

PROVINCE  
OF  
BRITISH COLUMBIA

*Crown Proceeding Act*  
Report

For the Fiscal Year Ended

March 31, 2011



**Payments Under  
*Crown Proceeding Act*  
For the Fiscal Year Ended March 31, 2011**

Total Payment made under Section 13(4)	\$ 706,006.62
Total Payment made under Section 14(4)	\$ 28,241,623.51
Contingent Liability (Adjusting Entry)	\$ 1,940,472.23
Paid from HST Account (Adjusting Entry)	\$ <u>( 13,249.31)</u>
	<b><u>\$ 30,874,853.05</u></b>



**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 13(4)**

<b>Court and Case</b>	<b>Judgments \$</b>
SCBC Vancouver Registry No. 25146	\$ 218,059.44
	Costs

Independent Supervising Solicitor Costs  
 Petitioner: James Kyle Bacon  
 Respondent: Debbie Hawboldt, Warden of Surrey Pretrial Services Centre.

Mar 2011	Payable to Ernst & Young LLP	\$ 175,717.77
Mar 2011	Payable to Harper Grey LLP	\$ 42,341.67

SCBC Vernon Registry No.23914	\$ 170,898.68
	Costs

Petitioners: Her Majesty the Queen in right of the Province of British Columbia  
 Respondents: Chief Ronnie Jules, in his personal capacity and as representative of the Adams lake Band et al.

In accordance with the Costs Administration Agreement dated June 1, 2006

Mar 2011	Payable to Mandell Pinder in Trust.
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BCSC File No. A980073	\$ 110,000.00
	Costs

Plaintiff: Adroit Resources Inc.  
 Defendant: Her Majesty the Queen in right of the Province of British Columbia

Feb 2011	Payable to Holmes & King in Trust
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SCBC Vancouver Registry No.L043095	\$ 56,001.09
	Costs

Petitioners: Judith Sayers on behalf of the Hupacasath First Nation  
 Respondents: Minister of Forests of the Province of British Columbia, The Chief Forester and Island Timberlands LP.

Feb 2011	Payable to glennsigurdson.com inc.
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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 13(4)**

<b>Court and Case</b>	<b>Judgments \$</b>
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SCBC Vancouver Registry No.05 4862	\$ 33,233.17 Costs
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Appellant: Her Majesty the Queen in right of the Province of  
British Columbia

Respondent: Forest Appeals Commission

Dec 2011 Payable to Hunter Litigation Chambers in Trust

SCBC Vancouver Registry No.E083988	\$ 31,676.67 Costs
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Appellant: Muhammad Attiq-Ur Rahman

Respondents: The Director of Child, Family and Community Services

Feb 2011 Payable to Lindsay Kenney LLP in Trust \$ 21,729.54

Feb 2011 Payable to Nathanson Matthew A. in Trust \$ 9,947.13

BCCA Vancouver Registry No. CA037508	\$ 12,761.50 Costs
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Respondent: Bryan's Transfer Ltd.

Appellant: Her Majesty the Queen in right of the Province of  
British Columbia

Jan 2011 Payable to Burke Frame in Trust

BCCA Vancouver Registry No. CA036914	\$ 11,331.61 Interest
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Respondent: Pacific Abrasives & Supply Inc.

