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DIXON LAW OFFICE

201 - 414 Graham Avenue
Winnipeg, Manitoba R3C 0L8
Phone No. (204) 944-8844
Fax No. (204) 942-1122

JUNE 1/2011
(15 minutes)
9:15 CST
204-945-1913

Room 326

Heather Ann Dixon, LL.B.

File No.: 09-2940

new# 204-945-2908 →

APRIL 2011

Mr. Lionel Bouchard
Box 81
Elie, Manitoba
R0H 0H0

Attention Mr. Lionel Bouchard

Re: **BOUCHARD v. STAUB**
BOUCHARD v. DEMERY
BOUCHARD v. BOUCHARD

Please be advised that the Notices of Application to set aside the Protection Orders that are being served on you state that the hearing date is set for March 29, 2011.

As we were unable to serve you at that time, a new hearing date has been set for:

April 19, at 9:00 a.m. in the Manitoba Queen's Bench, on the Family docket.

Please make note of the above change and conduct yourself accordingly.

Should you wish to speak with me, I may be reached at 944-8844.

Yours truly,

HEATHER ANN DIXON
HAD/

**THE QUEEN'S BENCH
WINNIPEG CENTRE**

IN THE MATTER OF: An application under *The Domestic Violence and Stalking Act*

BETWEEN:

LIONEL ANDRE BOUCHARD

Applicant

- and -

ANDRE LIONEL BOUCHARD

Respondent

NOTICE OF APPLICATION

Hearing Date: TUESDAY March 29, 2011
at 9:00 a.m.

MAR 14 2011

HEATHER ANN DIXON

DIXON LAW OFFICE
201 - 414 Graham Avenue
Winnipeg, Manitoba
R3C 0L8

Telephone No. 944-8844
Fax No. 942-1122

11-3062

THE QUEEN'S BENCH
WINNIPEG CENTRE

IN THE MATTER OF: An application under *The Domestic Violence and Stalking Act*

BETWEEN:

LIONEL ANDRE BOUCHARD

Applicant

- and -

ANDRE LIONEL BOUCHARD

Respondent

NOTICE OF APPLICATION

A LEGAL PROCEEDING HAS BEEN COMMENCED by the (Respondent) Applicant. The claim made by the Applicant appears on the following page.

THIS APPLICATION will come on for a hearing before a Judge, on TUESDAY the 29th day of MARCH, 2011 at 9:00 o'clock a.m. at the Law Courts Building, 408 York Avenue, Winnipeg, Manitoba.

IF YOU WISH TO OPPOSE THIS APPLICATION, you, or a Manitoba lawyer acting for you, must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT MATERIAL OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE APPLICATION, you, or a Manitoba lawyer acting for you must serve a copy of the evidence on the applicant's lawyer, or where the applicant does not have a lawyer, serve it on the applicant and file it, with proof of service, in the court office where the application is to be heard as soon as possible, but not later than 4 days before the hearing.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGEMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

MARCH 14, 2011

Issued by:

C. LANIUK
DEPUTY REGISTRAR
COURT OF QUEEN'S BENCH
FOR MANITOBA
REGISTRAR

To: LIONEL ANDRE BOUCHARD

COURT OF QUEEN'S BENCH
WINNIPEG CENTRE
408 York Ave, WPG MB

**THE QUEEN'S BENCH
WINNIPEG CENTRE**

IN THE MATTER OF:

An Application under *The Domestic Violence and Stalking Act*, C.C.S.M c.93

BETWEEN:

LIONEL ANDRE BOUCHARD

Applicant

- and -

LYNDA STAUB

Respondent

NOTICE OF APPLICATION

Hearing Date: TUESDAY MARCH 29, 2011
at ~~10:00~~ a.m.
9:00

MAR 14 2011

HEATHER ANN DIXON

DIXON LAW OFFICE
201 - 414 Graham Avenue
Winnipeg, Manitoba
R3C 0L8

Telephone No. 944-8844
Fax No. 942-1122

11-3061

THE QUEEN'S BENCH
WINNIPEG CENTRE

IN THE MATTER OF: An Application under *The Domestic Violence and Stalking Act*

BETWEEN:

LIONEL ANDRE BOUCHARD

Applicant

- and -

LYNDA STAUB

Respondent

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MARCH 14, 2011

Issued by: **C. LANTUK**
DEPUTY REGISTRAR
COURT OF QUEEN'S BENCH
~~FOR MANITOBA~~
REGISTRAR

COURT OF QUEEN'S BENCH
WINNIPEG CENTRE
408 York Ave, WPG MB

To: LIONEL ANDRE BOUCHARD

APPLICATION

1. The applicant makes application for:
 - a) An order to set aside the Protection Order granted by Justice of the Peace B. Lischenski, made without Notice on Friday, February 25, 2011, in the City of Winnipeg
 - b) Costs;
 - c) Such further and other relief as the Court may deem be just.

