

**M**

Claire Demery's, Taped Conversation April 12, 2008 2:02 minutes

Claire: "Hello".

Dad: "Hello - Claire?"

Claire: "Hi."

Dad: "Claire?"

Claire: "Yeah, it's me."

Dad: "This is Dad here okay?"

Claire: "Yeah what's happening Dad, what's happening Dad?"

Dad: "I'm in holidays right now..."

Claire: "What?"

Dad: "I'm in holidays...."

Claire: **"No you're not Dad. Dad don't make her say that! She's just lying! She's making you say that. We know. We all know what's going on Dad, we know what she's doing. When are you coming back?"**

Dad: "Well as soon as I am done with my holidays, I'm with.."

Claire: "With what, with what?"

Dad: "I'm with my brother and I have five cousins - Adelard Bouchard..."

Claire: "Dad I can't hear you, what?"

Dad: "Pardon? You can't hear me?"

Claire: "Say, what's going on?"

Dad: "See, I'm with Ti-Joe, my brother that just came out of the hospital just lately, so I spend quite a bit of time and then there's five cousins, first cousins, Therese Bouchard, Ti-Fred Bouchard and Salange, and Mona..."

Claire: **"No! No! No! No! No!"**

Claire: "No, No, **I think he is making you phone just so the police don't...come to your house again, to her house, is that why?"**

Dad: "Pardon?"

Claire: **"Now I guess she's making you phone everybody to say you're there, so that the police don't get involved? Dad, you have no idea what you've done..."**

Dad: "Pardon?"

Claire: "You have no idea what you've done and **tell her to stay the hell away from us!"**

Dad: "So, I'm on holidays now, so as soon as..."

Claire: "No you're not Dad! **Quit lieing! We're sick and tired with all this shit!"**

Dad: "Hello?"

Claire hung up.

May 12, 2008

CLAIRE DEMERY TAPED CONVERSATION

Claire: Hi.

Dad: Hello Claire?

Claire: Hi.

Dad: Yeah this is Dad here. So how are you tonight?

Claire: I'm fine.

Dad: So what's new? If I go back to Manitoba I'm gonna be charged with child abuse, I mean is that right?

Claire: Dad, when you get back home, we'll talk.

Dad: Pardon?

Claire: I don't want to talk over the telephone.

Dad: No.

Claire: No, I don't like what's going on and I don't want to talk about it over the phone.

Dad: No?

Claire: I don't like this game that you and Marlene are playing, so

Dad: Pardon?

Claire: I don't like this game that you are playing, we're all just going to get hurt, that's all.

Claire: Dad?

Dad: Yes.

Claire: When are you coming home, next February?

Dad: Well as soon as I get my keys to go back, into where I was supposed to go there and

Claire: When you get your what?

Dad: My keys to go back on the farm, on the homestead.

Claire: **Dad, You don't even sound good.**

Dad: Pardon?

Claire: **I said, you don't even sound good.**

Dad: I don't sound good?

Claire: No, when you come home, when you come home, we'll talk. I know Marlene is recording all this, so...

Dad: Pardon?

Claire: I don't feel like talking to her.

Dad: So.

Claire: When you get home we'll talk. There is no sense talking on the phone.

Dad: Am I gonna get charged when I get home?

Claire: We'll talk, we'll talk when you get home Dad. I don't know what's going on.

Dad: Yeah, well, well...

Claire: You're the one that wanted this so

Dad: **You're the one that wanted to go out there, so now deal with it and we'll talk when you get home.**

Claire: I hope you are having a nice holiday. We'll see you in February.

Dad: **So what happened with the Credit Union there, what's**

Claire: Is she writing all this down for you to say Dad?

Dad: Pardon?

Claire: You know we'll talk when you get home.

Dad: Yeah, okay, well whatever, okay?

N

EXHIBIT 8

April 17, 2008

Unauthorized Power of Attorney re M.T.S. Cellular # 781-6387 - Lionel Bouchard

In mid February 2008, I enquired into my father's cellular bill as my father was complaining to me that it was quite high - as noted from the March 24, 2008, disconnection notice. My father authorized M.T.S. to discuss his plan with me at which point I noted there were no free evening or weekend minutes. The plan was upgraded to a more suitable plan, for less money, and I was able to procure an \$85 credit on the account.

As a precaution, anticipating resistance from Andre Bouchard with respect to settling a Life Estate with our father, I had M.T.S. make a notation on file to relay account information to my father and myself exclusively and under no circumstances to any other family members. (At that point in time I did not have the power of attorney as my father was still in Manitoba.)

Recently, I decided to check on the account as Lynda Staub threatened to have my probation revoked for contacting my father even though, at my father's request, the No Contact was approved November 2007, in Port Coquitlam, B.C.

Sure enough, it appears that Claire Demery called in on March 26, at 1:50 p.m. whereby she faxed a copy of a power of attorney dated January 27, 2006! I had been present for the revocation of the initial power of attorney made out in favour of Andre Bouchard & Lynda Staub, (which Andre had tricked his father into signing at the Grace Hospital by placing it beneath insurance renewal paperwork he was having him sign) and which I was present at the time and was horrified at his actions and the smoothness of executing this trickery against our father who, for over 1/2 hour, was adamantly refusing to sign and which he recently told me that, while in the hospital, Andre and Angie Bouchard were constantly pressuring him to sign paperwork, which he was refusing, and which Dad admitted he had to resort to locking himself up in the bathroom and hiding under his bed to escape! Dad's roommate commented to him how despicable his son's actions were towards his father, this at a time when he almost died from his head injury and was in the process of recovering while in the hospital for a month-long stay. The nurses also noted this harassment.