Appellant: Her Majesty the Queen in right of the Province of  
British Columbia

Jun 2010 Payable to Minister of Finance

**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 13(4)**

<b><u>Court and Case</u></b>	<b><u>Judgments \$</u></b>
<p>SCBC Vancouver Registry No. L051547</p> <p>Petitioner: Almaden Minerals Ltd. Respondent: Her Majesty the Queen in right of the Province of British Columbia</p> <p>Apr 2010 Payable to McLean &amp; Armstrong, LLP in Trust</p>	<p>\$ 10,427.88 Costs</p>
<p>SCBC Victoria Registry No. 10 1956</p> <p>Petitioner: Representative for Children and Youth Respondents: Office of the Premier, Ministry of Children and Family Development</p> <p>Jul 2010 Payable to The Representative for Children and Youth</p>	<p>\$ 10,251.20 Costs</p>
<p>SCBC Nelson Registry No. 14500</p> <p>Petitioner: Frank Fahrenbruch Respondent: Attorney General of British Columbia and Director of Family Maintenance Enforcement Program</p> <p>Nov 2010 Payable to Skogstad Shkooratoff Law Office in Trust</p>	<p>\$ 9,066.90 Costs</p>
<p>SCBC Vancouver Registry No.S-093495</p> <p>Plaintiff: Director of Civil Forfeiture Defendants: Sarban Singh Rai and Gulf and Fraser Fishermen's Credit Union</p> <p>Aug 2010 Payable to TD Canada Trust</p>	<p>\$ 8,977.50 Costs</p>
<p>SCBC Cranbrook Registry No. 19147</p> <p>Respondent: Director of Child Family and Community Service for the Province of British Columbia Appellants: M.O. and R.O.</p> <p>Jan 2011 Payable to Robertson &amp; Company</p>	<p>\$ 7,914.06 Costs</p>

**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 13(4)**

<b><u>Court and Case</u></b>	<b><u>Judgments \$</u></b>
BCCA Vancouver Registry Nos. CA035500/CA035501  Respondent: Timothy Wiseman Appellants: Her Majesty the Queen in right of the Province of British Columbia and Yellowhead Road & Bridge (Kootenay) Ltd.  May 2010 Payable to Timothy W. Pearkes Law Corporation in Trust	\$ 6,492.99 Costs
BC Human Rights Tribunal Case No. 2239  Complainant: Larry J. Hall Respondent: Her Majesty the Queen in right of the Province of British Columbia as represented by the Ministry of Environment.  Sep 2010 Payable to Larry J. Hall	\$ 5,500.00
SCBC Victoria Registry Action No. 06 4142  Plaintiff: Her Majesty the Queen in right of the Province of British Columbia Defendants: 1614136 Ontario Inc. and Eric Nolan  Jan 2011 Payable to Bazett Land Surveying Inc.	\$ 2,598.40 Costs
SCBC New Westminster Registry No. S87822  Plaintiff: John Kumpera Defendants: John Doe and Her Majesty the Queen in right of the Province of British Columbia.  Mar 2011 Payable to Ghani Lupton in Trust	\$ 815.53 Costs
<b><u>Total Payments made under Section 13 (4 )</u></b>	<b><u>\$ 706,006.62</u></b>



**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

<b><u>Court and Case</u></b>	<b><u>Settlements \$</u></b>
Various	\$14,749,790.43
<p>Whereas various plaintiffs have made claims against the Crown for damages sustained as a result of alleged negligence or alleged abuse; And Whereas counsel acting on behalf of the Crown has advised that, in his/her opinion, the plaintiffs might be successful in their claims for damages; This is to certify that: It is in the public interest to settle the claims for the amount of \$14,749,790.43.</p>	
Apr 2010	Payable to Altridge & Company in Trust \$8,500,000.00
Oct 2010	Payable to Laxton Gibbens and Company in Trust \$5,100,001.00
Jan 2011	Payable to Public Guardian & Trustee of BC \$ 381,000.00
Feb 2011	Payable to Public Guardian & Trustee of BC \$ 378,197.73
Feb 2011	Payable to Ellis & Company in Trust \$ 105,000.00
Dec 2010	Payable to Laxton Gibbens and Company in Trust \$ 101,061.27
Jan 2011	Payable to Laxton Gibbens and Company in Trust \$ 75,733.81
Jan 2011	Payable to Patrick Springford Law Corporation in Trust \$ 30,000.00
May 2010	Payable to Complainant \$ 25,000.00
Mar 2011	Payable to Complainant \$ 20,000.00
Mar 2011	Payable to The Public Guardian and Trustee \$ 17,682.02
Mar 2011	Payable to BC International Commercial Arbitration Ctr. \$ 13,633.90
Apr 2010	Payable to Heenan Blaikie LLP \$ 2,141.12
Feb 2011	Payable to Klein Lyons \$ 339.58

