



74 BROADWAY, CORNER BROOK 639-9286; 1-800-563-7747

 $\diamond \diamond \diamond$ **DIAMOND DESIGN** Terrace on the Square, Churchill Square St. John's, 709 754-9497

CANADIAN BAR ASSOCIATION - NEWFOUNDLAND & LABRADOR BRANCH









# SQUID PRO QUO THE VOICE OF THE LEGAL PROFESSION

SUMMER 2010

# Squid pro quo

Published by the Canadian Bar Association Newfoundland & Labrador Branch

> Box 59, Suite 304, Atlantic Place 215 Water Street St. John's, NL A12C 6C9 cba-nl@cba.org www.cba.org

#### SQUID PRO QUO EDITORIAL BOARD

Janet Grant, Editor

Daniel Glover, David Coffin, Kim MacKay, Suzanne Orsborn, J. Alex Templeton, Keri-Lynn Power, Meredith Baker, Sharyl Rowsell, Christina Kennedy, Tracey Pennell, Renee L.T. Moore, and Rebecca Maclean

#### 2009-2010 EXECUTIVE COMMITTEE

*President* Sheri Wicks

Vice President Janie Bussey

*Treasurer* Susan Gover

*Secretary* Isobel O'Shea

*Past President* Christopher Pike

*Membership Chair* Cheryl Mullett

Young Lawyers Conference Chair Beth McGrath

> *Communications Chair* Janet Grant

Professional Development Chair David Moores

> *Central Regional Chair* Renee L.T. Moore

Executive Director Sherry House

Opinions expressed herein are not necessarily those held by the Newfoundland & Labrador Branch of the Canadian Bar Association

*Squid pro quo* is a publication of CBA-NL Branch and is intended to provide a service to members by informing them of Branch Activities and matters of general interest. Members are encouraged to submit articles for publication, though articles submitted may, at the discretion of the Editorial Board, be edited for brevity and clarity, in which case the author will be consulted prior to publication.

*Squid pro quo* will accept advertising, though space for this purpose is limited. Advertisers or CBA Members wishing to purchase advertising space should contact the Branch Office (709) 579-5783 for information regarding advertising rates and policies.

*Squid pro quo* can also be found on the CBA Newfoundland & Labrador Branch home page on the World Wide Web http://www.cba.org.

# Letter from the Editor



Janet Grant

As I write this, the sun is shining and I am reminded how wonderful summertime in Newfoundland and Labrador can be! I hope you all have the opportunity to get out and enjoy our province this summer.

Once again, the members of the Magazine Committee have done a great job in preparing articles for the Magazine and I am grateful for their continued assistance. We have assembled a number of interesting articles which we hope you will enjoy reading.

Our In Personam features Judge Jacqueline Brazil of the Provincial Court of Newfoundland and Labrador. Sharyl Rowsell had the opportunity to interview Judge Brazil for this article and in the process, travelled to Harbour Grace. As part of the interview, Sharyl had a tour of the court house in Harbour Grace which is the oldest functioning court house in Canada! Sharyl's article includes a photograph of the court house instends about the court house itself.

From a national perspective, we bring you news related to the CBA's legal aid policy renewal project and the CBA's intervention at the Supreme Court of Canada in *Ontario (Public Safety and Security) v. Criminal Lawyers' Association.* The decision contains several helpful statements in relation to the character of solicitor-client privilege.

Regular features in the Magazine include Section Updates, Case Digest, Member Benefits and CBIA Update. This edition reflects the meetings of the following Sections: Civil Litigation; Criminal Law; Intellectual Property; and Citizenship and Immigration.

In this edition of the Magazine you will also see a number of photos from our Annual General Meeting held July 15-17, 2010 in St. John's. The events associated with the AGM were well attended and by all accounts, our members enjoyed themselves! The AGM is always a good time to reconnect with friends and colleagues, learn a little, and have some fun.

We welcome any comments or suggestions for article topics and look forward to hearing from the members. Best wishes for a relaxing and enjoyable summer! • I am sometimes stunned at how, as I get older, the time seems to pass with increasing speed, and this year has been no exception. It truly feels like just yesterday that I was contemplating the year ahead of me as the President of the Newfoundland and Labrador Branch of the CBA, and now that year is quickly coming to a close. The Branch has been busy since I last reported to you with all of our formal programming for the year completed until we start anew under Janie Bussey's leadership in September. I cannot express to you how rewarding the past year has been, and I would encourage all of you to consider getting involved with the CBA if you have not already done so. There is so much that the CBA does for all of us every day and you cannot truly appreciate how robust the organization is until you become more involved in it.