2. The grounds for the application are:
 - a) There is no substance to the allegations;
 - b) The matter is being brought for malicious and vexatious reasons;
 - e) *The Domestic Violence and Stalking Act*, CCSM c. D93, s.6 (1), s.11 (1)
 - c) I did not stalk the Applicant;
 - d) I did not subject the Applicant to domestic violence or violence of any sort.

3. The following documentary evidence will be used at the hearing of the Application:
 - a) The affidavit of LYNDA STAUB, the applicant (to be filed);
 - b) Affidavits previously filed;
 - c) Such other evidence that this Honourable Court may deem is just and will allow.

March 14, 2011

DIXON LAW OFFICE
Barristers and Solicitors
201-414 Graham Ave
Winnipeg, Manitoba
R3C 0L8

Heather Ann Dixon
944-8844

**THE QUEEN'S BENCH
WINNIPEG CENTRE**

IN THE MATTER OF: An application under *The Domestic Violence and Stalking Act*

C.C.S.M c.93

BETWEEN:

LIONEL ANDRE BOUCHARD

Applicant

- and -

CLAIRE DEANNA DEMERY

Respondent

NOTICE OF APPLICATION

Hearing Date: TUESDAY MARCH 29, 2011
at 9:00 a.m.

MAR 14 2011

HEATHER ANN DIXON

DIXON LAW OFFICE
201 - 414 Graham Avenue
Winnipeg, Manitoba
R3C 0L8

Telephone No. 944-8844
Fax No. 942-1122

11-3063

1
Hearing date
re-set April 19
2011 - 9⁰⁰

THE QUEEN'S BENCH
WINNIPEG CENTRE

IN THE MATTER OF: An application under *The Domestic Violence and Stalking Act*

BETWEEN:

LIONEL ANDRE BOUCHARD

Applicant

- and -

CLAIRE DEANNA DEMERY

Respondent

NOTICE OF APPLICATION

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IF YOU FAIL TO APPEAR AT THE HEARING, JUDGEMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

MARCH 14, 2011

C. LANIUK
DEPUTY REGISTRAR
Issued by: COURT OF QUEEN'S BENCH
REGISTRAR MANITOBA

COURT OF QUEEN'S BENCH
WINNIPEG CENTRE
408 York Ave, WPG MB

To: LIONEL ANDRE BOUCHARD

APPLICATION

1. The applicant makes application for:
 - a) An order to set aside the Protection Order granted by B. Lischenski, Justice of the Peace, made without Notice on Friday, February 25, 2011, in the City of Winnipeg
 - b) Costs;
 - c) Such further and other relief as the Court may deem be just.

2. The grounds for the application are:
 - a) There is no substance to the allegations;
 - b) The matter is being brought for malicious and vexatious reasons;
 - c) *The Domestic Violence and Stalking Act*, CCSM c. D93, s.6 (1), s.11 (1)
 - d) I did not stalk the Applicant;
 - d) I did not subject the Applicant to domestic violence or violence of any sort.

3. The following documentary evidence will be used at the hearing of the Application:
 - a) The affidavit of Claire Deanna Demery, the applicant (to be filed);
 - b) Affidavits and evidence previously filed;
 - c) Such other evidence that this Honourable Court may deem is just and will allow.