**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

No Action Filed

\$ 6,506,010.27

Whereas Husby Forest Products Ltd. and Sitkana Timber Ltd., have made a claim for compensation against Her Majesty the Queen in right of the Province of British Columbia for the loss of harvesting rights as a result of the province's designations of the Duu Guusd area in the Queen Charlotte Islands under Part 13 of the *Forest Act* and the Province's designation of Duu Guusd as a conservancy area under the *Park Act*, resulting in the loss and reduction of Husby's allowable annual cut for the period from January 1, 2002 to May 29, 2008;

And Whereas the Province and Husby have entered into negotiations regarding the calculation of the compensation that Husby claims for the loss of harvesting rights;

And Whereas counsel for the Crown has advised that in his opinion Husby would be successful in its claim for damages if Husby took their claim to court.

This is to certify:

1. That the challenge herein, if pursued, could result in an Order referred to in S. 13 of the *Crown Proceeding Act*, RSBC 1996, c.89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of taxable costs and disbursements for the total amount of \$6.5 million plus pre-judgement interest calculated from February 1, 2010 to the date of payment.

Jun 2010

Payable to Fasken Martineau Dumoulin LLP in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Vancouver Registry Action No. S084358

\$ 2,267,728.71

Whereas the plaintiff, Justin Van Niejenhuis, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, Vancouver Registry Action No. S084358. The plaintiff's claim arises from injuries he sustained in a motor vehicle accident on August 21, 2007, on the Chase Falkland Road. And Whereas counsel for the Crown has advised that in his opinion the plaintiff might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in S. 13 of the *Crown Proceeding Act*, RSBC 1996, c.89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim, inclusive of interest, for the total amount of \$2,200,000.00 plus taxable costs and disbursements in an amount not to exceed \$ 75,000.00.

Dec 2010

Payable to Laxton Gibbens and Company in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Vancouver Registry Action No. C965349

\$ 1,911,018.55

In accordance with Section 4.04 of the Funding Agreement, being Schedule D of the January 1, 1986 – July 1, 1990 Hepatitis "C" Settlement Agreement made as of June 15, 1999.

Plan Disbursements, (payments to claimants) and Other Fees and Disbursements (generally administrative costs) in respect of Fiscal Year 2010-2011.

Payable to Hepatitis "C" British Columbia, c/o Royal Trust Co.

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SCBC Vancouver Registry Action No. M072984

\$ 850,000.00

Whereas the plaintiff, Colin Day, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, Vancouver Registry Action No. M072984. The plaintiff's claim arises from injuries he sustained in a motor vehicle accident on the Mary Hill Bypass on September 14, 2006.

And Whereas counsel for the Crown has advised that in his opinion the plaintiff might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$850,000.00.

Jun 2010

Payable to Maryn & Associates in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Campbell River Registry Action No. M7729

\$ 542,965.47

Whereas the plaintiff, Jessica Lynne Johnston, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, Campbell River Registry Action No. M7729. The plaintiff's claim arises from injuries she sustained in a motor vehicle accident on December 26, 2005, on Highway 19 (the Inland Island Highway) north of Parksville near the Crocker Creek Bridge.

And Whereas counsel for the Crown has advised that in his opinion the Plaintiff might be successful in her claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$542,965.47.

Mar 2011

Payable to Graham & Frame in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

No Action Filed

\$ 461,361.00

Whereas the undernoted claimants have made claims for damages against Her Majesty the Queen in right of the Province of British Columbia, as a result of damages and loss they sustained when the earthen dam on Testalinden Creek failed on June 13, 2010. And Whereas the Province has agreed to make an advance payment to the claimants that will be set off against any ultimate settlement or judgment of the court in favour of the claimants.

And Whereas counsel for the Crown has advised that in his opinion the claimants might be successful in their claims for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to make an advance payment to each claimant as noted below.

