	0.20	Telephone call from Portage LTO District Registrar	100.00	20.00	155.00	50		5	H000	
WS	07/02/08	3.00	Drafting of Statement of Claim	225.00	675.00	830.00	66		1	H000	
WS	07/03/08	1.50	Drafting of Notice of Motion for PLO, affidavit of LAB and revisions to S/C	225.00	337.50	1,167.50	60		7	H000	
WS	07/03/08	0.70	Drafting of Statement of Claim revisions to S/C	225.00	157.50	1,325.00	66		8	H000	
SH	07/03/08	0.50	Memorandum to file	125.00	62.50	1,387.50	26		6	H000	
WS	07/04/08	1.00	faxed affidavit of ALB from Land revisions to N/M, S/C and LAB Affidavit	225.00	225.00	1,612.50	99		9	H000	
WS	07/04/08	0.40	Drafting of Pending Litigation Order	225.00	90.00	1,702.50	60		10	H000	
WS	07/04/08	1.00	Drafting of further revisions to material and finalize for filing	225.00	225.00	1,927.50	60		11	H000	
WS	07/04/08	0.50	Meeting with client to sign affidavit	225.00	112.50	2,040.00	11		12	H000	
WS	07/04/08	0.20	Correspondence to email to Marlene reporting on the two matters before the courts	225.00	45.00	2,085.00	20		13	H000	
WS	07/08/08	1.00	Appearance at Motions Court to obtain Pending Litigation Order	225.00	225.00	2,310.00	83		14	H000	
WS	07/08/08	1.00	arrange for filing PLO, Lt Robson, mtg and arranging service of all material, including application and S/C	225.00	225.00	2,535.00	99		15	H000	
WS	07/30/08	0.50	lt LTO Portage la Prairie advising as to instruments affected by PLO registration for endorsement, 1f Land serving S/D and reviewing same	225.00	112.50	2,647.50	99		16	H000	
TOTAL MATTER		12.60									
TOTAL		12.60					2,647.50				

201 - 3111 PORTAGE AVENUE
WINNIPEG, MANITOBA
CANADA R3K 0W4

TELEPHONE: (204) 885-4520
FAX: (204) 837-9846

IN ACCOUNT WITH

HOOK & SMITH
BARRISTERS AND SOLICITORS

Re: Caveats

Lionel André Bouchard
Box 81
Elie, Manitoba
V2X 0N7

DATE: July 31, 2008

OUR FILE NO.: 11090S

G.S.T. # R122243298

FOR OUR PROFESSIONAL SERVICES RENDERED

Between May 15, 2008, and July 31, 2008, as per the attached Client Time Diary, and including all legal services relating to the Application for possession of and access to the Lionel Bouchard family home, including pleadings, briefs, preparation, attendances at court, all correspondence, memorandums, and other matter necessarily incidental thereto;

Winston F. Smith: 42hrs @ \$225.00/hr	\$9,450.00
Sarah Thurmeier: 3.2 hrs @ \$125.00/hr	400.00

Total fees:		\$9,850.00
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Disbursements subject to GST

Paid administration, postage, photocopying, etc.	\$25.00
Paid for courier service attendance to Leegals	7.50
Paid for Leegals attendance to Queen's Bench	<u>30.00</u>

Subtotal:		62.50
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7% P.S.T.:		689.50
5% G.S.T.:		<u>495.63</u>

ACCOUNT TOTAL:		\$11,097.63
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Less monies transferred from trust:		<u>-690.29</u>
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BALANCE DUE AND OWING:		<u>\$10,407.34</u>
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E. & O.E.

