

WHEREAS/ATTENDU QUE

ANDRE LIONEL BOUCHARD

(Informant/on behalf of the informant/dénonciateur (dénunciatrice)/personne agissant au nom de celui-ci (celle-ci))

this day appeared before me and says that there is fear that

a comparu aujourd'hui devant moi et déclare qu'il (elle) craint que

MARLENE MARY MADELEINE LEGARE

(Defendant/défendeur (défenderesse))

- will cause personal injury to/ne cause des lésions corporelles :
 - the informant as named above or/au dénonciateur (à la dénonciatrice) indiqué(e) ci-dessus ou à
 - the informant's spouse/son conjoint *Angela Jean Bouchard*
 - the informant's child/son enfant *Amée Bouchard - 23 years (Victoria BC)*
Alyson drc. Bouchard - 21 years
- will cause damage to the informant's property/n'endommager sa propriété

IN THAT/ÉTANT DONNÉ QUE

Between
on or about the/le ou vers le - 05 JANUARY 2006
and the 3rd of February (day/jour) (month/mois) (year/année)
at/à *Wassendy* WINNIPEG AND ELIE, Manitoba/au Manitoba,

the defendant/le défendeur (la défenderesse)

HAD THE POWER OF ATTORNEY FOR MY FATHER CHANGED FROM THE INFORMANT TO ANOTHER MEMBER OF THE FAMILY WITHOUT PRIOR CONSULTATION WITH EITHER PARTY. THERE HAS BEEN CONTINUAL CONFLICT WITH MY WIFE AND MYSELF. THE INFORMANT FEARS FOR THE SAFETY OF ME AND MY FAMILY.

contrary to S.810 of the Criminal Code of Canada.

en *contravention* à l'article 810 du Code criminel (Canada).

SWORN before me this/ASSERMÉ(TÉ) devant moi le 14 FEBRUARY 2006

at/à PORTAGE LA PRAIRIE (day/jour) (month/mois) (year/année), Manitoba/au Manitoba.

ORCS
Judge, Provincial Court Judge or Justice
Juge, juge de la Cour provinciale ou juge de paix

André Bouchard
Informant/Dénonciateur (Dénunciatrice)

ORDER/ORDONNANCE

On being satisfied on the basis of the evidence before me that the informant has reasonable grounds for such fear it is hereby ordered that the defendant enter into a recognizance in the amount of

Étant convaincu(e), sur la base de la preuve qui m'a été présentée, que les craintes du dénonciateur (de la dénonciatrice) sont fondées, j'ordonne par les présentes que le défendeur (la défenderesse) contracte un engagement d'un montant de :

(amount/montant)

with sureties/avec cautions

To keep the peace and be of good behaviour for a period of

Le défendeur (La défenderesse) s'engage à ne pas troubler l'ordre public et à observer une bonne conduite pendant une période de

and/et à

Dated this/Fait le 15 February 2006
(day/jour) (month/mois) (year/année)

at/à Portage la Prairie, Manitoba/au Manitoba.

Dismissed

P. Crommings
Judge, Provincial Court Judge or Justice
Juge, juge de la Cour provinciale ou juge de paix

Domestic Violence/Violence familiale : Yes/Oui No/Non
Police Agency/Detachment Responsible for CPIC entry/Service ou détachement de police responsable de l'entrée des données au CIPC :

1 clarify.

2 THE COURT: Yes.

3 THE ACCUSED: I think the fact that I moved away
4 to B.C. has been held against me with my family as far as
5 having a voice in, in speaking for my mom and dad.

6 This all started back in January, when my brother
7 phoned me to tell me he was committing my dad after he took
8 a fall, and I didn't see that that was the case. I came
9 out, investigated and found out -- my brother told me at
10 that point that he was not going to allow my dad to ever
11 move back home.

12 In questioning my sister, Lynda Staub, she told
13 me that, yes, she was aware there was a verbal agreement
14 that Dad could remain at his farm home of 52 years, but
15 that it was only verbal, so, in essence, I discovered that
16 they were trying to evict my dad. They proceeded to do
17 this. This was back and forth.

18 My brother was charged with theft, and then he
19 started the police harassment against me to keep me out of
20 the province so I would not take my dad to a lawyer.

21 My dad had indicated to me that he did not want
22 to be moved from his home. My brothers and sisters signed
23 an agreement agreeing to that January 30th. The minute I
24 left to go to B.C., they reneged and moved him out of his
25 home to rental housing.

26 Then to make sure I did not come back to B.C.
27 (sic), they included my mom, so -- and they basically
28 tricked her into signing a form saying she did not want to
29 see me. That wasn't the case. Contact was allowed. But
30 the condition for me to come and visit my mom with respect
31 to her cancer and how things were progressing, they wanted
32 that removed, so, in essence, keeping me out of the
33 province so I could not help my dad. The two were
34 intertwined.

1 that has been done here at all. I know that for a fact.
2 Okay?

3 THE WITNESS: Okay.

4 THE COURT: I mean, like I say, I mean, so far
5 I -- I mean, I haven't talked to your brother yet, and I
6 don't think I'm going to enjoy that conversation, but I am
7 sure it will be coming up, but I -- I mean, at some point in
8 time, someone in this family has to step up and take some
9 leadership role. And I think it might be you to say: Let's
10 get Dad interviewed by a professional, to find out what his
11 true wishes are. And --

12 MS. LEGARE: And before they move him.

13 THE COURT: Hang on. And you know, like, where
14 does he want to go? What does he want to do? Or does he
15 know that? He may not know that.