Mar 2011	Sidhu, Harjit Singh	\$198,601.00
	Khela, Manjinderpal Singh	\$ 97,164.00
	McGeachy, Ian & Carol	\$ 66,720.00
	Topaz Properties Ltd.	\$ 32,100.00
	West, John & Darlene	\$ 28,561.00
	Mercier, Eugene & Kathryn	\$ 22,675.00
	Sekhon, Jaswant Singh	\$ 12,540.00
	Jentsch, Christopher & Elizabeth	\$ 3,000.00

**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Duncan Registry Action No. S9209

\$ 165,000.00

Whereas the plaintiff, Jennifer Rose Mary Lines, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, Duncan Registry Action No. S9209. The plaintiff was injured in a motor vehicle accident at the intersection of the Trans Canada Highway and Fuller Lake Road on December 27, 2002 and claims that Her Majesty the Queen in right of the Province of British Columbia was negligent in the design and construction of the intersection.

And Whereas counsel for the Crown has advised that in her opinion the plaintiff might be successful in her claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim for the amount of \$150,000.00 plus taxable costs and disbursements.

May 2010

Payable to Heath Law Corp. in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Vancouver Registry Action No. S094019 \$ 150,000.00

Whereas the plaintiff, Christopher Bigelow, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia, in the Supreme Court of British Columbia, Vancouver Registry Action No. S094019. The plaintiff's claim arises from injuries he sustained in a motor vehicle accident on the Trans Canada Highway immediately east of the 200 Street Interchange in Langley, B.C.

And Whereas counsel for the Crown has advised that, in his opinion, the plaintiff might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to make a recoverable advance payment to the plaintiff on account of any future liability of the Province in the amount of \$150,000.00.

Jun 2010

Payable to David H. Doig & Associates in Trust.

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Vancouver Registry Action No. S062500 \$ 135,000.00

Whereas the plaintiff, Pacific International Log Trading Ltd., has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, Vancouver Registry Action No. S062500 arising from the loss of approximately 6,000 cubic metres of felled and bucked timber during the Kookipi Creek fire in August, 2004.

And Whereas counsel for the Crown has advised that in his opinion the plaintiff might be successful in its claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$135,000.00.

Feb 2011

Payable to Hunter Litigation Chambers in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Penticton Registry Action No. 28977 \$ 100,000.00

Whereas the Public Guardian and Trustee ("PGT") has been named as a Defendant, together with others, in B.C.S.C. Action No. 28977, Penticton Registry (the "action") commenced by Jim Kemes as Plaintiff (the "Plaintiff") in his personal capacity and as Executor of the Estate of Lazlo Munkas, Deceased;

And Whereas the Plaintiff seeks damages for losses arising from the alleged negligence and breach of fiduciary duty of the PGT and the other named Defendants in failing to locate the last will and testament of the Deceased thereby causing the Deceased's estate to be distributed to the wrong persons;

And Whereas by letter dated December 23, 2010 addressed to the Assistant Deputy Attorney General, the PGT provided an assessment of the legal liability of the PGT in the action and the opinion that the claim of the Plaintiff, if pursued, could result in a judgment against the PGT;

And Whereas the Plaintiff has accepted the offer of the PGT and the other named Defendants to settle the action for a set amount including a contribution from the PGT of \$100,000.00 plus costs and disbursements subject to approval of the Attorney General under Section 21(3) of the *Public Guardian and Trustee Act*; And Whereas counsel has advised that, in her opinion, the Plaintiff might be successful in its claim for damages;

This document certifies that:

1. The action, if pursued, could result in a judgement referred to in Section 21 of the *Public Guardian and Trustee Act*; and
2. That it is in the public interest to settle the action by contribution from and on behalf of the PGT of the sum of \$100,000.00 plus costs and disbursements (costs and disbursements to be borne by the PGT).

Jan 2011

Payable DuMoulin & Boskovich in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Vancouver Registry Action No. S090131 \$ 57,500.00

Whereas the plaintiff, Tolko Industries Ltd., has made a claim against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, Vancouver Registry Action No. S090131 for breach of a contract for services related to the rebuilding of the Westside Road next to Lake Okanagan north of Kelowna.

And Whereas counsel for the Crown has advised that in his opinion the Plaintiff might be successful in their claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$57,500.00.