WFS/ca

We accept VISA, MasterCard and Interac

07/31/08
SELECTED DATA

HOOK & SMITH Barristers & Solicitors
CLIENT TIME DIARY

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INIT	DATE	HOURS	DESCRIPTION	RATE	FEES	CUMULATIVE	TAX CODE	LOC	SEQ	JOB
CLIENT#	11090	BOUCHARD, LIONEL ANDRE								
MATTER#	1	CAVEATS								
WS	05/20/08	3.00	file review and review QB Rule 60.09	225.00	675.00	675.00	99		1	H000
WS	05/21/08	2.00	review Law of Property Act, RP Act and draft Application	225.00	450.00	1,125.00	99		2	H000
WS	05/28/08	4.00	Drafting of Application, Affidavit, preliminary Motions Brief, review file material, tm to client in Maple Ridge	225.00	900.00	2,025.00	60		3	H000
WS	05/29/08	0.60	Telephone call from RE advsing on first draft of Motion, process and affidavit particulars and memo to file	225.00	135.00	2,160.00	50		4	H000
WS	06/03/08	1.20	Telephone call from Marlene and review of package received and discussion RE peace bond	225.00	270.00	2,430.00	50		5	H000
WS	06/05/08	1.00	Meeting with Lionel and Mike Slegers RE affidavit material for possession application and review of various concerns	225.00	225.00	2,655.00	10		6	H000
WS	06/06/08	1.50	Drafting of revisions to Lionel's affidavit, draft affidavits for Slegers and Owen, revise brief and N/Application	225.00	337.50	2,992.50	60		7	H000
WS	06/11/08	0.40	Telephone call from Marlene RE progress and issues on process	225.00	90.00	3,082.50	50		8	H000
WS	06/12/08	2.20	review of lengthy material and two faxes dated June 10 from Marlene, revisions to material for possession, lf Land RE 30 day notice	225.00	495.00	3,577.50	99		9	H000
WS	06/20/08	1.00	Telephone call from Marlene RE facts on both matters, claim process, economics of claim, etc.	225.00	225.00	3,802.50	50		10	H000
WS	06/23/08	3.00	Drafting of Application and two affidavits - revisions and review of all correspondence received since June 10	225.00	675.00	4,477.50	60		11	H000
WS	06/24/08	0.60	Correspondence from Marlene Legare, review documentation, arrange for execution of affidavits of LAB and Slegers	225.00	135.00	4,612.50	30		12	H000
WS	07/02/08	1.00	Drafting of Affidavit of LAB - revisions	225.00	225.00	4,837.50	60		13	H000
WS	07/02/08	0.20	Telephone call from Marlene RE claim amounts and affidavit for possession	225.00	45.00	4,882.50	50		14	H000
WS	07/03/08	0.60	Telephone call to opposing counsel Kelly Land RE potential firm conflict at CKG account P/A, claim and caveat and possession of life estate and ways to regain possession and memo to file	225.00	135.00	5,017.50	42		15	H000
WS	07/03/08	0.70	Telephone call to Marlene RE discussion with Land and claim amounts	225.00	157.50	5,175.00	40		16	H000
WS	07/03/08	0.20	Correspondence to email copy of affidavit of LAB to Marlene	225.00	45.00	5,220.00	20		17	H000
WS	07/04/08	0.50	Meeting with client to sign affidavit and finalize pleadings for filing	225.00	112.50	5,332.50	11		18	H000
WS	07/09/08	0.70	five emails from Marlene and telephone response to her RE release, etc.	225.00	157.50	5,490.00	99		19	H000
WS	07/15/08	3.00	Preparation for Application, draft brief, affidavit of Carrie, etc.	225.00	675.00	6,165.00	70		20	H000
WS	07/16/08	0.60	Appearance at Motions Court and reporting to Marlene and email exchange	225.00	135.00	6,300.00	83		21	H000
SH	07/16/08	0.70	Research for file	125.00	87.50	6,387.50	73		25	H000
WS	07/17/08	0.20	Correspondence to opposing counsel RE access to property, etc.	225.00	45.00	6,432.50	22		22	H000
WS	07/17/08	0.40	review of material faxed by Marlene (Mother's will, LAB's experience with ALB etal at manor	225.00	90.00	6,522.50	99		23	H000
SH	07/17/08	1.50	Research for file	125.00	187.50	6,710.00	73		26	H000