16 And I think it's really clear that people in the
17 family cannot manipulate someone who still, very clearly, is
18 with it, and knows exactly what's going on. I mean, I only
19 have to look him in the eye, much less talk to him for a few
20 minutes, to know that he knows. But he's caught in the
21 middle here, and he's trying to please everybody. And it's
22 a terrible thing to do when you're in your old age, that
23 when you're trying to just keep yourself together, that
24 you've got to please the whole family. And we've got a
25 family around that is running to the RCMP, that is stealing
26 cell phones, that is snapping pictures, all because of this
27 man. I mean, you're loading a lot of guilt on this guy
28 right there. And he's your father. He doesn't deserve
29 that.

30 THE WITNESS: He deserves to live in peace.

31 THE COURT: Yeah. Exactly.

32 THE WITNESS: But --

33 MS. LEGARE: At his home. At his own home.

34 THE COURT: Well --

1 agreement with my brother verbally, and --

2 THE COURT: And why should your brother have to
3 pay his rent for ever?

4 MS. LEGARE: Well, because Dad reduced the price
5 of the home when he sold it to him. And he had the option
6 to remain there the rest of his days.

7 THE COURT: Well, you know what? That's something
8 between your father and your brother.

9 MS. LEGARE: Yeah. But my dad was upset, he told
10 me, because Andy did not put his end in writing.

11 THE COURT: Well, you know what? It's something
12 between your father and your brother.

13 MS. LEGARE: True. True. I agree.

14 THE COURT: Your father has, can walk. I've seen
15 this. He can walk down to a lawyer. He can go and talk to
16 a lawyer if he feels his legal rights have been violated.

17 MS. LEGARE: Yeah. They have been.

18 THE COURT: It's none of your business. Actually,
19 it's none of your sisters' business, either, as well.

20 MS. LEGARE: Exactly. But I'm there to protect my
21 dad, because Andy's manipulating him.

22 THE COURT: Well, that's -- well, you know what?
23 I don't know that. Okay. Like I say, I don't think anybody
24 in this family -- I mean -- I don't think you realize the
25 kind of pressures you're putting on your dad. I don't
26 think, with all due respect to you, sir, that you've been
27 playing fair ball, either. And that's pretty clear. You
28 know that. I know that. In the middle of all of this, it
29 wasn't an emergency for your dad to move, but he was moved,
30 which is really sad in a lot of ways.

31 MS. LEGARE: He hasn't been moved yet.

32 THE COURT: But in any event, you've had him in
33 the hospital, tossed him out, the family has, and then
34 tossed him into a lawyer's offices, and then the family has

About Andy's

1 Andy's doing.

2 THE COURT: Okay. Come on up, Mr. Bouchard.

3 THE CLERK: Take the Bible in your right hand.

4 State your full name to the court, please.

5 THE WITNESS: Andre Lionel Bouchard. Can I ask
6 one question first?

7 THE COURT: Yes.

8 THE WITNESS: There are alleged, or there are
9 pending charges on my alleged theft on my sister's
10 personals.

11 THE COURT: Right. You don't want to talk about
12 that?

13 THE WITNESS: That's correct.

14 THE COURT: That's fine. I'm --

15 THE WITNESS: But we can talk about everything
16 else.

17 THE COURT: Yeah. That's fine.

18 THE WITNESS: Okay. Then I swear.

19
20 **ANDRE LIONEL BOUCHARD**, sworn,
21 testified as follows:

22
23 THE CLERK: Thank you. You may be seated.

24
25 DIRECT EVIDENCE BY MR. BOUCHARD:

26 THE COURT: No. Right there, Mr. Bouchard. Oh,
27 you're going to bring your stuff with you. Okay. I'm not
28 sure I'm going to let you deal too much with that stuff, but
29 anyways, you can certainly get off and get any material.

30 Okay. What should I know about your relationship
31 with your sister here?

32 THE WITNESS: Very, very limited contact. She was
33 here on a family get-together about three years ago, and --

34 THE COURT: Right.

ANDY

MS. LEGARE: Or move him.

THE COURT: Okay. So what you were saying is that when everybody signed that, the idea was that that would keep peace with Marlene, and get her back to Vancouver, so then you could deal with what you felt your dad was doing?

THE WITNESS: And the other thing is she was agreeing to drop the charges against me by signing that. That was part of the agreement.

THE COURT: Okay. I -- obviously --

MS. LEGARE: That's --

Andy Bouchard THE WITNESS: So we felt -- we felt we didn't -- we shouldn't have to go to court for the accusations, and it would save everybody a lot of trouble, so I says I'll sign it if she drops the charges, and it helps her, for peace of mind. I do have Dad's rental agreement, and another form that he signed, and I wish to present it.

THE COURT: Yeah. Okay. Well, like I say, I don't know how, whether he feels he's under pressure or not, and unfortunately --

THE WITNESS: Well, it explains -- it explains the terms of his rent, and --

MS. LEGARE: So what? So what? He didn't want to go there. When I took him home, he said to you three times over he wanted --

THE COURT: Yeah. Hang on. Talk to me.

MS. LEGARE: Sorry.

THE COURT: What's the answer to that? Is it --

THE WITNESS: Self-explanatory.

THE COURT: Well, yeah, but 'he' signed an agreement. Right?

THE WITNESS: Yes.

