

1 hand. Thank you. State your full name for the court,
2 please.

3 THE WITNESS: Pardon me?

4 THE CLERK: State your full name for the court.

5 THE WITNESS: Lionel Bouchard, B-O-U-C-H-A-R-D,
6 Lionel.

7 THE CLERK: Take the Bible in your right hand.
8 Thank you. Lionel Bouchard, do you -- take, hold the Bible
9 in your right hand, sir. Thank you.

10

11 LIONEL BOUCHARD, sworn, testified
12 as follows:

13

14 THE CLERK: Thank you.

15 THE COURT: You have a seat there, sir. I'm going
16 to ask you some questions here.

17

18 DIRECT EVIDENCE BY MR. BOUCHARD:

19 THE COURT: Your application that I've got here
20 talks about the fact that you were in Grace Hospital
21 recently. Is that right?

22 THE WITNESS: That's right.

23 THE COURT: Okay. And it talks about arrangements
24 that this daughter here, Ms. Legare, made for your release,
25 and that it may not have been what other people in the
26 family wanted. Is that right?

27 THE WITNESS: That's right.

28 THE COURT: Okay. Has Ms. Legare ever threatened
29 you physically?

30 Has she ever said something like: I'm going to
31 beat you up, Dad, unless you do something.

32 THE WITNESS: No.

33 THE COURT: Okay. Has she ever threatened your
34 property? Has she ever threatened to destroy any of your

1 property, punch the windows on your car, burn your home
2 down, or anything like that?

3 THE WITNESS: No.

4 THE COURT: Okay.

5 What questions should I be asking your father
6 about this, beyond that?

7 MS. DEMERY: Oh. Can I --

8 THE COURT: Well, have you got a sheet there?
9 That's fine.

10 MS. DEMERY: Can I -- yes, I do. Dad has -- you
11 have questions there? Do you want to ask questions?

12 My father has questions. So if you want --

13 THE COURT: Is it the same sheet for everybody?

14 MR. BOUCHARD: It's our father's sheet.

15 THE COURT: Okay.

16 MR. BOUCHARD: Do you have your sheet, Dad? Show
17 us.

18 MS. DEMERY: Dad, you can just read your sheet.
19 Just read your sheet.

20 THE COURT: Or else give it to me.

21 MS. DEMERY: Yeah. Oh.

22 THE COURT: Just to the clerk there. You haven't
23 seen this?

24 MS. LEGARE: No. And it's obviously fabricated by
25 the other party, the family, not my Dad.

26 THE COURT: Okay. I'm reading a sheet of
27 typewritten material.

28 MS. LEGARE: And my Dad doesn't type, for your
29 information.

30 THE COURT: That's fine. I'm not accepting it as
31 evidence or anything. I'm just going to read it for now.

32 Okay, Ms. Legare. Did you take his passport?

33 MS. LEGARE: No. My brother said it from Sergeant
34 Gibbs (phonetic) in Headingley, that he had seen Dad's

1 passport in a safety deposit box in his home. When I took
2 Dad home from the hospital, my dad was upset that he didn't
3 have a key to his safety deposit box. My brother Andy has
4 seen it, and he has admitted to Sergeant Gibbs, and he's the
5 last one, or he's the only one to have seen it.

6 THE COURT: Okay. What's this about snow and the
7 window?

8 MS. LEGARE: I have no idea.

9 THE COURT: Okay. Can you tell me, sir, what this
10 is about, snow on your window?

11 THE WITNESS: Well, just to get my attention, I
12 guess.

13 THE COURT: Okay. Okay. Well, none of this has
14 anything to do with physical threats or threats to his
15 property. I appreciate the fact that there are family
16 issues here. But like I say, you're in the wrong forum to
17 deal with them. I'm not sure that they are issues that
18 really can be resolved by any forum, but you're definitely
19 in the wrong forum here to deal with them because we're only
20 dealing with a peace bond here.

21 And you, sir, are asking me -- and I want to just
22 make this clear -- you're asking me today to order that your
23 daughter have no communication with you for the next
24 one-year period?

25 THE WITNESS: That's right. Yeah.

26 THE COURT: You want to cut your daughter off from
27 talking to you. You don't want anything to do with her?

28 THE WITNESS: Well, yes. Yeah.

29 THE COURT: Okay. That's a pretty hard decision
30 at your age, isn't it?

31 THE WITNESS: I know.

32 THE COURT: Okay. Okay. Okay. Is there anything
33 else I should be asking your father, anybody here?

34 Yes, ma'am. Just stand up, and tell me. You're

1 Ms. --

2 MS. STAUB: My name is Lynda Staub.

3 THE COURT: Yes. Ms. Staub.

4 MS. STAUB: I am concerned that Marlene has done *
5 things behind our back. As a family, we have agreed to *
6 Dad's well-being.

7 THE COURT: Yeah.

8 MS. STAUB: And she has taken my dad from the
9 hospital, made him sign documents. The medication that he
10 was prescribed when he was, upon the discharge from the
11 Grace Hospital, she took it upon herself to scratch some of
12 the medication off, 'cause she felt my dad didn't need it,
13 antidepressants, and I am concerned that she's going to try
14 and manipulate him some more. And she has flown in from
15 Vancouver four times in the last month, and she appears at
16 our door, scares us, and we're --

17 THE COURT: What are you scared about?

18 MS. STAUB: Well, her -- she's unpredictable.

19 THE COURT: Well, what, what -- no, but what
20 scares you? She appears at your door. I presume she
21 doesn't break in.

22 MS. STAUB: She's -- for myself, she has told me
23 that there will be a theft happening.

24 THE COURT: Okay.

25 MS. STAUB: That there'll be a fire happening.

26 THE COURT: Yeah. I'm going to still get to those
27 things. I mean just with respect to your dad.

28 MS. STAUB: Yeah. So for my dad -- for my
29 father's concern, I am really -- I'm, I'm -- she's taken it
30 upon herself to change his medication. As a family, we've
31 arranged things, and she, she's, she comes in the middle of
32 the night, and takes him out of the hospital, and changes
33 his medication. That's a huge thing. And I really feel the
34 passport is missing, that's she's taken it. We're afraid

1 that she may take my dad away.

2 THE COURT: Okay. Well, like I say, all of those
3 matters really aren't anything for this court to deal with,
4 unfortunately. Like I say, I don't know how you got here.
5 I don't know who gave you the advice. I probably don't want
6 to know. But whoever got you here doing this peace bond
7 application is, gave you some wrong advice, 'cause this is
8 not going to solve your problems, not going to solve those
9 problems.

10 And so as far as your father is concerned, you can
11 step down from the stand now, sir. Okay? You can have a
12 seat wherever you want. Okay.

13

14 (WITNESS EXCUSED)

15

16 THE COURT: Who do you want to call next? Do you
17 want to call Ms. Staub, now that I've heard -- or Ms.
18 Demery? Let's hear from one of them.

19 Ms. Demery, do you want to come up? And if you'd
20 just take the stand here, and we'll -- and let's have a bit
21 of a hearing. This is Ms. Staub. My apologies.

22 THE CLERK: State your full name for the court,
23 please.

24 MS. STAUB: My name is Lynda Staub.

25

26 LYNDA STAUB, sworn, testified as
27 follows:

28

29 THE CLERK: Thank you. You may be seated.

30

31 DIRECT EVIDENCE BY MS. STAUB:

32 THE COURT: Okay, Ms. Staub. When did problems
33 begin in the family between -- or I guess I should make it
34 more personal. When did problems begin between you and Ms.