
HOOK & SMITH

Barristers, Solicitors and Notaries Public

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Grant W. Davis, B.A. LL.B.
Gordon P. Hook (Retired)
Garry N. Harvey (1944-1998)
File No.: 11090S

FAX COVER SHEET

DATE: August 1, 2008

TO: *Marlene Legare*

Attention:

Fax No.: 604-467-5630

FROM: *HOOK & SMITH, Barristers and Solicitors*

Name: Winston F. Smith, Q.C.

Pages (inc. cover) 2

If you do not receive all pages, please call (204) 885-4520 and ask for Carrie.

COMMENTS: Attached is the letter from Kelly Land RE Lionel's ability to retrieve his possessions and equipment. Sorry to have inadvertently omitted faxing it to you although you have me reply to him as part of the attachments to my email to you yesterday. Regards, Winston F. Smith, Q.C.

p.s. Madeleine Fillion has signed her Will, POA and Health Care Directive.

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THANK YOU

HOOK & SMITH

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File No.: 11275 W

FAX COVER SHEET

DATE: July 23, 2008

TO: Marlene Legare

Attention:

Fax No.: 604-467-5630

FROM: HOOK & SMITH, Barristers and Solicitors

Name: Winston F. Smith, Q.C.

Pages (inc. cover) 2

If you do not receive all pages, please call (204) 885-4520 and ask for Carrie.

COMMENTS: Please find the Release Kelly Land had attached to his client's Affidavit, relating to the trees and to the debt for the purchase of SW 1/4 -11-3 WPM.

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THANK YOU

AUG. 11/2008

Marlene Legare, CFP

From: Winston Smith [wsmith@hookandsmith.com]
Sent: Wednesday, July 30, 2008 11:11 AM
To: 'Solomon~Wise Consulting'
Subject: RE: Lionel Bouchard v. Andre Bouchard & Jack Bock - Transcript of July 16, 2008

Marlene,

Thanks for the transcript of the July 16th proceedings before Madam Justice Greenberg at which time she adjourned the matter of the Possession and Access Application we have made on behalf of your father, Lionel Bouchard, in order for him to regain possession of his home in which he has a life interest. The matter was set over to today to allow for filing of the respondent's affidavit material.

Today, Mr. Kelly Land appeared on behalf of the respondent. He requested a date for the argument and I requested the court hear the matter today as I had notified Mr. Land of the urgency of this matter. Mr. Justice Sinclair advised that he was unable to hear the matter today and recommended that counsel seek a fixed summer date from the court office. That date is now Wednesday, August 13, 2008, at 10:00 am assuming no cross examination on any affidavit. I advised the court I would not be cross examining the respondent and Mr. Land is to confirm to me ASAP that he will not be cross examining your Dad on his affidavit. The respondent's counsel said he would have his brief filed and a copy over to me by August 6th.

Meanwhile, as a result of my statement that your Dad was not even allowed to gain access to his equipment on his home property, Mr. Land advised that he would recommend to his client that his father could have access to recover his own property and would send over a letter to that effect. Following the court hearing I suggested to Mr. Land that his letter should set forth the notification steps required to access the property. Also, in view of the fact that your Dad was required to secure the assistance of the RCMP to obtain his motor home a month or so ago, I have recommended to your father, for his safety, to have his good friend, Mike Slegers, accompany him onto the property every time he goes there to obtain his things.

Regards,

Winston F. Smith, Q.C.
Hook & Smith
Barristers, Solicitors & Notaries Public
201-3111 Portage Ave.
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From: Solomon~Wise Consulting [mailto:solomonwise@telus.net]
Sent: July 30, 2008 10:40 AM

Marlene Legare, CFP

From: Winston Smith [wsmith@hookandsmith.com]
Sent: Wednesday, July 30, 2008 5:33 PM
To: 'Marlene Legare, CFP'
Subject: RE: Meeting with Andy

Marlene,

The meeting with Andy is a good event. I just called your Dad and confirmed that he should confirm that he wants to move into the house ASAP, BUT I also suggested that your Dad ask Andy what he proposes. In other words, lets see where this meeting is leading. Your Dad can then say he needs to talk it over with me. Good that Mike is going to be with your Dad.

Meanwhile, I have received the "authority to remove possessions" letter from Kelly Land and will be faxing a copy to you tomorrow and providing your Dad with a copy tomorrow afternoon. He said he would come in to pick it up and I want to give him a copy of my acknowledgement letter back to Land, which won't be ready until tomorrow.