THE COURT: I have already heard from your side of x things here that he signed a power of attorney that he didn't mean to sign, or didn't want to sign at a lawyer's

TWO THEFT CHARGES AGAINST ANDY
STEALING TWO CELLULAR PHONES
HIS DAD'S X MARLENE'S

Andy TRICKED HIS FATHER AT HOSPITAL TO SIGN A Power of Attorney in Father Andy's name

Andy tricked his father shipping paper on 1/17/06

1 his own wishes. You can ask my, his brother-in-law, he'll
2 speak up for my dad.

3 THE COURT: Okay.

4 MS. LEGARE: And I do have something in writing
5 here signed by all of them.

6 THE COURT: Okay. That's fine. You can have a
7 seat there.

8 MS. LEGARE: Sure.

9 THE COURT: It doesn't matter whether -- you see,
10 there's a, there's a, there's a disconnect here from all of
11 this. And the disconnect is that every time we talk about
12 your father, every one of you wants to tell me what you are
13 going to do for your father.

14 MS. LEGARE: Well, Andy was saying that --

15 THE COURT: And what difference does it make
16 whether all of your siblings, including the one in the
17 States, signed the letter saying your father could live
18 there for the rest of his life? Your father, apparently,
19 has decided to move into a manor. And there it is.

20 MS. LEGARE: No. He's being manipulated, Your
21 Honour.

22 THE COURT: Well, okay. Okay. What's the sign on
23 the door, then, Mr. Bouchard? Is there a sign on the door?

24 THE WITNESS: Excuse me. On Saturday, Dad was
25 staying with my sister, Lynda.

26 MS. LEGARE: Why?

27 THE COURT: Right.

28 MS. LEGARE: Why?

29 THE WITNESS: Because of his health. And there is
30 no home care during the weekend.

31 THE COURT: Weekend, yeah. Okay.

32 THE WITNESS: Okay. They only come from Monday to
33 Friday.

34 THE COURT: Right.

1 THE WITNESS: So Lynda had him go over to her
2 place, and he spent the night with her.

3 THE COURT: Okay.

4 THE WITNESS: Therefore, I left the note on the
5 door, with her phone number, and my phone number, so that if
6 any of his friends were looking to contact him, they could
7 phone him.

8 THE COURT: Okay.

9 THE WITNESS: Okay? And that's all it was.

10 THE COURT: Okay.

11 MS. LEGARE: So my question: Where was he Monday
12 and Tuesday? He was supposed to be back home, getting
13 his --

14 THE COURT: When did he move into the Manor?

15 THE WITNESS: Officially, his rental agreement was
16 done yesterday.

17 THE COURT: Yesterday. Okay. And --

18 MS. LEGARE: He didn't move in there yesterday.

19 THE COURT: -- when is he -- has he physically
20 been there yet?

21 THE WITNESS: We have started moving him. No.
22 Last night, because we had the hearing, my sisters and my
23 dad, we all stayed at my house last night.

24 THE COURT: Okay.

25 MS. LEGARE: Your Honour, may I show you this
26 agreement, whereby Andy (inaudible) --

27 THE COURT: No. Give it to the clerk.

28 MS. LEGARE: Sorry. That Dad could stay there,
29 and he would not be made to move. And that Andy would pay
30 his rent, if and when he got disabled down the road. Dad's
31 perfectly fine. They signed this on the 30th. And that's
32 why I left to go back to Vancouver. They immediately
33 reneged on it.

34 THE COURT: What happened? What's this all about,

1 MS. LEGARE: Okay. Sorry.

2 THE COURT: He's actually in the middle of
3 something. Go ahead.

4 MS. LEGARE: Okay.

5 THE WITNESS: It is agreed that the family house
6 located on the Bouchard Drive in Elie, will remain vacant,
7 which I own, until January the 1st, 2006.

8 THE COURT: Two thousand and what?

9 UNIDENTIFIED FEMALE VOICE: June.

10 THE WITNESS: June. I'm sorry. June 1, 2006.

11 THE COURT: Yeah.

12 THE WITNESS: Two and a half months. And Lionel
13 Bouchard will be given access to the family farm should he
14 wish to visit, or spend any part of the day on the premise,
15 and fourthly, it is agreed between the parties that Lionel
16 Bouchard will be allowed to return to live on the family
17 farm on June the 1st, 2006, should he choose so, at which
18 time, a new agreement will be prepared between myself and my
19 father.

20 And part of the reason for this, Marlene has put
21 forward requests with the Health and Welfare, the Ombudsman,
22 and everybody else, and she's put forward a request between
23 me and my father to fix the door, change the rug, clean up
24 the garbage around the house. Like, she's put up about 30
25 requests, and we feel it's probably not fit for him to be at
26 home alone, plus the home care.

27 THE COURT: Okay.

28 THE WITNESS: And in St. Eustache, he has -- I'm
29 sorry, my dry mouth -- in St. Eustache, he has all his
30 friends there, and he has agreed that for the short term,
31 this would be in his best interest, because it has security,
32 and his friends are there, and if he has a problem with
33 (inaudible) and falls, he's not alone.

34 THE COURT: Where is his brother, the one that's

1 here today?

2 THE WITNESS: That's his uncle. Brother-in-law.

3 THE COURT: Brother-in-law. Okay. Where is --

4 THE WITNESS: Which Marlene brought in.

5 THE COURT: Where is the brother-in-law?

6 THE WITNESS: He lives in that Manor, and he's
7 sitting right there.

8 THE COURT: No. That's what I mean. And I'm
9 sorry. The same question I asked before didn't make any
10 sense. What I mean is, is he around as well? He lives in
11 the same Manor?