07/31/08
SELECTED DATA

HOOK & SMITH Barristers & Solicitors
CLIENT TIME DIARY

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INIT	DATE	HOURS	DESCRIPTION	RATE	FRES	CUMULATIVE	TAX CODE	LOC	SEQ	JOB	
CLIENT#	11090	BOUCHARD, LIONEL ANDRE									
MATTER#	1	CAVEATS									
WS	07/21/08	0.20	Correspondence from Marlene email RE funeral event in Edmonton	225.00	45.00	6,755.00	30	24	H000		
SH	07/21/08	1.00	Research for file	125.00		6,880.00	73	27	H000		
WS	07/22/08	0.70	Telephone call to Marlene RE P/A and possible affidavits and strategy to stay the course for possession and not create potential delays	225.00	157.50	7,037.50	40	28	H000		
WS	07/23/08	0.10	Correspondence from Marlene RE POA for Credit Union (email)	225.00	22.50	7,060.00	30	29	H000		
WS	07/23/08	0.60	Meeting with client rewiing credit union accounts and deposit slips, lt CU RE POA, etc.	225.00	135.00	7,195.00	11	30	H000		
WS	07/25/08	0.40	Correspondence from opposing counsel enclosing Aff of ALB, reviewing	225.00	90.00	7,285.00	32	31	H000		
WS	07/25/08	0.60	Correspondence from Marlene emails and courier delivery	225.00	135.00	7,420.00	30	32	H000		
WS	07/25/08	0.40	Telephone call to Marlene RE "drop off info on hearing", affidavit of ALB	225.00	90.00	7,510.00	40	33	H000		
WS	07/25/08	0.20	Correspondence to Caisse Populaire RE NC P/A, cc to Marlene and LAB	225.00	45.00	7,555.00	20	34	H000		
WS	07/25/08	0.20	Correspondence to Marlene returning P/A cc client	225.00	45.00	7,600.00	20	35	H000		
WS	07/29/08	0.40	Telephone call to Marlene Legare RE possible supplementary affidavit	225.00	90.00	7,690.00	40	36	H000		
WS	07/29/08	0.20	Telephone call from opposing counsel RE preceeding	225.00	45.00	7,735.00	52	37	H000		
WS	07/29/08	3.00	Preparation for Court points of argument for urgency and for order of possession	225.00	675.00	8,410.00	71	38	H000		
WS	07/30/08	1.50	Appearance at Motions Court before Sinclair J.	225.00	337.50	8,747.50	83	39	H000		
WS	07/30/08	0.80	Telephone call to Marlene Legare RE court appearance result, strategy, argument outline	225.00	180.00	8,927.50	40	40	H000		
WS	07/30/08	0.30	Correspondence from email Marlene, review transcript of July 16 hearing, email to Marlene reporting today's hearing outcome	225.00	67.50	8,995.00	30	41	H000		
WS	07/30/08	0.20	Correspondence from emails from Marlene Legare RE POA and Madeleine Fillion POA execution	225.00	45.00	9,040.00	30	42	H000		
WS	07/30/08	0.20	Telephone call to Marlene Legare RE some of background info and plans to execute will for Madeleine Fillion	225.00	45.00	9,085.00	40	43	H000		
WS	07/30/08	0.10	Correspondence from opposing counsel Land RE authority for possessions	225.00	22.50	9,107.50	32	44	H000		
WS	07/30/08	0.20	Correspondence to opposing counsel RE exercising authority	225.00	45.00	9,152.50	22	45	H000		
WS	07/30/08	0.20	Correspondence to client Re authority	225.00	45.00	9,197.50	21	46	H000		
WS	07/30/08	0.20	Correspondence to Marlene faxing copy of Land authority and lt client	225.00	45.00	9,242.50	20	47	H000		
WS	07/30/08	0.20	notarizing 4 POA and sending one to Credit union	225.00	45.00	9,287.50	99	48	H000		
WS	07/30/08	2.00	Preparation of brief and review cases on undue influence - revisions to argument	225.00	450.00	9,737.50	70	49	H000		
WS	07/30/08	0.30	Correspondence from Marlene (email) and response email RE meeting tomorrow with Andy	225.00	67.50	9,805.00	30	50	H000		
WS	07/30/08	0.20	Telephone call to client RE advice on meeting tomorrow	225.00	45.00	9,850.00	41	51	H000		
TOTAL MATTER		45.20									
TOTAL		45.20					9,850.00				