March 14, 2011

DIXON LAW OFFICE
Barristers and Solicitors
201-414 Graham Ave
Winnipeg, Manitoba
R3C 0L8

Heather Ann Dixon
944-8844

Counsel: if client present if client not present
for Petitioner: **In Person (via teleconference)**
(Marlene Legare by power of attorney)
for Respondents: **H.A. Dixon (Dixon Law Office)**

Case Conference #1
File Nos. FD 09-01-92671
FD 09-01-92674
FD 09-01-92675

IN THE COURT OF QUEEN'S BENCH
FAMILY DIVISION
CASE CONFERENCE MEMORANDUM

Date: June 1, 2011 **Judge:** JOHNSTON, J.
Between: LIONEL ANDRE BOUCHARD and ANDRE LIONEL BOUCHARD,
(Applicant) CLAIRE DEANNA DEMERY, and
LYNDA STAUB
(Respondents)

Children: Not applicable

Gross income of payor:	\$ _____
Basic Child Support Guidelines amount:	\$ _____
Gross income of payee:	\$ _____
Claim for s. 7 add-ons by: _____	\$ _____
S. 7 Child Support Guidelines amount:	\$ _____

Matters agreed to:

1. The service of all material on the applicant, Lionel Andre Bouchard, can be effected by way of registered mail to Box 81, Elie, Manitoba, R0H 0H0.
2. All recently filed documentation, set out below shall be retained as "B" file material, including:
 - (a) document #53 FD 09-01-92671;
 - (b) document #43 FD 09-01-92674; and
 - (c) document #43 FD 09-01-922675.

3. Ms. Dixon has leave of the court to bring an interim motion, without the necessity of further case conference, for consideration of the following specific relief:

- (a) security for costs; and
- (b) an interim partial stay of enforcement of the protection order currently against Andre Bouchard, specifically to allow access to certain farm property where the applicant has a continuing life interest.

Matters in issue:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Divorce | <input type="checkbox"/> Paternity
Has Director of CFS been served?
<input type="checkbox"/> yes <input type="checkbox"/> no |
| <input type="checkbox"/> Custody | <input type="checkbox"/> Sole occupation |
| <input type="checkbox"/> Care and control | <input type="checkbox"/> Postponement of sale |
| <input type="checkbox"/> Child support | <input checked="" type="checkbox"/> Set aside protection orders |
| <input type="checkbox"/> S. 7 add-ons | <input type="checkbox"/> Prevention order |
| <input type="checkbox"/> Undue hardship | <input type="checkbox"/> F.P.A. |
| <input type="checkbox"/> Spousal support | <input type="checkbox"/> Partition or sale
Have all registered encumbrances been served?
<input type="checkbox"/> yes <input type="checkbox"/> no |
| <input type="checkbox"/> Remission of arrears
Has Director of Income Security been served?
<input type="checkbox"/> yes <input type="checkbox"/> no | <input type="checkbox"/> Set aside default |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Vesting order |
| | <input type="checkbox"/> Set aside stay of proceedings |

Further details re: Matters in issue:

- On September 16, 2010, MacPhail J. set aside a set of previous protection orders involving the same parties, and directed costs payable forthwith. The cost awards remain outstanding.
- On February 25, 2011, Judicial Justice of the Peace Lischenski issued a new set of protection orders involving the same parties. The three individuals have all made application to set aside the orders.
- The issue of residency of Lionel Bouchard remains in issue. His "attorney" takes the position that he is resident in St. Francis Xavier, with a mailing address in Elie, Manitoba. It is the position of the three parties against

whom the orders have been directed that he resides with Ms. Legare in the Province of British Columbia.

4. Ms. Legare speaks for Mr. Bouchard under the terms of a power of attorney drafted in 2008 by a Manitoba solicitor (Dennis Smith of Hook and Smith). The validity of the attorney, the ability of the "attorney" to speak and represent Mr. Bouchard, and Mr. Bouchard's capacity may all be issues considered at the trial.
5. Ms. Dixon will be giving consideration towards making a separate application under the "vexatious litigant" rule, which may be joined with the action currently set for trial.

Disposition of Case Conference

1. Consent order(s) pronounced: **Consent order to be drafted, without approval as to form and content by the in person litigant, regarding substitutional service.**

2. Amendments to _____
Requested by: _____
Service of amended documents: ordered waived
Case Management Coordinator follow-up: Registry Amendment Alert Entered

3. Motion hearing for _____ scheduled cancelled
(date)

4. Referral to: Date completed:
 For the Sake of the Children _____
 Mediation _____
 Assessment: _____
 Family Conciliation Private _____

Any order(s) are to be filed by counsel unless otherwise instructed by the presiding judge: filing waived

5. Steps/Actions to be taken:

Action

Party Responsible

Completion Date

(204)