12 THE WITNESS: Yes, he does.

13 THE COURT: Okay. Okay. Stand up, Ms. Legare.
14 Does that provide you with any better satisfaction?

15 MS. LEGARE: Absolutely none whatsoever. The
16 items that I --

17 THE COURT: Are you -- tell me about -- this has
18 more twists and turns. Have you complained to government
19 agencies about your father's housing?

20 MS. LEGARE: Not yet. I -- what I want Andy to do
21 is maintain the place like he should. There's water taps,
22 there's a few things --

23 THE COURT: Well, did you threaten to complain?

24 MS. LEGARE: I did, if he didn't take care of it.

25 THE COURT: Okay.

26 MS. LEGARE: And also, he told the RCMP he had got
27 a bill, and he would discuss it with Dad. It's his
28 responsibility to maintain the place. Andy told me the
29 whole place was a fire hazard. I said: Is there a fire
30 extinguisher? There's nothing major that Dad can't live

31 there. And yes, his brother does live in St. Eustache

32 Manor. Hates it. And the Manor that Dad was discussing in

33 November was not the St. Eustache one. It was the Elie

34 Manor --

1 THE COURT: Yeah.

2 MS. LEGARE: -- because it has meals and
3 facilities. There is nothing here. Also, Andy, in that
4 paper, said that he would pay the rent for ever should Dad
5 be in a position where he needs to move out. He doesn't
6 need to move out. And he's saying he'll go back in June.
7 That's not going to happen.

8 THE COURT: Probably not. You're right. But --

9 MS. LEGARE: Of course not. It's not going to
10 happen.

11 THE COURT: -- it's -- your father is of the right
12 mind, he can figure it out, and decide for himself.

13 MS. LEGARE: Where he wants to stay.

14 THE COURT: Yeah.

15 MS. LEGARE: He doesn't want to move. Maybe you
16 should ask him what he wants to do.

17 THE COURT: No. But that's the whole point, you
18 see --

19 THE WITNESS: (Inaudible)

20 THE COURT: -- is that nobody seems to be able to
21 figure this out in his family. Just asking someone like
22 that, who is under that kind of considerable pressure, is
23 cruel to him.

24 MS. LEGARE: Exactly.

25 THE COURT: Well, but why did you ask him -- tell
26 me to ask him, then, if you know it's cruel?

27 MS. LEGARE: Well, no. The point is he's told his
28 brother-in-law, he's told everyone that he wanted to go
29 home, and when he was home, he said: I'm very happy. I
30 don't want to move. Andy overrides, and goes to St.
31 Eustache with his power of attorney and tries to put him in
32 there. And he's still doing it again. And on there, he
33 stated that he would pay his rent for ever. Now he's saying
34 for just two or three months. Dad has a life estate

1 agreement with my brother verbally, and --

2 THE COURT: And why should your brother have to
3 pay his rent for ever?

4 MS. LEGARE: Well, because Dad reduced the price
5 of the home when he sold it to him. And he had the option
6 to remain there the rest of his days. X

7 THE COURT: Well, you know what? That's something
8 between your father and your brother.

9 MS. LEGARE: Yeah. But my dad was upset, he told
10 me, because Andy did not put his end in writing.

11 THE COURT: Well, you know what? It's something
12 between your father and your brother.

13 MS. LEGARE: True. True. I agree.

14 THE COURT: Your father has, can walk. I've seen
15 this. He can walk down to a lawyer. He can go and talk to
16 a lawyer if he feels his legal rights have been violated.

17 MS. LEGARE: Yeah. They have been.

18 THE COURT: It's none of your business. Actually,
19 it's none of your sisters' business, either, as well.

20 MS. LEGARE: Exactly. But I'm there to protect my
21 dad, because Andy's manipulating him.

22 THE COURT: Well, that's -- well, you know what?
23 I don't know that. Okay. Like I say, I don't think anybody
24 in this family -- I mean -- I don't think you realize the
25 kind of pressures you're putting on your dad. I don't
26 think, with all due respect to you, sir, that you've been
27 playing fair ball, either. And that's pretty clear. You
28 know that. I know that. In the middle of all of this, it
29 wasn't an emergency for your dad to move, but he was moved,
30 which is really sad in a lot of ways.

31 MS. LEGARE: He hasn't been moved yet.

32 THE COURT: But in any event, you've had him in
33 the hospital, tossed him out, the family has, and then
34 tossed him into a lawyer's offices, and then the family has

ANDY
X

1 tossed him out of his home. But like I say, there is no
2 answer for that in this court.

3 You, sir, on, your application says that you have
4 fear of her because she phones you. What is the fear, fear
5 of your sister, because she phones you?

6 THE WITNESS: All the threats that she's talking
7 about, going to the coalition of citizens, rights of
8 citizens, the landlord and --

9 THE COURT: Well, she's talking about exercising
10 of rights, though. Right?

11 THE WITNESS: Okay.

12 THE COURT: Well, how does that physically
13 threaten you, other than you just don't want to be bothered
14 with it?

15 THE WITNESS: No. There are threats. It's
16 just -- there is so much here that ...

17 THE COURT: Well, you know, the magistrate told me
18 coming in here that this was going to be a process hearing,
19 because she didn't think your sister would be here. Your
20 sister is here, so we can have the full hearing today. But
21 the reason why it was a process hearing, and which is what
22 you were advised of, sir, because she told me she
23 specifically advised you that there had to be some physical
24 threat. And so I want to know what that physical threat is.
25 You were warned coming in. So it's no answer to say: Gosh,
26 there's so much paperwork here. Because this is the only
27 thing you were told to bring.