I paid for, and had, and still have in my possession, the original power of attorney made out in Claire's favour, the exception being when the RCMP recovered it from Andre Bouchard after he was charged with two counts of theft of my binder (which contained this power of attorney) while I was at my father's home in Elie, January 29, 2006, along with my father and my cellu-lars - leaving us without any means of communication, this after Andy arranged a "family gathering" at the Holiday Inn in Winnipeg on the pretense of visiting with an Uncle from Kenora. I believe it was at this time that Andre Bouchard had the opportunity of photocopying the power of attorney as well as other notes in my binder which recently been used without my father's consent.

My sister Leona Bouchard of Calgary was on the telephone when Andy walked into my Dad's home in Elie. Andy was so infuriated at being exposed when he learned that Leona was warning us about the motive behind the meeting which was to gang up against our father in order to move him out of his home and into the Manitoba Housing Complex in St. Eustache. At the restaurant, Lynda Staub and Claire Demery physically grabbed my father from my care and pushed him into Lynda's vehicle, without his jacket - this after being discharged only two days prior from his 30 day hospital stay after falling and suffering a head injury! Later Andy faxed a copy of the title to the property my father's home of over 50 years is situated on, and as there had been a No Contact order in place in favour of my father and myself against Andy for his actions, he retaliated by ordering the RCMP to have me removed from my father's home, (which I knew at the time legally he could not make this request), also citing that he had had legal counsel from, which in hindsight I do not believe. As I did not wish to have a scene, I respected the RCMP request to leave that night and took a motel room in Winnipeg - this after I had come out for only a couple days to ensure my father's wishes to return home got accomplished and who had been discharged from the Grace Hospital into my care pending home support!

Brian Skinner of M.T.S., advised me that the copy of the power of attorney was faxed from 239-0106, identified as MegaComputers, a Portage La Prairie telephone # - most likely from Andre as he lives in Portage.

Also at that time, Claire Demery requested copies of the August/September/October/January/February/March bills (Claire already had taken Dad's cellular bill on January 22, the day of his birthday, when he complained about his bill, and at which time Claire stated she would look into his plan, and did nothing about it, but did take a copy. My father made a special trip to Teulon to retrieve this bill from her when he realized that at Christmas time he had called me, and that his bill did indicate that there was a call of a couple seconds as he reached my answering machine and left a brief message to wish me a Merry Christmas.

The \$36 charge for these duplicates is currently being credited back to the account. The duplicates arrived last week as my father's mail is currently temporarily being redirected by Canada Post to Vancouver. The intentions of Andre/Lynda/Claire was to have me breached for contact had they found one call on his cellular as evidenced by Lynda's recent threats to her Dad last week!

The transcript of the court case on February 15, 2006, indicates that Claire Demery had never received the power of attorney, and was at no time authorized to use this document, nor was it ever in her possession, this Claire stated under oath in Portage La Prairie, when she, along with three other family members, sought and were denied a peace bond against me.

Written confirmation may be obtained by way of legal request addressed to M.T.S. Wireless, P.O. Box 6666, 333 Main Street, Room MP18C, Winnipeg, Manitoba R3C 3V6.

*MLegare*  
Marlene Legare

THE SALVATION ARMY  
GRACE GENERAL HOSPITAL  
WINNIPEG, MAN.

Grace General Hospital  
REQUEST TO ACCESS PERSONAL HEALTH INFORMATION

372940

I, André Bouchard request that Grace Hospital, provide  
(Name of Applicant) (Name of Facility/Program)

access to the personal health information of:

Patient Name: Bouchard, Lionel  
Last Name First Name(s)  
Address: Box 81 Elis MB R0T 0H0  
D.O.B.: Jan 22/1924 PHN: \_\_\_\_\_  
Phone No.: H: 857-5000 W: 857-2096

Person requesting access (if different from above):

Name: Bouchard André P.O.A.  
Last Name First Name(s)  
Relationship to Patient: Son  
(or legal authority for request)  
Address: Box 746. Portage La Prairie MB  
Phone No.: H: 204-857-5000 W: 204-857-2096 or 8711

Dates and Where Service Provided: Emergency, Decubitus & readmitted  
(Facility/Department/Program/Clinic/Service) Dec 27th, 2005 for several weeks

Specific Information Requested: until December January 27/06.

All Information

Reason for Request: (Optional) Personal Records

Signature: André Bouchard Date: Jan 12 2006

I authorize Linda Staub for Claire to view and/or receive copies of the above-noted personal health information in my place. remarques new na's cell 461-1759 home 467-7798

You will be contacted within 30 days of the receipt of your request. At that time, the availability of the information will either be confirmed to you or you will be informed that your request cannot be granted. If the information is available you will be charged a processing fee of \$25 to access the information. If you are requesting a copy, the cost will be 50¢ per page for photocopies and \_\_\_\_\_ per page for copies reproduced from microfilm.

To be filled out by Privacy Officer (or designate): send all info - willing to pay for anything  
Signature: 133 pages Date Received: \_\_\_\_\_

N.B. No power of attorney faxed in according to Wendy!



0



GRACE HOSPITAL

300 Booth Drive  
Winnipeg, MB R3J 3M7  
Telephone: (204) 837-0104  
Fax: (204) 889-4795

Health Information Services  
Personal Health Information Request  
RECORD OF DISCLOSURE

DATE RECEIVED: Jan. 5/11 DATE SENT: Jan 5/11 SENDER: W. Seidel

Mode of Disclosure  Fax  Dr. Slot  Mail  Sent with patient

TYPE OF REQUEST:  Urgent (Patient in Dr's office or will be there the same day at the time of request. Turnaround time 2 hrs)  
 Non-Urgent (Required for review/patient appt. at a later date (Turnaround time 15 days.))