#### Law Day 2010

Together with other Branches across the country we celebrated Law Day on April 15th. As usual, the Branch's Law Day Committee did an exceptional job of organizing this year's events. The theme for the annual photo and poster contest for elementary and high schools students was "Celebrate Your Right to Freedom of Expression", while senior high students spent the morning at the Supreme Court of Newfoundland and Labrador arguing the legal nuances of whether a charge of gun possession should stand. A legal information fair at the Avalon Mall rounded out this year's events.

#### **Swearing In Ceremonies**

On May 3, 2010, I was delighted to travel to Corner Brook to represent the CBA at the official opening of the Province's newest courthouse in Corner Brook. I was truly impressed with the caliber of this facility, both from an aesthetic and functionality perspective. From speaking to the staff and judiciary who will be regularly using the new building it was clear that this is a first class facility that will serve the people of the region very well for years to come.

It was with regret that I was unable to attend the swearing-in of Associate Chief Judge Robert Hyslop on May 27, 2010, having already planned a vacation out of the country for that time. Christopher Pike, the Branch Past-President, attended in my stead and brought greetings on behalf of the Branch – Thank you Chris! by Sheri Wicks



#### Luncheons

On April 22, 2010, crown attorney Lloyd Strickland spoke to members during a

luncheon at Portobello's Restaurant about his experience with the International War Crimes Tribunal where he prosecuted people accused of being responsible for the genocides which took place in Rwanda. This was a truly riveting luncheon which provided insight into the different ways that court systems and criminal proceedings work in other cultures, and was thoroughly enjoyed by all who attended. A second luncheon with Max Ruelokke took place on July 16, 2010, at the Keg Restaurant as part of the Branch's Annual General Meeting programming.

#### Sections & Conferences

Newfoundland & Labrador was selected as the meeting place for two very successful national section meetings this past spring. The Sexual Orientation and Gender Identity Conference (SOGIC) visited us in mid-May and in advance of their business meetings held a well attended outreach reception at the Christina Parker Gallery for local Section members and the Branch Executive. In early June the national Administrative Law Section came to St. John's for their business meetings, which gave the Branch the opportunity to develop a professional development seminar for the local bar. We certainly appreciate the opportunity to work with the CBA staff in Ottawa to develop events like these that benefit our membership from both a professional development and networking perspective.

(Continued on page 12)



# The Benefits of Membership

By Renée Tulk Moore

"And suddenly, like light in darkness, the real truth broke in upon me; the simple fact of Man, which I had forgotten, which had lain deep buried and out of sight; the idea of community, of unity" observed playwright and politician Ernst Toller. For those of us in the legal field, the Canadian Bar Association (CBA) is our unified body and voice. If you are anything like me, however, you want to know the persuasive details, not be merely "sold." What is the bottom line? What benefits do I have as a member of the CBA?

Knowledge is power! In our profession, remaining current with the constant evolution of the legal landscape is a requirement to do our job, and a constant factor in every aspect from forms to insurance fees. CBA conferences distil the reams of caselaw that lawyers with active practices simply do not have the non-billable time to spend trying to cover. Updates of recent caselaw, trends, and legislative changes are emailed and available through the CBA. Squid pro quo magazine arrives in your hands - filled with articles of interest within the legal community. CBA PracticeLink and CBA E-News are both emailed directly to you. CBA PracticeLink provides ongoing insight into working within the profession and covers topics such as client retention, flat fees, and laptop security. CBA E-News provides regular opinion and analysis in regards to recent trends and developments in case law and legislation. The CBA's own National Magazine is a coast-to-coast monthly magazine featuring articles on a national level, and is the official periodical of the CBA. This too, can be accessed online.

**Show me the money!** Did you know that if you are a CBA member flying on PAL for an examination for discovery and it does not proceed, there are no cancellation or change fees? Are you aware of the options you have when choosing the vehicle you take to the discovery; the place you are staying; the documents you need delivered? Practices are expensive to operate, and we draw upon outside businesses on a regular basis to deliver our services to clients, but how many of us have checked on the savings that come along with CBA membership? CBA's preferred suppliers bring with them a spread of valuable discounts to our members, including Dye and Durham, Purolator, Provincial Airlines (PAL), Avis/Budget rental cars, and Starwood Hotels & Resorts (such as Sheraton<sup>®</sup>, Westin<sup>®</sup>, Four Points<sup>®</sup>).