28 THE WITNESS: If you could give me one minute,
29 please, (inaudible).

30 MS. LEGARE: Your Honour, I am suggesting that Dad
31 stay at home until this gets resolved by a third,
32 independent party. Why rush him out of his home, and
33 disturb him, when he's supposed to be recuperating with home
34 care coming to his door? That is totally unfair and

1 manipulating on my brother. There's no need for it.

2 THE COURT: Well, like I say, all of these issues
3 that you want to deal with today -- certainly, when I came
4 in I thought it was your side of the family. Now I realize
5 it's both sides of the family. Matters of this, is way
6 beyond the jurisdiction of this court. So I --

7 MS. LEGARE: Would you recommend mediation,
8 immediate mediation before moving him?

9 THE COURT: Well, I'm not recommending anything,
10 because the way people take what RCMP constables and
11 sergeants tell them here is, is -- it's very dangerous to
12 recommend anything to this family, because the next thing
13 that happens is that, from my view, is that then that
14 becomes a matter of law, and then a matter of criminal
15 charges being pressed. So I am not recommending anything.
16 I told your sister what I felt. And I'm almost regretting
17 that, to some extent. Not because she didn't listen to me,
18 but just because, like I say, everybody's looking for an
19 edge here. Everybody's looking for leverage. Your brother
20 is. And you are, especially. The rest maybe not so much.
21 And it's a terrible thing to be putting that pressure on
22 your dad.

23 I have already told your sister what I felt that
24 someone should be doing here, and that's what I feel. But
25 you're not the one that should be stepping up to deal with
26 this. And you're not the one that should be stepping up to
27 deal with it because you're both so heavily involved with
28 this.

29 But anyways, Mr. Bouchard, you're going to tell me
30 about the threats.

31 THE WITNESS: She is telling people that I am
32 going to kill my father. And I know that's not a --

33 THE COURT: Okay. But this is something,
34 unfortunately, unless you can produce -- have you got a

1 witness that she told that to?

2 THE WITNESS: I believe my Uncle Lawrence would
3 have heard that.

4 THE COURT: Okay. Let's -- we'll call up Uncle
5 Lawrence, then, in a while. And is his last name Bouchard?
6 No. He's a brother-in-law, you said.

7 THE WITNESS: Brother-in-law.

8 THE COURT: What's his last name?

9 MS. LEGARE: All right. H-O-U-D-E.

10 THE WITNESS: And can I present this letter? And
11 I think it's best you just read it, because it's -- just the
12 highlighting stuff.

13 THE COURT: Okay. Let's see what that is. What
14 is it, sir?

15 THE WITNESS: It's a threat to me that --

16 THE COURT: What is it? Where did it come from?
17 Where was the document prepared?

18 THE WITNESS: It came from Marlene through, via
19 e-mail through my sister.

20 THE COURT: Okay.

21 THE WITNESS: 'Cause I don't get any e-mails from
22 my sister. She's blocked from our house. My wife works at
23 the Justice Department. And we don't accept mail there.

24 THE COURT: Well, this is about the family
25 dispute, eh?

26 THE WITNESS: But --

27 THE COURT: It says in here that God will be
28 getting you. Right?

29 THE WITNESS: Yes.

30 THE COURT: Why do you take that as a threat from
31 your sister?

32 THE WITNESS: 'Cause she has visions. She just
33 told the court that she has visions of people getting hurt.

34 THE COURT: Right.

1 THE WITNESS: Either herself, or her live-in.

2 THE COURT: You don't agree with me, then, when I
3 take it to mean that you're doing a bad thing morally, and
4 that you'll be punished by God? That's not the way you read
5 this?

6 THE WITNESS: No.

7 THE COURT: Okay. You can give that back to him.
8 Anything else? Yeah.

9 MS. STAUB: She has told me in her e-mail that my
10 brother is trying to kill my father. And Marlene has said
11 that to me.

12 THE COURT: Right.

13 MS. STAUB: And she's nodding.

14 MS. LEGARE: I agree.

15 THE COURT: Yeah. She's -- yeah.

16 MS. LEGARE: I agree with her.

17 THE COURT: Yeah. She's quite definite on that.
18 She's very concerned about your father's health.

19 MS. STAUB: And she also said in the same e-mail
20 that I am also trying to kill my father.

21 MS. LEGARE: And that's true.

22 THE COURT: Yeah.

23 MS. LEGARE: That's true. I agree.

24 THE COURT: Well, what is that? Is that a threat
25 to you?

26 MS. STAUB: No. You're asking him, my brother,
27 has she said that to anyone, and she has. She has said
28 that, that he's trying to kill my father.

29 MS. LEGARE: I'll go on record as saying it, yes.

30 THE COURT: No. No. I am asking about threats to
31 your brother. I am asking whether Lionel has been -- excuse
32 me -- Lionel has -- you're Andre or -- whether Andre has
33 been threatened. That's what I am concerned about. She's
34 quite clear that she feels that the two of you are damaging

1 your father's health. And I take that to mean the word
2 "kill". In other words, that your actions will bring an
3 early end to your father. Certainly, he's had quite a bit
4 of upset lately, back and forth, out of his own home, to the
5 hospital, out of his own home, to a manor.

6 THE WITNESS: Can I ask another question?

7 THE COURT: Yeah.

8 THE WITNESS: I'd like to present this forward.
9 It was my dad's handwriting when he was in the hospital
10 approximately January the 5th.

11 THE COURT: Yeah.

12 THE WITNESS: And that's about the time we decided
13 that the home was not the safest place for him, that the
14 Manor would give him better support.