PATIENT NAME <u>Lionel Bouchard</u>	HRN <u>372940</u>	PHIN _____
REQUESTED BY: <u>Martene Legare</u>	ATTENTION _____	
TELEPHONE NO. <u>604-465-5632</u>	TELEPHONE FAX NO. <u>604-465-5645</u>	
NO. PAGES SENT (incl. cover) <u>2</u>		

Information sent regarding treatment date(s) \_\_\_\_\_

- |   |  |
|---|--|
| <input type="checkbox"/> Admission/Separation Record    | <input type="checkbox"/> Operative Report                    |
| <input type="checkbox"/> Ambulance Record               | <input type="checkbox"/> Laboratory Reports                  |
| <input type="checkbox"/> Anaesthetic Record             | <input type="checkbox"/> Blood Gas Analysis                  |
| <input type="checkbox"/> Consultation Record (s)        | <input type="checkbox"/> Biochemistry                        |
| <input type="checkbox"/> Diagnostic Imaging Reports     | <input type="checkbox"/> Cadham Lab Reports                  |
| <input type="checkbox"/> CT scan _____                  | <input type="checkbox"/> Haematology Report                  |
| <input type="checkbox"/> Nuclear Medicine _____         | <input type="checkbox"/> Microbiology                        |
| <input type="checkbox"/> Ultrasound _____               | <input type="checkbox"/> Other _____                         |
| <input type="checkbox"/> X-ray _____                    | <input type="checkbox"/> OT Database/Progress Notes          |
| <input type="checkbox"/> OTHER _____                    | <input type="checkbox"/> Pathology Report                    |
| <input type="checkbox"/> Discharge Summary              | <input type="checkbox"/> Patient Clinical Circumstances      |
| <input type="checkbox"/> DPIN                           | <input type="checkbox"/> Physicians Orders                   |
| <input type="checkbox"/> EKG Report(s) and Tracings     | <input type="checkbox"/> Physio Req & Consult/Progress Notes |
| <input type="checkbox"/> Emergency Report Form          | <input type="checkbox"/> Pulmonary Function Tests            |
| <input type="checkbox"/> Emergency Nursing Assessment   | <input type="checkbox"/> Recovery Room Record                |
| <input type="checkbox"/> History & Physical Examination | <input type="checkbox"/> Spirometry                          |
| <input type="checkbox"/> Integrated Progress Notes      | <input type="checkbox"/> Stress Test                         |
| <input type="checkbox"/> Medication Record              | <input type="checkbox"/> Triage Assessment Score             |
| <input type="checkbox"/> Neurological Record            |  |

OTHER Request to Access PHI - Jan. 12/06

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Form No. 387847 Rev. 08/07

372940 103 065 440  
ADMITTED 28/12/05 0628424  
BOUCHARD, LIONEL MR  
DR JOSHUA, J  
22/01/24 81Y MB 277639  
BOX 81  
ELIE MB ROH OH0

**PART 2:  
DISCHARGE MEDICATIONS**

Medication (Name/Route)	Purpose	Instruction Sheet (N)	Times to be Taken	Has Rx (✓) or Home Supply
1 Nitro patch 0.4 mg/hr	For the heart		put on first thing in the morning, Remove at bedtime	✓
2 Altace 10 mg pill	lowers blood pressure		At breakfast	✓
3 Terazosin	lowers blood pressure, helps urine blockage		At breakfast and bedtime	✓
4 Hydralazine 25mg	control BP		i first thing in AM i at lunch i at bedtime	✓
5 Donepezil 2.5mg	Dementia & memory Alzheimer		i breakfast i bedtime	✓
6 Lasix 40mg	diuretic		i breakfast	✓
7				
8	* NURSE SUGGESTED GOING W/O &			
9	MONITORING AS <del>NECESSARY</del> NOT NECESSARY			
10	WHEN AT HOME DONEPEZIL!			
To be taken as necessary:				
1	NOT FILLED UPON DISCHARGE, AS NOT REQUIRED			
2	AS MAKING LIONEL GRUGGY AT HOSPITAL!			
3				
4				
5				

Completed by: *J Mackay* Status:  MD  RN  LPN  Pharmacy Date & Time: *Jan. 27/05 1050*

↑  
Time



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### Olanzapine Health Article

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What does my medication look like?



Doctor-reviewed Information, Multum Drug Directory, 2006

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Generic name(s):  
**Olanzapine**  
Brand name(s):  
Zyprexa, Zyprexa Zydis

#### What is the most important information I should know about olanzapine?

Olanzapine is not for use in psychotic conditions that are related to dementia. Olanzapine has caused fatal heart attack and stroke in older adults with dementia-related conditions.

Olanzapine may cause you to have high blood sugar (hyperglycemia). Talk to your doctor if you have any signs of hyperglycemia such as increased thirst or urination, excessive hunger, or weakness. If you are diabetic, check your blood sugar levels on a regular basis while you are taking olanzapine.

Do not stop taking olanzapine without first talking to your doctor. It may be at least 4 weeks before you begin to feel better, and you may need to take the medication for longer than 4 weeks. Follow your doctor's instructions. It is important to take olanzapine regularly to get the most benefit. Do not take olanzapine for longer than 8 weeks unless your doctor has told you to. Olanzapine can cause side effects that may impair your thinking or reactions. Be careful if you drive or do anything that requires you to be awake and alert.

Dizziness may be more likely to occur when you rise from a sitting or lying position. Rise slowly to prevent dizziness and a possible fall.

Avoid drinking alcohol, which can increase some of the side effects of olanzapine.

Avoid using other medicines that make you sleepy (such as cold medicine, pain medication, muscle relaxers, and medicine for seizures, depression or anxiety). They can add to sleepiness caused by olanzapine.

Avoid becoming overheated or dehydrated. Drink plenty of fluids, especially in hot weather and during exercise. It is easier to become dangerously overheated and dehydrated while you are taking olanzapine.

#### What is olanzapine?

Olanzapine is an antipsychotic medication. It works by changing the actions of chemicals in the brain.