Nov 2010

Payable to Borden Ladner Gervais LLP In Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

No Action Filed

\$ 37,000.00

Whereas the claimant, Kathleen Erin Hamilton, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia alleging that the Province was unjustly enriched as a result of the failure of Ministry of Housing and Social Development staff to inform Ms Hamilton of the policy regarding trust provisions that would have enabled Ms Hamilton to receive benefits and keep her property in a discretionary trust.

And Whereas counsel for the Crown has advised that in his opinion the claimant might be successful in her claim for restitution;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown ;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$37,000.00.

Oct 2010

Payable to Aaltje van Grootheest in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

No Action Filed

\$ 34,286.55

Whereas the plaintiffs, Donaldson Jette, Barristers, have made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia based on a claim for payment to Donaldson Jette for its services representing an accused pursuant to a section 684 order of the Criminal Code;  
And Whereas counsel for the Crown has advised that in his opinion the plaintiffs might be successful in their claim for damages;  
This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$34,286.55

Aug 2010

Payable to Nixon Wenger in Trust

SCBC Vancouver Registry Action No. M041659

\$ 31,257.53

Whereas the plaintiff, Sheena Williams, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia, Emcon Services Inc., and Alexander John Hegyi, in the Supreme Court of British Columbia, Vancouver Registry Action No. M041659, based on negligence;  
And Whereas counsel for the Crown has advised that in his opinion the plaintiff might be successful in her claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$30,000.00 plus one-third of mediation costs.

Dec 2010

Payable to Slater Vecchio LLP in Trust \$30,000.00

Feb 2011

Payable to Paine Edmonds LLP \$ 1,257.53

**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

<b><u>Court and Case</u></b>	<b><u>Settlements \$</u></b>
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In the Matter of an Arbitration	\$ 30,000.00
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Whereas the complainant, RLC Enterprize Ltd. ("RLC") has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the matter of an arbitration claiming breach of contract against BC Parks for failing to compensate RLC for lost revenue caused by a decrease in parking fees charged in provincial parks.

And Whereas counsel for the Crown has advised that in her opinion the complainant might be successful in its claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$30,000.00.

Oct 2010      Payable to Taylor Veinotte Sullivan In Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Vancouver Registry Action No. S017221 \$ 30,000.00

Whereas the plaintiff, Archibald Chalmers, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia and B.C. Hydro and Power Authority in the Supreme Court of British Columbia, Vancouver Registry Action No. S017221, based on negligence and nuisance, and his injuries and a *Family Compensation Act* claim relating to the death of his spouse Mrs Chalmers resulting from a motor vehicle accident on a public highway;  
And Whereas counsel for the Crown has advised that in her opinion the plaintiff might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total all-inclusive amount of \$30,000.00.

Oct 2010      Payable to Cowley & Company in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

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<b><u>Court and Case</u></b>	<b><u>Settlements \$</u></b>
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BC Human Rights Tribunal Case No. 7701	\$ 22,000.00
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Whereas the Complainant, Wendy Dawydiuk, has alleged that the Crown discriminated against her in the area of employment on the grounds of physical and mental disability, as well as on the grounds of sex. And Whereas counsel for the Crown has advised that, in her opinion, the Complainant might be successful in her claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$22,000.00.

Apr 2010 Payable Wendy Dawydiuk

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SCBC New Westminster Registry Action No. M111165	\$ 22,000.00
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Whereas the plaintiff, Lorraine Pearson, has made a claim against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, New Westminster Registry Action No. M111165 concerning injuries she suffered from a motor vehicle accident on April 24, 2005.

And Whereas counsel for the Crown has advised that in her opinion the Plaintiff might be successful in her claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$22,000.00.

Aug 2010 Payable to Findlay Gunnell Sandor In Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

BCCA Vancouver Registry Action No. CA036620

\$ 15,270.00  
Costs

Whereas the appellant(s), Arkinstall et al, have made a claim for costs, including disbursements, against the Attorney General of British Columbia in the Court of Appeal of British Columbia, Vancouver Registry Action No: CA036620.

And Whereas counsel for the Attorney General has advised that in his opinion the appellants might be successful in the claim for costs including disbursements;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim for the total amount of \$15,270.00.