15 THE COURT: And what, what's the handwriting
16 about?

17 THE WITNESS: It's my dad's handwriting.

18 THE COURT: What's it about?

19 THE WITNESS: That's the issue here, his state of
20 mind at the time, because of the concussion. It was very
21 damaged.

22 THE COURT: Right.

23 THE WITNESS: And that's all in the --

24 THE COURT: But you've got a report, of course,
25 from a medical professional that recommended he move into a
26 personal care home. Right?

27 THE WITNESS: It was -- the medical report states
28 that he should have psychiatric examinations upon leaving
29 the hospital.

30 THE COURT: Right.

31 THE WITNESS: To make sure that his short term
32 memory was recovering.

33 THE COURT: Right. Did you -- you've got a report
34 recommending that he move into the home. Right?

1 THE WITNESS: No, we did not.

2 THE COURT: Yeah. That's what I thought.

3 THE WITNESS: It was a family decision.

4 MS. LEGARE: Excuse me, Your Honour. That --

5 THE COURT: But why doesn't he get to decide? I'm
6 a little lost there.

7 THE WITNESS: Because his state of mind in the
8 hospital was such that he was out of control, meaning he was
9 having fits, he was locking himself in the bathroom. He was
10 collecting supplies from the hospital, putting them under
11 his bed, in his cupboard.

12 THE COURT: Okay. But he did -- all of those, of
13 course, you reported to the hospital authorities. Right?

14 THE WITNESS: He was in the hospital when it was
15 happening.

16 THE COURT: And, and they, did they say to you at
17 that point in time, gosh, we'd better assess your dad?

18 THE WITNESS: We indicated that he was going to be
19 going to the St. Eustache Manor, and they said that would be
20 a good place to go, because of his health situation.

21 THE COURT: Okay.

22 MS. LEGARE: Okay. Your Honour, that was January
23 5th. My dad didn't get released until January 29th. He was
24 still in the early stages of recovery from a real bad
25 concussion. Give the guy a break. Let him recover.

26 THE COURT: Is he better off now than he was on
27 January 5th, in your opinion?

28 THE WITNESS: Definitely.

29 THE COURT: Okay. Well, you know, we're having
30 just a little dispute here about whether he should be in the
31 Manor or not, and like I say, it's unfortunate that some
32 health authority didn't put the whole family's mind at ease
33 by doing that, by assessing him, and saying this is what
34 needs to happen. But in any event, it's -- like I say, it's

ANDY

1 As the court has said many times this morning,
2 this is a section 810 application, and the court has to be
3 satisfied of one of two things; that there will be personal
4 injury to the applicants by the defendant, or that the
5 applicants' property may be damaged by the defendant. And
6 one or both of those requisites must be met for the order to
7 be granted.

8 As the court has indicated several times this
9 morning, there are many issues in this family, and those
10 issues should be solved by mediation, hopefully, but if not,
11 certainly by proper legal advice, and by court actions if
12 that's what everybody feels is necessary. And when the
13 court indicates court actions, it does not mean criminal
14 law, because so far, the court has found nothing of any
15 criminal nature here this morning, one way or the other.

16 So the question is, have any of the applicants
17 proven either or both of those prerequisites? The answer is
18 clearly in the negative. Certainly, Ms. Legare has written
19 to each, or all of them, or all of them have notice of it,
20 and I am assuming that she knew that all of her family would
21 have notice of these visions that her friend has had about
22 disasters that might befall the family, about break and
23 enters, but none of those can be taken to mean that she
24 herself, Ms. Legare, intends to perpetrate those disasters
25 against any of the children, or any of the break-ins that
26 are suggested in those e-mails. They're discourteous
27 e-mails, they're nosey e-mails, in the sense that passing
28 that sort of information along can only make a person feel
29 not very good about themselves.

30 But the simple fact of the matter is that Ms.
31 Legare has made no threats to any member of her family,
32 including her father. She has not threatened the property
33 of any of them. And therefore, each of the peace bond
34 applications is dismissed.

1 Mr. Bouchard, from your point of view?

2 THE WITNESS: I'm sorry?

3 THE COURT: What's this all about from your point
4 of view?

5 THE WITNESS: I'm not sure which letter she gave
6 you.

7 THE COURT: Okay.

8 MS. LEGARE: He has a copy of this.

9 THE COURT: Yeah. Give it to him, and show it to
10 him.

11 THE WITNESS: Well, I don't know what it is.

12 MS. LEGARE: Can you hang on to that? If you
13 don't mind. Because he tends to keep anything that I have
14 original.

15 THE WITNESS: This agreement will confirm that
16 Marlene Legare will drop all charges on my --

17 THE COURT: Well, do you know -- do you know what
18 that -- do you recognize that document? You don't have to
19 read it to me. I've read it.

20 THE WITNESS: This was supplied to me by one of my
21 sisters in Winnipeg, because I had a no-contact order with
22 Marlene.

23 THE COURT: Do you recognize the document?

24 THE WITNESS: Yes, I do.

25 THE COURT: Okay. Is your signature on it?

26 THE WITNESS: Yes, it is.

27 THE COURT: Okay. And you can give it back to the
28 clerk. What does it mean, from your point of view? What
29 did you think you were doing when you signed that document?

30 THE WITNESS: We were trying to fit in Dad's
31 health and well-being, and we were trying to accommodate
32 Marlene because the RCMP were involved in everything,
33 basically to get her out of Vancouver, so that we could take
34 care of Dad's best interest, his health, and well-being.