6. Further case conference to be held on: **September 21, 2011, at 2:00 p.m.**

7. Further case conference brief to be filed by:

Petitioner Respondent

8. Is case conference judge seized of case conferences? yes no

9. Is case conference judge (or any other judge) disqualified from hearing date? yes no

10. Trial dates set: **November 30 and December 1, 2011**

11. Agreed Statement of Facts: yes no

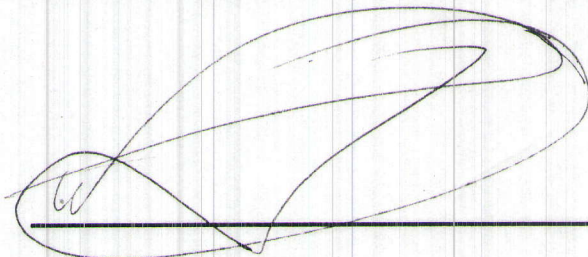
12. Record has been filed or
 to be filed by Petitioner by _____
(date)
 to be filed by Respondent by _____
(date)

13. Are all required services completed? yes no

14. Trial judge should read the following before the trial:

COUNSEL AND PARTIES ARE REQUESTED TO NOTIFY THE COURT **IMMEDIATELY** IF THE MATTER IS SETTLED. IF TRIAL DATES SET INCLUDE A FRIDAY, COUNSEL AND PARTIES ARE ADVISED THAT THE PRESIDING JUDGE MAY **NOT** BE AVAILABLE FRIDAY A.M.

Copies of this memorandum are mailed to counsel noted above on June 2, 2011.

 J.

/maw

Janet-TRIAL coordinator
945-2908

**THE QUEEN'S BENCH
WINNIPEG CENTRE**

IN THE MATTER OF:

An Application under *The Domestic Violence
and Stalking Act*

BETWEEN:

LIONEL ANDRE BOUCHARD

RESPONDENT

- and -

LYNDA STAUB

APPLICANT,

ORDER

HEATHER ANN DIXON

DIXON LAW OFFICE

201 - 414 Graham Avenue
Winnipeg, Manitoba
R3C 0L8

Telephone No. 944-8844
Fax No. 942-1122

File No 09-2940

THE QUEEN'S BENCH
WINNIPEG CENTRE

Thursday JUNE 3, 2010

THE HONOURABLE MADAME
JUSTICE MacPHAIL

)
)
)

IN THE MATTER OF:

An Application under *The Domestic Violence
and Stalking Act*

BETWEEN:

LIONEL ANDRE BOUCHARD

(Applicant) RESPONDENT

- and -

LYNDA STAUB

(Respondent) APPLICANT,

THIS APPLICATION, made by the Applicant for a hearing, to set aside an Protection Order, was to be heard on the 3rd day of June 2010, at the Law Courts building, 408 York Avenue, In Winnipeg, Manitoba, the Respondent LIONEL ANDRE BOUCHARD appearing by telephone from British Columbia, and as a Motion to Adjourn was made without the consent of the Applicant,

ON READING the materials filed, and on hearing submission of counsel for the Applicant, and from the Respondent, by telephone,

1. THIS COURT ORDERS that the Respondent's motion for adjournment is granted on the following condition:

- a) That the Respondent produce a letter from the Respondent's eye Doctor, signed by the said doctor, confirming that there was an appointment with the Respondent on June 3, 2010; and
- b) The letter must state date the appointment was made; and
- c) That the Respondent did in fact attend the appointment on June 3, 2010.
- d) The letter must be filed in the Court of Queen's Bench, Winnipeg Centre, no later than August 31, 2010.

2. THIS COURT FURTHER ORDERS that the matter be set for trial on the 16th and 17th of September 2010;

3. THAT THIS COURT ORDERS that Consent as to Form of the Order from the Respondent be dispensed with.

4. AND THIS COURT FURTHER ORDERS that costs in the cause be payable forthwith in the amount of \$700.00 to the Applicant LYNDA STAUB.

5. AND THIS COURT FURTHER ORDERS that service of this document be made upon LIONEL ANDRE BOUCHARD at P.O. Box 81 Elie, Manitoba and ^{in Care of} ~~to~~ Angie Brinkworth, 436 Grassie Blvd., Winnipeg, MB R3W 1S5, by ordinary mail ^{within 20 days} of signing.

July
~~JUNE~~ 21, 2010

J. MACPHAIL

J. MACPHAIL Judge