Regards,

Winston F. Smith, Q.C.
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Chapman Goddard Kagan Barristers & Solicitors

George E. Chapman, Q.C.
Alan R. Goddard, B.A., LL.B.
Donna G. Kagan, LL.B.
Kelly P. Land, B.A., LL.B.

Almer N. Jacksteit, B. Comm., LL.B.
Michael J. Law, B.A., LL.B.
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Geo. Thos. Chapman, Q.C. (1923 - 1985)

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Please refer to File No. 33,375

July 30, 2008

HOOK & SMITH
201-3111 Portage Avenue
Winnipeg, MB R3K 0W4

Delivered via facsimile
837-9846 (1 page)

Attention: Winston Smith

Dear Mr. Smith:

RE: BOURCHARD

Further to our attendance before Justice Sinclair, this will confirm that the matter has been set for a contested hearing on August 13, 2008 at 10:00 a.m. On the direction of Justice Sinclair I will have my brief filed on August 6, 2008.

In discussing the matter with my client he is instructed me that he does not wish me to Cross-Examine Mr. Bouchard in respect of this Motion.

This will also confirm my advice to the Court that Mr. Bouchard has no difficulty with his father attending at the property, upon reasonable notice, to retrieve whatever items of personality or equipment he requires. In discussing the matter with my client he has informed me that the reason his father had to phone the RCMP regarding the mobile home was based upon previous advice given to Mr. Bouchard at the time that his father went missing. The RCMP advised that in order to withdraw the Missing Person notice they wanted to hear from Mr. Bouchard and could use his desire to obtain the mobile home as a method of doing so.

I trust the above is acceptable.

Yours truly,
CHAPMAN GODDARD KAGAN
Per:



KPL
KELLY P. LAND
KPL/sh

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TOTAL P.01

HOOK & SMITH

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Grant W. Davis, B.A. LL.B.
Gordon P. Hook (Retired)
Garry N. Harvey (1944-1998)

File No 110905

July 31, 2008

Hand delivered

Lionel André Bouchard

Box 81

Elie, MB R0H 0H0

Dear Sir:

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

Enclosed herewith please find copy of a letter dated July 30, 2008, received from Mr. Kelly Land of Chapman Goddard Kagan. Note that Mr. Land does not intend to cross-examine you on your Affidavit. The main purpose of this letter is to provide you with access to your home property to retrieve your personal items and equipment. Please ensure that you contact Andy Bouchard by telephone, either on his cell or at his work or residence and even if he is not present, simply leave a message that states when you intend to retrieve the property and confirm that you are taking Mike Slegers with you to assist you.

Yours truly,

HOOK & SMITH

Per:



Winston F. Smith, Q.C.

WFS/ca
Enclosure

cc. Marlene Legare (via email)

HOOK & SMITH

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Gordon P. Hook (Retired)
Garry N. Harvey (1944-1998)

July 31, 2008

File No 110905

VIA FACSIMILE

Chapman Goddard Kagan
1864 Portage Avenue
Winnipeg, MB R3J 0H2

Attention: Mr. Kelly Land

Dear Mr. Land:

Re: Lionel André Bouchard v. André Lionel Bouchard

Thank you for your letter of July 30, 2008.

With regard to the filing of your Brief, since I will be out of the office on holidays, but will have access to my email, I would appreciate your emailing me your Brief upon filing in the court.

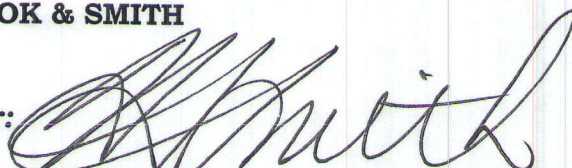
I note your instructions that you are not going to cross-examine my client and I can confirm that I will not be cross-examining your client.

With regard to retrieving my client's personal items or equipment from his home property and the right of access to do so, I will advise my client to provide notice of his intention by calling your client and either speaking directly to him or leaving a message. Mr. Mike Slegers will attend with my client to assist him in the removal of any such property.

Yours truly,

HOOK & SMITH

Per:



Winston F. Smith, Q.C.

WFS/ca

cc. Lionel Bouchard
cc. Marlene Legare (via email)