Andy Breached 'No Contact'

1 MS. LEGARE: Or move him.

2 THE COURT: Okay. So what you were saying is that
3 when everybody signed that, the idea was that that would
4 keep peace with Marlene, and get her back to Vancouver, so
5 then you could deal with what you felt your dad was doing?

6 THE WITNESS: And the other thing is she was
7 agreeing to drop the charges against me by signing that.
8 That was part of the agreement.

9 THE COURT: Okay. I -- obviously --

10 MS. LEGARE: That's --

11 THE WITNESS: So we felt -- we felt we didn't --
12 we shouldn't have to go to court for the accusations, and it
13 would save everybody a lot of trouble, so I says I'll sign
14 it if she drops the charges, and it helps her, for peace of
15 mind. I do have Dad's rental agreement, and another form
16 that he signed, and I wish to present it.

17 THE COURT: Yeah. Okay. Well, like I say, I
18 don't know how, whether he feels he's under pressure or not,
19 and unfortunately --

20 THE WITNESS: Well, it explains -- it explains the
21 terms of his rent, and --

22 MS. LEGARE: So what? So what? He didn't want to
23 go there. When I took him home, he said to you three times
24 over he wanted --

25 THE COURT: Yeah. Hang on. Talk to me.

26 MS. LEGARE: Sorry.

27 THE COURT: What's the answer to that? Is it --

28 THE WITNESS: Self-explanatory.

29 THE COURT: Well, yeah, but he signed an
30 agreement. Right?

31 THE WITNESS: Yes.

32 THE COURT: I have already heard from your side of
33 things here that he signed a power of attorney that he
34 didn't mean to sign, or didn't want to sign at a lawyer's

ANDY

1 office.

2 THE WITNESS: But the --

3 THE COURT: So what makes this agreement any
4 better than, than the power of attorney that you say is no
5 good?

6 THE WITNESS: Okay. Can I read it, please?

7 THE COURT: Oh. Okay. What does it say? What's
8 it about? I thought it was a rental agreement with St.
9 Eustache Manor.

10 THE WITNESS: Well, this is his rental agreement.

11 THE COURT: Yeah. And what's that?

12 THE WITNESS: This is his rental --

13 THE COURT: What's the white thing? Just tell me
14 what it is, without reading it.

15 THE WITNESS: It's an agreement between me and my
16 father.

17 THE COURT: Concerning what?

18 THE WITNESS: Lionel Bouchard has agreed to live
19 at the St. Eustache Manor effective immediately.

20 THE COURT: Right.

21 THE WITNESS: To alleviate safety concerns. Andre
22 Bouchard has agreed that he will pay the rental expenses for
23 Lionel Bouchard for the month of February, March and April,
24 at St. Eustache Manor.

25 MS. LEGARE: Oh, that's nice.

26 THE COURT: Right.

27 THE WITNESS: It is agreed that the family house
28 located on Bouchard Drive, which is my home, and Dad's
29 living there rent-free.

30 THE COURT: Yeah.

31 MS. LEGARE: It's not your home. You don't --

32 THE COURT: Hang on. Hang on.

33 MS. LEGARE: Sorry. Okay.

34 THE COURT: I said don't talk to him.

INFORMATION

DÉNONCIATION

This is the information of

Les présentes constituent la dénonciation de

ARAH LYNN RUSSELL, "ON BEHALF OF HER MAJESTY THE QUEEN"

a member of the Royal Canadian Mounted Police hereinafter called the informant.

membre de la Gendarmerie royale du Canada ci-après appelé(e) le dénonciateur.

The informant says that he has reasonable and probable grounds to believe and does believe

Le dénonciateur déclare qu'il a des motifs raisonnables et probables de croire et croit

THAT /QUE:

COUNT 1: That Andre Lionel BOUCHARD on or about the 29th day of January A.D. 2006 at or near the Rural Municipality of Cartier in the Province of Manitoba, did unlawfully take a black leather Mackenzie briefcase with contents and an Audiovox 6600 blackberry, the property of Marlene B... of a value not exceeding five thousand dollars contrary to section 334(b) of the Criminal Code of Canada;

STAY OF PROCEEDINGS

May 23/06
stay et proceedings
per Crown.
Judge Finlayson
P/GRE

SWORN/AFFIRMED before me this / DÉCLARÉ SOUS SERMENT OU AFFIRMÉ SOLENNELLEMENT devant moi le

6th day of / jour d February, 2006 at / à Rural Municipality of Headingley, Manitoba / au Manitoba.

S. Stritz
Provincial Court Judge or Justice
Juge de la Cour provinciale ou juge de paix

S. STRITZ
A magistrate in and for the
Province of Manitoba

[Signature]
Informant / Dénonciateur

(To be completed if sent by telecommunications)

(À remplir dans le cas d'un envoi par télécommunications)

I solemnly declare that all matters contained in the information are true to the best of my knowledge and belief. I understand that this statement is of the same force and effect as if made under oath.

Je déclare solennellement que les faits énoncés dans la dénonciation sont exacts autant que je sache. Je comprends que la présente déclaration a la même valeur et le même effet que si elle était faite sous serment.