Jul 2010

Payable to Arvay Finlay in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

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<b>Court and Case</b>	<b>Settlements \$</b>
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SCBC Nanaimo Registry Action No. S49959	\$ 15,000.00
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Whereas the plaintiff, Henry Kieszkowski, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, Nanaimo Registry Action No. S49959. The plaintiff alleges he injured himself at Nanaimo Regional Custody Centre.

And Whereas counsel for the Crown has advised that in her opinion the plaintiff might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$15,000.00.

Feb 2011

Payable to Manning & Kirkhope in Trust

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

BC Human Rights Tribunal, Case No. 6297 \$ 13,900.00

Whereas Beverly Oulton has alleged that the Crown, through the Ministry of Housing and Social Development, Janine Robinson, and the Ministry of Attorney General discriminated against her on the grounds of mental disability, physical disability, sex, marital status, and family status, by failing to accommodate her and denying her access to disability assistance;

And Whereas Beverly Oulton has filed a complaint against Her Majesty the Queen in right of the Province of British Columbia with the BC Human Rights Tribunal, Case No. 6297;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$13,900.00.

Feb 2011

Payable to Beverly Oulton

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

BC Human Rights Tribunal Case No. 5924

\$ 13,200.00

Whereas Dale Parker made a complaint to the BC Human Rights Tribunal against Her Majesty the Queen in right of the Province of British Columbia alleging that the Crown, through the Ministry of Children and Family Development, discriminated against him in the area of services on the ground of sex.

And Whereas counsel for the Crown has advised that, in his opinion, Mr Parker would be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$13,200.00.

Jul 2010 Payable to Dale Parker

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

<b><u>Court and Case</u></b>	<b><u>Settlements \$</u></b>
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Provincial Court of BC, Vancouver Small Claims Registry No. ROB-P-C-1032808	\$ 13,000.00
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Whereas the claimant, Carl Howard, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Provincial Court of British Columbia (Small Claims Court), Robson Square Registry Action No. ROB-P-C-1032808, which arose as a result of an injury and false arrest at the Provincial Courthouse (Criminal) on June 3, 2010 in Vancouver, British Columbia.

And Whereas counsel for the Crown has advised that in her opinion the claimant might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$13,000.00.

Mar 2011 Payable to Carl Howard

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

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<b><u>Court and Case</u></b>	<b><u>Settlements \$</u></b>
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SCBC Chilliwack Registry Action No. S0013870 \$ 12,500.00

Whereas the plaintiff, Sam Darrell, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, Chilliwack Registry Action No. S0013870 alleging that he did not receive medical attention soon enough because the ambulance attendants allowed Mr Darrell to be taken into custody by the police rather than transport him to a hospital. And Whereas counsel for the Crown has advised that in her opinion the plaintiff might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$12,500.00.

Feb 2011 Payable to Robertson Downe & Mullally in Trust

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BC Human Rights Tribunal Case No.7965 \$ 10,000.00

Whereas Elizabeth Hill has alleged that the Crown, through the Ministry of Housing and Social Development, discriminated against her in not fulfilling its duty to accommodate Ms. Hill's return to work program.

And Whereas Elizabeth Hill has filed a complaint against Her Majesty the Queen in right of the Province of British Columbia with the BC Human Rights Tribunal, Case No.7965.

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$10,000.00.

Dec 2010 Payable to Elizabeth Hill

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

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<b>Court and Case</b>	<b>Settlements \$</b>
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BC Human Rights Tribunal Case No. 7776	\$ 10,000.00
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Whereas the complainant, Patrick Plunkett, has alleged that the Crown discriminated against him regarding his employment;

And Whereas Patrick Plunkett has filed a complaint against Her Majesty the Queen in right of the Province of British Columbia with the BC Human Rights Tribunal, Case No. 7776;

And Whereas counsel for the Crown has advised that in her opinion the complainant might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$10,000.00.