Olanzapine is used to treat the symptoms of psychotic conditions such as schizophrenia and bipolar disorder (manic depression).

Olanzapine may also be used for purposes other than those listed in this medication guide.

#### What should I discuss with my healthcare provider before taking olanzapine?

Olanzapine is not for use in psychotic conditions that are related to dementia. Olanzapine has caused fatal heart attack and stroke in older adults with dementia-related conditions.

Before taking olanzapine, tell your doctor if you have:

- liver disease;
- kidney disease;
- heart disease, high blood pressure, heart rhythm problems;

Diagnosed with  
**bipolar disorder?**

Talk with your doctor.  
Explore your options.

Start with these questions. **GO**

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- a history of heart attack or stroke;
- a history of breast cancer;
- seizures or epilepsy;
- a personal or family history of diabetes;
- an enlarged prostate or difficulty urinating;
- glaucoma; or
- trouble swallowing.

If you have any of these conditions, you may not be able to use olanzapine, or you may need a dosage adjustment or special tests during treatment.

Olanzapine may cause you to have high blood sugar (hyperglycemia). Talk to your doctor if you have any signs of hyperglycemia such as increased thirst or urination, excessive hunger, or weakness. If you are diabetic, check your blood sugar levels on a regular basis while you are taking olanzapine.

The olanzapine orally disintegrating tablet (Zyprexa Zydis) may contain phenylalanine. Talk to your doctor before using this form of olanzapine if you have phenylketonuria (PKU).

FDA pregnancy category C. This medication may be harmful to an unborn baby. Tell your doctor if you are pregnant or plan to become pregnant during treatment. Olanzapine can pass into breast milk and may harm a nursing baby. Do not use this medication without telling your doctor if you are breast-feeding a baby.

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**P**

# 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 11090S

September 5, 2008

*To be picked up*

## **Lucien Lachance and Suzie Waldner**

Dear Mr. Lachance and Ms Waldner:

### **Re: Personal effect of Lionel Bouchard**

As you are no doubt aware, this firm acts for Lionel Bouchard, with regard to family business matters. In that regard, Mr. Bouchard has certain personal property presently located at Mr. Mike Slegers residence where our client had been residing for a number of months.

Mr. Slegers is aware that Mr. Bouchard has left the province, but my client left before removing all his personal possessions from Mr. Slegers' property. Mr. Slegers confirms that he has some of Mr. Bouchard's personal possessions on his property and, at the time that I spoke personally to Mr. Slegers on August 19, 2008, he requested that all Mr. Bouchard's possessions be removed from his property and I agreed to assist in that regard.

Would you kindly arrange with Mr. Slegers to attend at his property to take possession of Lionel Bouchard's following personal possessions:

1. Black leather duffel bag left in Mr. Slegers truck on August 19, 2008, and which contained the following items:
  - a) New blue sports jacket;
  - b) Medicine pack/nitro pills;
  - c) Passport
  - d) Puffer;

- e) Traveller's cheques;
- f) Address book and other papers;
- g) Post office box key;
- 2. Mr. Bouchard's blue Dodge van;
- 3. A plastic bag of approximately 50 keys that was left in my client's bedroom in Mr. Slegers' home, together with a cardboard box also from the room that contained other personal papers. This cardboard box and keys were supposed to have been packed in the 2007 Dodge van that was taken possession of on August 19<sup>th</sup>;
- 4. One set of 2007 Dodge van keys. (There were two sets left at Mr. Slegers' home and only one set was given when the van was picked up on August 19<sup>th</sup>. If the set is not there ask if Andy Bouchard has the set and ask him for it.);
- 5. Brand new cellular phone that Mr. Bouchard obtained recently;
- 6. Fax machine purchased by my client's daughter, Marlene Legare, and placed in Mr. Slegers' home for the purposes of communicating between her, her father and Mr. Slegers;
- 7. Television;
- 8. New black Lazy Boy chair;
- 9. New iron and ironing board;
- 10. Foot bath;
- 11. Humidifier;
- 12. Sleeping bag;
- 13. Pictures and albums;
- 14. Case of food, including popcorn and macaroni;
- 15. Beer and liquor; and
- 16. Cowboy boots and clothing.

I am advised that all the above items can be packed in my client's Dodge van. There is also a bed, hide-a-bed, old dresser, table, chair and a mattress. If there is no room in the van, the bed and hide-a-bed can be disposed of, as you see fit, and not packed in the van. In addition, the dresser, table, chairs and mattress can be thrown out.

If there is any difficulty in arranging to meet Mr. Slegers to pick up my client's personal possessions or you are concerned for your safety or a possible breach of the peace by Mr. Slegers, you could call RCMP Sargent Jolicoeur of the Headingley detachment for assistance. If you call the RCMP, explain that you have a letter from Lionel Bouchard's lawyer authorizing you to pick up his things at Mike Slegers' place and you need assistance. Mike Slegers' phone number is 353-4065 and he has advised me that he generally can be reached in the early morning or between noon and one o'clock.



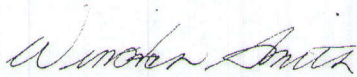
When you have completed the pick up of the property, please call my office to report and also call Lionel Bouchard and let him know.

Two additional copies of this letter are being provided so that you can give one to Mr. Slegers for his records and the other to the RCMP.

Yours truly,

**HOOK & SMITH**

**Per:**



**Winston F. Smith, Q.C.**

WFS/ca  
Enclosure

cc. Lionel Bouchard

Q

---

**From:** "Staub, Lynda (TPR)" <LStaub@gov.mb.ca>  
**To:** <HJoh327946@aol.com>; <mlegare@telus.net>; <cgdemery@mts.net>  
**Sent:** Thursday, December 29, 2005 11:23 AM  
**Subject:** Dad

Hi... Dad has been given his own room #506 – He is of course not allowed a cell phone – the only way to talk to him is to call the front desk  
At 837-0111 but I don't know if they will get him or not.