Dated this / Fait le _____ at / à _____, Manitoba / au Manitoba.
(day/jour) (month/mois) (year/année)

Provincial Court Judge or Justice
Juge de la Cour provinciale ou juge de paix

Informant / Dénonciateur

DOB/NÉ(E) LE : 1957/09/23

D/L#/P/C # :

PR#/R.P. # : 2006-105715

Vehicle Plate No./N° de plaque:

Prov:

Vehicle Type
Type de véhicule

Motor Vehicle
Véhicule automobile

Snowmobile
Moto-neige

ATV
VTI

Motorcycle
Motocyclette

Implement of husbandry/special mobile machine/tractor
Matériel agricole/engin mobile spécial/tracteur

Other, specify
Autre, préciser

National Safety Code No./Numero du Code national de securite:

Police Agency/Detachment/Service ou détachement de police : **Headingley Rural Detachment**

Domestic Violence/Violence familiale : Yes/Oui No/Non
Police Agency/Detachment responsible for CPIC entry/Service ou détachement de police responsable de l'entrée des données au CPIC :
Headingley Rural Detachment

This agreement will confirm that Marlene Légaré will drop all charges including all

No Contact Orders placed on January 29, 2006 against André Lionel Bouchard.

In return for the above we the undersigned agree that we will not remove our

father Lionel André Bouchard from his home. Our father will notify Marlene

Légaré should he decide to move.

Lionel Bouchard
Dated: January 30, 2006

This will confirm that André agrees to pay Dad's rent when he moves away from the farm

Signed:

Lynda Staub
Lynda Staub

Marlene is allowed to visit her father at any time.

Claire Demery
Claire Demery

André Bouchard
André Bouchard

Lionel Bouchard
Lionel Bouchard

Angela Bouchard
Angela Bouchard

Marlene Légaré
Marlene Légaré

LYNDA BROKE AGREEMENT IMMEDIATELY BY REFUSING MARLENE TO CONTINUE CARING FOR DAD THAT NITE

After spending a night at a motel, Marlene Légaré was invited to stay at her Aunt Yvette Houde's at the ELIE manor while she was on a cruise, let in by Uncle Laurent Houde who had a key. The second night "Laurette Butresne" asked Marlene to leave because she did not want problems with her.

This Agreement made this 11th day of February, 2006

Between:

ANDRE BOUCHARD,

Son, of the first part,

And


LIONEL BOUCHARD,

Father, of the second part,

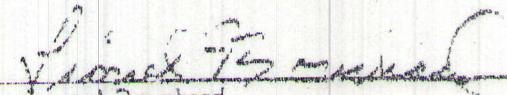
NOW WITNESSETH THAT:

- 1) Lionel Bouchard has agreed to live at the St. Eustache Manor effective immediately to alleviate safety concerns;
- 2) Andre Bouchard has agreed that he will pay the rental expenses for Lionel Bouchard^s for the months of February, March and April, 2006 at the St. Eustache Manor;
- 3) It is agreed that the family house located on Bouchard Drive in Elie will remain vacant until June 1st, 2006 and Lionel Bouchard will be given access to the family farm should he wish to visit or spend part of the day on the premises.
- 4) It is agreed between the parties that Lionel Bouchard will be allowed to return to live on the family farm on June 1st, 2006 should he so choose, at which time a new Agreement will be prepared between the above two parties.

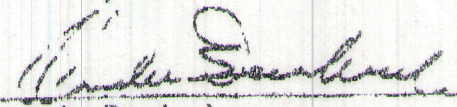
SIGNED THIS 11TH day of February, 2006.



 Witness



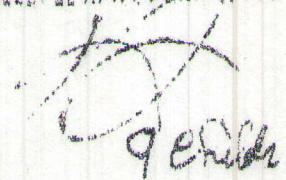
 Lionel Bouchard



 Andre Bouchard

Handwritten notes:
 The agreement is...
 signed by...
 on 21st day of February 2006

A BARRISTER-AT-LAW
 REGISTERED IN QUEBEC IN THE PROVINCE OF QUEBEC



Priest delivers sermon of truth

Dear Ann Landers: While visiting an elderly friend of my mother, she asked me if I minded watching Mass on TV with her (I am not Catholic). I told her, "Certainly not. I will probably learn something."

The priest talked about the commandment, "Thou shalt not kill." I was fascinated when he said that it is not necessary to use a gun or a knife to kill someone. He said, "You can kill a person's spirit by talking



Ann Landers

instead of listening or belittling and putting a person down, or by being indifferent to a person's needs — in other words, ignoring him or her."

I then thought of the lonely elderly

people I see day after day, who are simply existing in nursing homes. Their families pay the bills and give them gifts that they neither need nor want. They send fancy cards on special occasions when what these older folks hunger for are a few loving words written on a piece of paper or, better yet, a visit and a warm hug.

I looked at my friend and saw that her eyes were filled with tears as the

priest continued his sermon. I thought of the emotionally starved people whom nobody listens, making them feel as if they have outlived their usefulness. I then knew that the priest's words were right. This lonely person whom I was visiting was one of the victims. My heart went out to her.

Ann, will you please broadcast this powerful message to those who may be guilty of killing a soul without realizing it? Thank you, dear — A Devoted Reader.

Dear Devoted Reader: He delivered a sermon of truth if ever I heard one. Thank you.

ARTICLE FROM
MY SISTER

MADELINE
FILLION'S

GIVEN TO MARLENE

Dear Ann Landers: At U.S. Sen. Hubert Humphrey's funeral, President Jimmy Carter quoted Mahatma Gandhi as he listed the seven deadly sins. I'd love to have a copy. Can you find them? — A Fan

Dear Fan: Here they are: Wealth without work, pleasure without conscience, knowledge without character, commerce without morality, science without humanity, worship without sacrifice and politics without principles.

Write to Ann Landers care of the Winnipeg Free Press. If you request a personal reply, include a stamped self-addressed envelope.

LOS ANGELES TIMES SYNDICATE