Mar 2011      Payable to Patrick Plunkett

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

BC Human Rights Tribunal Case No. 6764

\$ 7,000.00

Whereas the complainant, Joseph Sullivan, has alleged that the Crown discriminated against him under s.13 of the *Human Rights Code* R.S.B.C. 1996, c. 210 on the grounds of physical disability.

And Whereas Joseph Sullivan has filed a complaint with the BC Human Rights Tribunal against Her Majesty the Queen in right of the Province of British Columbia as represented by the Ministry of Public Safety and Solicitor General, Corrections Branch, BCHRT Case No. 6764.

And Whereas counsel for the Crown has advised that in her opinion the complainant might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$7,000.00.

Jul 2010

Payable to Joseph Sullivan

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

***Section 14(4)***

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<b>Court and Case</b>	<b>Settlements \$</b>
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SCBC Port Coquitlam Small Claims Registry No. COQ-P-C- 8135	\$ 5,000.00
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Whereas the plaintiff, Donald McRae, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Supreme Court of British Columbia, Port Coquitlam Registry Action No. COQ-P-C- 8135, which arose as the result of an injury that occurred while in custody at the North Fraser Pretrial Centre on June 21, 2005, in the city of Port Coquitlam, in the Province of British Columbia.

And Whereas counsel for the Crown has advised that in her opinion the plaintiff might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$5,000.00.

Aug 2010      Payable to Donald James McRae.

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

BC Human Rights Tribunal Case No. 7852 \$ 3,000.00

Whereas the complainant, Hardip S. Sidhu, has made a complaint against Her Majesty the Queen in right of the Province of British Columbia as represented by the Ministry of Attorney General – Sheriff Services before the BC Human Rights Tribunal, Case No. 7852. In the complaint, it is alleged that he suffered discrimination in the area of services (pursuant to s. 8 of the *Human Rights Code*), on the grounds of race, colour, ancestry and religion. It is further alleged that, while in their custody, Sheriff Services treated him in a humiliating and demeaning manner by requiring him to remove his turban while in custody, to be photographed without his turban, and to appear in court without his turban. And Whereas the parties have agreed to resolve the complaint by implementing a new policy with respect to the wearing of turbans while in the custody of Sheriff Services. The parties have also agreed that Mr Sidhu will receive \$3,000.00 in damages for injury to dignity.

And whereas counsel for the Crown has advised that in her opinion the complainant might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$3,000.00.

Feb 2011

Payable to Hardip Singh. Sidhu

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

SCBC Vancouver Registry Action No. S096942

\$ 2,935.00  
Costs

Whereas Redah Alsilmi commenced a Petition under the *Judicial Review Procedure Act* against the Superintendent of Motor Vehicles in the Vancouver Registry under Supreme Court Action No. S096942; And Whereas Redah Alsilmi was successful, and the decision of the Superintendent of Motor Vehicles to confirm a decision of the Insurance Corporation of British Columbia to refuse to issue a driver's licence to Mr Alsilmi on the basis of unpaid fines and penalty points premiums was set aside, with costs payable to Mr Alsilmi;

And Whereas the Superintendent of Motor Vehicles has sought the advice of counsel, and instructed counsel to not file Notice of Appeal;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim for costs in the amount of \$2,935.00, as calculated and proposed in a letter to Mr Alsilmi dated March 23, 2010.

May 2010

Payable to Redah Alsilmi

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

<b>Court and Case</b>	<b>Settlements \$</b>
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Provincial Court of BC, Port Coquitlam Registry Action No. COQ-P-C-10267	\$ 1,700.00
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Whereas the claimant, Martin Weigelt, has made a claim for damages against Her Majesty the Queen in right of the Province of British Columbia in the Provincial Court of British Columbia, Port Coquitlam Registry Action No. COQ-P-C-10267, which arose as a result of an injury that occurred while in custody at the Fraser Regional Correctional Centre on April 21, 2009, in the district of Maple Ridge, in the Province of British Columbia.