He is at the Grace Hospital – 300 Booth Drive, Winnipeg MB 837-0111

Right now he has low white blood count and they are still waiting for results to come back from yesterday's blood test – it may take 24 to 48 hours  
They are trying to determine why the low white blood count.

He was assessed by an Occupational Therapist who confirms that his short term memory is poor

They will reassess Dad again before they discharge him to see if he will be needing care at home.

That's about it for now - I am heading back there at 3:00 - Andy will be with him tonight.

~~We still plan on cleaning his house on Saturday morning – but he really doesn't want us to – so I will talk to him again today and convince him that we need to do it especially if he gets home care in the future.~~

That's it for now... Love Lyn

## Marlene Legare, CFP

**From:** Lynda Staub [lstaub@skyweb.ca]  
**Sent:** Tuesday, January 03, 2006 9:37 AM  
**To:** Jerry/Sheila Bouchard; Marlene Legare, CFP  
**Subject:** Re: Update on Dad

Hi Marlene - We took out a full half ton of garbage bags - Andre was afraid of getting stopped— cleaned out his place alot - left him with what he needs today - not 27 years worth of old stuff - we have 6 garbage bags of laundry to do - I must dryclean his Church Jacket, pick up at shoemaker, etc. Exhausted - never slept last night so called in sick. I never stopped with xmas at my house - one week of running to hospital - 2 days of cleaning dad's house - 2 days of moving krysta back home - putting away christmas, etc. so i need a holiday!

Stopped in to see dad at 6:00 pm last night - he had just finished his supper and was in a good mood, except he was mad that I would not put a dinner roll in my purse so finally did it - nurses said he had phone book out and was calling people to come visit - ie Aunt Madelaine so they took phone books away but.. he was getting a gift bag ready for Pauline chabot who has always been good to him. he had wrapped up items from his supper - cookies, crackers, some candies he had on counter and two small plastic bags - one had 3 spoonfuls of stew and the other had 3 spoonfuls of soup - which went into Pauline's gift bag - I tried to take them out and he got furious - he said double the bags if you think they will leak. Luckily Andre arrived and he said he would deliver (ditch!) the gift. The day before Dennis Legault came to visit and he was loud and angry with him - something about I rented my land to you for 10.00 an acre and you owe me - dont come and visit me without any appointment!! So Aunt Peggy apoligized to Denise Legault. Now he wants to sue Guy Bergeron for not allowing Dad to remove some of his trees.

So he has a good memory but has periods of relapse where he does silly things. 3 tea bags in one tea cup. Writing down every temperature across Canada on paper - writing down how many killings in Toronto... so he is having a Phyciatrist assess him today. Home care said he needs help with day to day stuff - if 6 apples cost \$2 how much does 3 apples cost - his answer - I grow my own lettuce!!!? I think sometimes he tries to be funny. He has absolutely no inhibitions and says and does exactly what he wants - hugs mom on Xmas Day and shook Robert's hand and wished them merry xmas but he is in there for awhile yet

That's it for now  
Love Lynn

----- Original Message -----

**From:** Marlene Legare, CFP  
**To:** Helene Johnson ; Claire Demery  
**Cc:** Lynda MTS.net Staub  
**Sent:** Tuesday, January 03, 2006 1:07 AM  
**Subject:** Talked to Dad today.

Hi Everyone,

Talked to Dad today for about ½ hour at 8:00 p.m. tonight his time, and he impressed me in that he memory was as sharp as a tack and he didn't miss a beat, in fact, he wanted to do all the talking!

His his only complaint was about not being able to get much sleep, only 3 or 4 hours a night but that may be due to probably still some swelling there.

## Marlene Legare, CFP

---

From: Lynda Staub [lstaub@skyweb.ca]  
Sent: Saturday, December 31, 2005 11:11 PM  
To: Marlene Legare, CFP  
Subject: Re: Your Message Could Not Be Delivered

Did not go see dad on Saturday as Claire, myself, Krysta, Andre and Angie spent 7 hours cleaning his house.

We will spend another day there tomorrow - lots to do. Apparently he now has been placed in a semi-private room which is good cause 4 in a room is too much noise. Aunt Peggy and others went yesterday. He is pretty much the same. May try and see him before going to elie in morning - happy new year!

----- Original Message -----

From: "Marlene Legare, CFP" <mlegare@telus.net>  
To: "Lynda Staub" <lstaub@skyweb.ca>  
Sent: Thursday, December 29, 2005 10:20 PM  
Subject: Re: Your Message Could Not Be Delivered

> Talked to Uncle Joe & Aunt Jeanne today who will continue to try to  
> get  
> thru to Dad when he comes out and Cecile Champagne (Aunt Berthe's  
> daughter) who will tell Adelard Bouchard (Bouchard) at bowling on Monday  
> and Sally.  
> Left a message on Aunt Eva's phone as well who likes to be kept  
> informed....

> ----- Original Message -----

> From: "Lynda Staub" <lstaub@skyweb.ca>  
> To: "Marlene Legare, CFP" <mlegare@telus.net>  
> Sent: Thursday, December 29, 2005 8:16 PM  
> Subject: Re: Your Message Could Not Be Delivered

>> try skb5661@gmail.com

>> Thanks for flowers for dad - they are waiting for test results so he  
>> will be kept at grace hospital until results are in

>> ----- Original Message -----

>> From: "Marlene Legare, CFP" <mlegare@telus.net>  
>> To: "Lynda MTS.net Staub" <lstaub@mts.net>; "Lynda TPR - Work Staub"  
>> <LStaub@gov.mb.ca>  
>> Sent: Thursday, December 29, 2005 3:09 PM  
>> Subject: Fw: Your Message Could Not Be Delivered ;

>>> What is Jerry and Sheila's e-mail address?