And Whereas counsel for the Crown has advised that, in her opinion, the claimant might be successful in his claim for damages;

This is to certify:

3. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
4. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$1,700.00

Mar 2011          Payable to Martin Weigelt

Forest Appeals Commission, File No. 2008-FA-023	\$ 1,500.00 Costs
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Whereas Fibre Farms Inc. have made a claim against the Crown for costs incurred as a result of commencing an appeal to the Forest Appeals Commission on May 20, 2008, File No. 2008-FA-023; And Whereas counsel for the Crown has advised that in his opinion the Plaintiff might be successful in claiming costs;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim for the amount of \$ 1,500.00

Mar 2011          Payable to Hunter Litigation Chambers Corporation in Trust

**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

<b><u>Court and Case</u></b>	<b><u>Settlements \$</u></b>
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No Action Filed

\$ 1,000.00

Whereas the plaintiff, Michael Ricciuti, has made a claim against Her Majesty the Queen in right of the Province of British Columbia for damages arising from a June 16, 2010 incident in which a court clerk incorrectly recorded the decision of the Court. And Whereas counsel for the Crown has advised that in his opinion the Petitioner could be successful in its claim for damages if pursued;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim, inclusive of interest, taxable costs and disbursements for the total amount of \$1,000.00.

Dec 2010

Payable to Michael Ricciuti

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

**Court and Case**

**Settlements \$**

BC Human Rights Tribunal Case No. 7545 \$ 500.00

Whereas Sylvia Commerford has alleged that the Crown, through the Ministry of Public Safety and Solicitor General, discriminated against her on the grounds of age and place of origin during the course of her application to renew her expired BC Driver's Licence;

And Whereas Sylvia Commerford has filed a complaint against Her Majesty the Queen in right of the Province of British Columbia with the BC Human Rights Tribunal, BCHRT Case No. 7545;

And Whereas counsel for the Crown has advised that in his opinion the complainant might be successful in her claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$500.00.

May 2010 Payable to Sylvia Commerford

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

<b><u>Court and Case</u></b>	<b><u>Settlements \$</u></b>
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Provincial Court of BC, Chilliwack Registry No. F8858	\$	400.00 Costs
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Whereas the Attorney General of British Columbia has discontinued an appeal in the British Columbia Court of Appeal against T.L. and A.L., Respondents; And Whereas T.L. and A.L. having applied for state-funded counsel in the Provincial Court of British Columbia and having been successful in obtaining such an order against the Attorney General of British Columbia; and the Attorney General having appealed that order unsuccessfully to the Supreme Court of British Columbia, File No. S20426; and the Attorney General having been granted leave to appeal to appeal from the Supreme Court order to the British Columbia Court of Appeal, File No. CA037901; and the Attorney General having discontinued that appeal, the Respondents T.L. and A.L. have proposed settlement of their costs in this matter in the amount of \$400.00; And Whereas counsel acting on behalf of the Crown has advised that in his opinion the Attorney General may be liable for costs in approximately this amount, having discontinued the appeal;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim for the amount of \$400.00.

Aug 2010

Payable to Christopher D. R. Maddock.

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**PAYMENTS UNDER  
CROWN PROCEEDING ACT  
FOR THE FISCAL YEAR ENDED MARCH 31, 2011**

**Section 14(4)**

<b><u>Court and Case</u></b>	<b><u>Settlements \$</u></b>
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No Action Filed	\$ 300.00
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Whereas D. Isaac Ferbey has made a claim against Her Majesty the Queen in right of the Province of British Columbia for damages arising from the payment by the Surrey Provincial Court registry on September 8, 2010 to an accused of bail monies in the amount of \$300.00 that had been assigned to Mr Ferbey;

And Whereas counsel for the Crown has advised that in her opinion Mr Ferbey might be successful in his claim for damages;

This is to certify:

1. That the claim herein, if pursued, could result in an Order referred to in s. 13 of the *Crown Proceeding Act*, R.S.B.C. 1996, c 89 for payment of money by the Crown;
2. That it is in the public interest to settle the claim inclusive of interest, taxable costs and disbursements for the total amount of \$300.00.

Feb 2011 Payable to D. Isaac Ferbey Law Office

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<b><u>Total Payments made under Section 14 (4 )</u></b>	<b><u>\$ 28,241,623.51</u></b>
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