>>> Thanks!

>>> ----- Original Message -----

>>> From: "TELUS.net Postmaster" <helpdesk@telus.net>  
>>> To: <mlegare@telus.net>

**R**

# RIGHT OF OCCUPANCY AGREEMENT

BETWEEN:

LIONEL BOUCHARD

Hereinafter called "the Vendor"

-and-

ANDRE LIONEL BOUCHARD

Hereinafter called "the Purchaser"

WHEREAS the Vendor has sold the following land to the Purchaser:

SE 1/4 14-11-3 WPM exc. 1stly: The Wly 990 feet prp; secondly: Plane 2215 and 28648 PLTO; 3rdly: Road Plan 1205 PLTO;

AND WHEREAS the parties have agreed that the Vendor is to retain the right to continue to occupy the residence on the said land as long as they wish to do so during their lifetimes;

NOW THEREFORE the parties hereto agree each with the other as follows:

1. The Vendor shall have the personal right to occupy the residence on the land for as long as they desire, on a rent free basis.
2. The Vendor shall have free and unrestricted access to and from the residence.
3. During their occupancy of the residence, the Vendor shall pay all utility costs and shall repair and maintain the residence, excepting only reasonable wear and tear.
4. The Purchaser shall be responsible for all structural repairs to the residence and replacing the furnace and hot water tank when required.
5. During their occupancy of the residence, the Vendor shall pay, within 30 days of notice from the Purchaser, that portion of any municipal, school or provincial taxes levied against the land that relates to the residence.
6. During the life of this Agreement, the Vendor is responsible for maintaining fire insurance on his personal possessions, as he sees fit, and the Purchaser shall maintain fire insurance on the residence.

This is exhibit B  
affidavit of Lionel Bouchard  
shown before me at St. John's  
this 21 day of July 2008

A. BARRISTER-AT-LAW

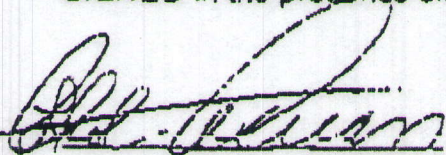
ENTITLED TO PRACTICE IN THE PROVINCE OF N.B.

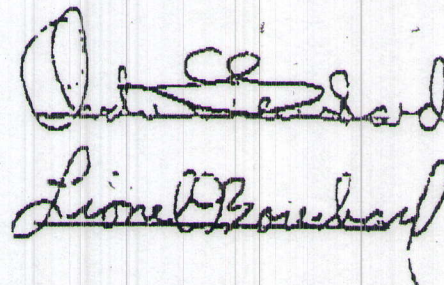
PAGE 11

- 7. (a) Should the structure of the residence be damaged by fire or other cause, but the residence remains habitable, the Purchaser shall undertake appropriate repairs as soon as is reasonably practicable; the Purchaser shall not be obligated to put the residence into a condition better than it was prior to being damaged. The Vendor shall take all necessary steps to facilitate the repairs.
- (b) Should the structure of the residence be damaged by fire or other cause so that it is no longer habitable, the Purchaser shall have the sole right to decide whether or not to rebuild the residence but must so decide within 15 days of the damage occurring. If the Purchaser choose not to rebuild then this agreement shall terminate forthwith. If the Purchaser chooses to rebuild then the Vendor's right of occupancy shall resume when the residence is again habitable and, until then, the rights and obligations created by this Agreement are suspended.
- 8. The rights provided to the Vendor by this Agreement are personal to the Vendor and may not be assigned, encumbered or conveyed in any fashion. Without limiting the foregoing, this Agreement does not allow the Vendor to lease or otherwise give up possession of the residence to any one except the Purchaser.
- 9. Upon the death of the Vendor, or if the Vendor during his lifetime vacates the residence permanently, the right of occupancy created by this Agreement is terminated and the Purchaser shall have immediate and exclusive possession of the residence, without compensating in any way the Vendor or his heirs, successors or assigns.
- 10. Time shall be in all respects of the essence hereof.
- 11. This agreement shall be binding upon each of the parties hereto and their respective heirs, executors, administrators and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto executed this Agreement this 23 day of September, 2002

SIGNED in the presence of:







... as to form - Registrar General - Registration No. 2391349  
... an instrument is registered that does not conform with the form of the  
instrument prescribed by regulation, the Registrar General and the District  
Registrar disclaim liability for loss resulting from the non-conformance.

Manitoba  
Consumer and  
Corporate  
Land Titles

CAVEAT Form 18.1

District of Portage la Prairie

1. CAVEATOR(S) include address and postal code  
~~I (We)~~ Lionel Andre Bouchard  
c/o 12345 - 234<sup>th</sup> Street, Maple Ridge, British Columbia V2X 0N7  
claim an interest in the following land or mortgage, and I forbid the registration of any instrument  
affecting the interest unless such instrument be expressed to be subject to my claim.

2. PARTICULARS OF ESTATE OR INTEREST CLAIMED  
A life estate as evidenced by a written agreement between the owner and the Caveator dated February 11, 2006.

LIFE ESTATE

see schedule

3. LAND DESCRIPTION  
SE 1/4 14-11-3 WPM, EXC  
FIRSTLY: THE WLY 990 FEET PERP  
SECONDLY: PLANS 2215 PLTO AND 28648 PLTO  
THIRDLY: ROAD PLAN 1205 PLTO  
TITLE NUMBER(S) 1901751 MORTGAGE NUMBER

see schedule

4. NAME AND ADDRESS OF REGISTERED OWNER(S) FOR SERVICE include postal code  
Andre Lionel Bouchard, Box 746, Portage la Prairie, Manitoba R1N 3C2

see schedule

5. ADDRESS OF CAVEATOR(S) FOR SERVICE include postal code  
c/o 12345 - 234<sup>th</sup> Street, Maple Ridge, B.C. V2X 0N7

6. SIGNATURE OF CAVEATOR(S)  
1. That I (we) am (are) the within (Agent of or Caveators) and the statements herein are true in substance and in fact.  
2. The within Caveator(s) has (have) a good and valid claim upon the within land and this caveat is not filed for the purpose of delaying or embarrassing any person.

DATE  
Y M D  
2008 02 28

Dennis Alfred Smith - Agent  
Name  
Signature

7. FARM LANDS OWNERSHIP DECLARATION  
BY VIRTUE OF  Agreement to Purchase  Lease  Loan  Option to Purchase

The registration of this instrument does not contravene the provisions of The Farm Lands Ownership Act because:

- 1. ~~The within land is not farm land as defined in The Farm Lands Ownership Act.~~
- 2. ~~The within farm land is exempt by Regulation 325/87R of The Real Property Act, i.e. it is 5 acres or less.~~
- 3. ~~The aggregate holdings of farm land by the Caveator is less than 40 acres (including the land in this instrument).~~
- 4. The Caveator is a Canadian citizen, permanent resident of Canada, agency of the government, municipality, local government district, Qualified Canadian Organization, Family Farm Corporation or a Qualified Immigrant as defined in The Farm Lands Ownership Act.
- 5. ~~The interest in farm land is being claimed pursuant to a bona fide debt obligation.~~
- 6. ~~The Caveator is exempt by the Farm Lands Ownership Board (Order enclosed).~~
- 7. Other (specify section of The Farm Lands Ownership Act)

DATE  
Y M D  
2008 02 28

Dennis Alfred Smith - Agent  
Name  
Signature

8. INSTRUMENT PRESENTED FOR REGISTRATION BY include address, postal code, contact person and phone number  
HOOK & SMITH, Barristers & Solicitors  
201 - 3111 Portage Avenue, Winnipeg, Manitoba, R3K 0W4  
Dennis A. Smith 885-4520

... my statement set out in this document and signed by the party making the statement  
... an oath, affidavit, affirmation or statutory declaration please pursuant to The Manitoba Evidence Act.  
... the same effect and validity as an oath, affidavit, affirmation or statutory declaration please pursuant to The Manitoba Evidence Act.

Approved as to form - Registrar General - Registration No. 2391349  
 Where an instrument is registered that does not conform with the form of the instrument prescribed by regulation, the Registrar General and the District Registrar disclaim liability for loss resulting from the non-conformance.

Manitoba  
 Consumer and  
 Corporate Affairs  
 Land Titles

CAVEAT Form 18.1

District of Portage la Prairie

1. CAVEATOR(S) include address and postal code

I-(We), Lionel Andre Bouchard

c/o 12345 - 234<sup>th</sup> Street, Maple Ridge, British Columbia V2X 0N7

claim an interest in the following land or mortgage, and I forbid the registration of any instrument affecting the interest unless such instrument be expressed to be subject to my claim.

2. PARTICULARS OF ESTATE OR INTEREST CLAIMED

Being unpaid vendor under an agreement for the purchase and sale of the within described lands as evidenced by a Transfer of Land dated September 23, 2002 between Lionel Bouchard as Transferor and Andre Lionel Bouchard as Transferee.

see schedule

3. LAND DESCRIPTION

Parcel 1: LOT 4 PLAN 2215 PLTO IN SE ¼ 14-11-3 WPM  
 EXC PLAN 28648 PLTO.

and

Parcel 2: SE ¼ 14-11-3 WPM, EXC  
 FIRSTLY: THE WLY 990 FEET PERP  
 SECONDLY: PLANS 2215 PLTO AND 28648 PLTO  
 THIRDLY: ROAD PLAN 1205 PLTO

MORTGAGE NUMBER

TITLE NUMBER(S) 1901750 and 1901751

see schedule

4. NAME AND ADDRESS OF REGISTERED OWNER(S) FOR SERVICE include postal code

Andre Lionel Bouchard, Box 746, Portage la Prairie, Manitoba R1N 3C2

see schedule

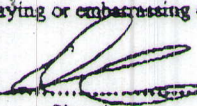
5. ADDRESS OF CAVEATOR(S) FOR SERVICE include postal code

c/o 12345 - 234<sup>th</sup> Street, Maple Ridge, B.C. V2X 0N7

6. SIGNATURE OF CAVEATOR(S)

- That I (we) am (are) the within (Agent of or Caveators), and the statements herein are true in substance and in fact.
- The within Caveator(s) has (have) a good and valid claim upon the within land and this caveat is not filed for the purpose of delaying or embarrassing any person.

Dennis Alfred Smith - Agent  
 Name



Signature

- DATE
Y M D
2008 02 28

2008/02/28

Name

Signature

7. FARM LANDS OWNERSHIP DECLARATION

BY VIRTUE OF  Agreement to Purchase  Lease  Loan  Option to Purchase

The registration of this instrument does not contravene the provisions of The Farm Lands Ownership Act because:

*Strike out inappropriate statement(s) and initial*

- ~~The within land is not farm land as defined in The Farm Lands Ownership Act.~~
- ~~The within farm land is exempt by Regulation 226/87R of The Real Property Act, i.e. it is 5 acres or less.~~
- ~~The aggregate holdings of farm land by the Caveator is less than 40 acres (including the land in this instrument).~~
- The Caveator is a Canadian citizen, permanent resident of Canada, agency of the government, municipality, local government district, Qualified Canadian Organization, Family Farm Corporation or a Qualified Immigrant as defined in The Farm Lands Ownership Act.
- ~~The interest in farm land is being claimed pursuant to a bona fide debt obligation.~~
- ~~The Caveator is exempt by the Farm Lands Ownership Board (Order enclosed).~~
- Other (specify section of The Farm Lands Ownership Act)  
 Particulars:

Dennis Alfred Smith - Agent  
 Name



Signature

DATE
Y M D
2008 02 28

Name

Signature

Caveator or Agent

8. INSTRUMENT PRESENTED FOR REGISTRATION BY include address, postal code, contact person

and phone number HOOK & SMITH, Barristers & Solicitors  
201 - 3111 Portage Avenue, Winnipeg, Manitoba, R3K 0W4  
Dennis A. Smith 885-4520

IMPORTANT NOTICE: By virtue of Section 184 of The Real Property Act, any statement set out in this document and signed by the party making the statement has the same effect and validity as an oath, affidavit, affirmation or a statutory declaration given pursuant to The Manitoba Evidence Act.

NOTE: SINGULAR INCLUDES PLURAL AND VICE VERSA WHERE APPLICABLE TO BE READ AS INCLUDING ALL Caveator(s) whether individual or corporate.

LIONEL BOUCHARD CARRIED ANDRE'S INTEREST

# Life estate

From Wikipedia, the free encyclopedia

A **life estate**, is a term used in common law to describe the ownership of land for the duration of a person's life. In legal terms it is an estate in real property that ends at death. The owner of a life estate is called a "life tenant".

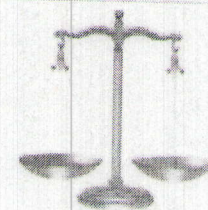
Although the ownership of a life estate is technically temporary because it ends at a person's death (a tenancy), it is treated as complete ownership (fee simple) for the duration of the person's life, subject to limitations. Because a life estate ceases to exist upon death, the owner of the life estate cannot leave it to heirs, and the life estate cannot be inherited.

An owner of a life estate cannot also give a greater interest than is owned. That is, a life estate owner cannot give complete and indefinite ownership (fee simple) to another person because ownership in the property ends when the life tenant dies. If, however, the original grantee has sold his life estate [ex. from A to B], B's interest lasts until A dies, allowing B to bequest his interest, sell the land, etc. until that point. Once A dies, however, whoever possesses the land loses it (with the land likely reverting to its original grantor). This is a life estate "pur autre vie," or the life of another. Such a life estate can also be conveyed originally, such as "to A until B dies."

Another limitation on a life estate is the doctrine of waste, which prohibits life tenants from damaging or devaluing the land, as their ownership is technically only temporary.

## Uses of a life estate

In the United States, a life estate is typically used as an estate planning tool. The use of a life estate can avoid probate and ensure an intended heir will receive title to real property. For example, A may own a home and desire that B inherit the home after A's death. A can effectuate that desire by transferring title to the home to B and retaining a life estate in the home. A keeps a life estate interest and B receives a vested fee simple remainder interest. As soon as A dies, the life estate interest merges with B's remainder interest and B has a fee simple title. This avoids the use of a will and the probate process. The danger to A though, is that the grant to B is irrevocable. "Beneficiary deeds" have been statutorily created in some states to address this issue.



### Property law

Part of the common law series

#### Acquisition of property

Gift · Adverse possession · Deed  
Lost, mislaid, or abandoned  
Treasure trove

Alienation · Bailment · License

#### Estates in land

Allodial title · Fee simple · Fee tail

**Life estate** · Defeasible estate

Future interest · Concurrent estate

Leasehold estate · Condominiums

#### Conveyancing of interests in land

Bona fide purchaser

Torrens title · Strata title

Estoppel by deed · Quitclaim deed

Mortgage · Equitable conversion

Action to quiet title

#### Limiting control over future use

Restraint on alienation

Rule against perpetuities

Rule in Shelley's Case

Doctrine of worthier title

#### Nonpossessory interest in land

Easement · Profit

Covenant running with the land

Equitable servitude

#### Related topics

Fixtures · Waste · Partition

Riparian water rights

Lateral and subjacent support

Assignment · Nemo dat

#### Other areas of the common law

Contract law · Tort law

Wills and trusts

It is less well known that the intestacy laws of certain American states, such as Arkansas, Delaware, and Rhode Island, still limit the surviving spouse's rights to the deceased spouse's real estate to a life estate. (As shown by the programs linked to the state names.)

## Criminal Law · Evidence

### Duration of a life estate

Life estates are measured either by the life of the property recipient, or by the life of some other person; these latter are called life estates *pur autre vie*, (French for "for the life of another"). A life estate *pur autre vie* is most commonly created in one of two circumstances.

- First, when the owner of property conveys his interest in that property to another person, for the life of a third person. For example if A conveys land to B during the life of C, then B owns the land for as long as C lives; if B dies before C, B's heirs will inherit the land, and will continue to own it for as long as C lives.
- Second, if A conveys land to C for life, C can then sell the life estate to B. Again, B and B's heirs will own the land for as long as C lives.
- In either scenario, once C dies, the ownership of the land will revert to A. If A has died, ownership will revert to A's heirs. The right to succeed to ownership of the property upon the expiration of the life estate is called a *remainder*.

### Validity of a life estate

The early common law did not recognize a life estate in personal property, but such interests were cognizable in equity. Thus, although life estates in real estate are still created today, the life estate is more commonly used in trust instruments, typically in an attempt to minimize the effect of the inheritance tax or other taxes on transfers of wealth.

The law of England and Wales no longer recognises the life estate at law in relation to land, instead the holder of legal title to the land (whether the freehold fee simple or a lease) will hold that land on trust first for the life tenant and then for the remainderman.

Retrieved from "[http://en.wikipedia.org/wiki/Life\\_estate](http://en.wikipedia.org/wiki/Life_estate)"

Categories: Real property law

Hidden category: Articles to be merged since August 2007

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