**Don't simply survive... thrive!** Practices need to be nourished to grow, to expand, and to provide the range of benefits to the client that make your firm the go-to place for clients, new associates, and partners. That doesn't happen in a vacuum. Do you have questions on building your practice? Do you have administrative issues that are limiting your daily business, or weak areas that need improving to maximize your bang for your buck? The CBA has a wealth of business resources surrounding the connections needed by small and large firms.

**Talk it up!** The greatest connection for us is networking to expand our resources. Networking and professional development opportunities are available to CBA members across the country. There are over 30 national groups of CBA members that are organized by interest areas pertaining to a particular substantive area of law. There are various provincial groups leading areas of law in our province. The conferences, articles, webinars, and camaraderie within the CBA keep practitioners up-to-date, provide gurus to access for those "I need an answer now" situations, and widen the nets to bring in more of the clients out there.

(Continued on page 17)





## **Intellectual Property**

I had the pleasure of attending the national IP Section Meetings in Ottawa in May as Section Chair Erin Best was unable to attend. Fortunately, I was also able to attend the Federal Courts of Canada Judges' Dinner held at the National Gallery of Canada on the evening of May 13, 2010. This dinner has been held annually since 1990 and is organized by the Section's Court Practice Committee. This year's honourees were The Honourable Alice Desjardins and The Honourable Allen Linden.

Justice Desjardins was the first woman to teach in a law faculty in Canada, and the first woman to be appointed to the Federal Court of Appeal when she was appointed in 1987, from her previous position on the Quebec Superior Court. She has been a supernumerary judge since August 1999.

Justice Linden, best known for his various texts on tort law, was appointed to the bench in 1978 and became president of the Law Reform Commission from 1983 to 1990, when he was appointed to the Federal Court of Appeal. In 'retirement', he is currently teaching law at Pepperdine University School of Law in Malibu, California.

It was a wonderful evening with a bagpiper, an amazing view of Parliament Hill at night, an excellent meal, and interesting comments from two very fascinating personalities.

The Section meetings on May 14, 2010 included much discussion about Bill C-32, the *Act to Amend the Copyright Act.* At the time of the meeting, this Act was anticipated, and in fact it was introduced on June 2, 2010. The Section anticipates filing a submission (all previous section submissions can be found here: http://www.cba.org/CBA/sections\_IP/main/Section\_Submissions. aspx). The Section's Copyright Policy Committee has had difficulty reaching a consensus and was officially disbanded, with the intent to reconstitute the Committee so that the Section can make submissions on the Act when appropriate.

In other updates, the Section noted that the case summaries have been going well and have been well

By Mandy Woodland

received. I would recommend that you check them out on the Section webpage and if you have any content you think would be of interest to the

Section in general, feel free to contact Section Chair, Erin Best (ebest@coxandpalmer.com) or to directly contact Norma Pugliese (normanp@cba.org).

With respect to legislation and law reform, the IP Section has been quite busy, discussing issues of prothonotary compensation (currently awaiting decision of the Federal Court of Appeal), Bill C-32 (as discussed above), and Federal Court reform. The Section has quite a good relationship with the courts, including a Bench and Bar Committee (currently in the process of drafting standard form orders). The Users Group has also been active, researching and drafting a proposal on particularization with the patent group. The Users Group is also happy to receive input from any IP practitioners on issues with their use of the various systems.

As would be expected, there was also some discussion of hot-tubbing. This process has been used in some Australian Courts and is also in the Canadian Competition Tribunal Rules. The proposed changes to the Federal Court Rules would enable this process, whereby experts, who are sworn-in together, testify on the same issue before taking questions from counsel and the trial judge. They would also be able to question each other, with leave from the court. While it is expected that this will be incorporated into the legislation soon, there is much debate within the IP community on its benefits. Most judges have expressed the belief that hottubbing would assist them with respect to technical knowledge, would reduce duplication, and facilitate case management. Currently, the goal is to achieve a trial date within two years of filing a Statement of Claim, and keep most trials at a maximum of 20 days.

Upcoming, the Section will be recruiting for some committees, and also for input on their submissions. Keep an eye on the Section webpage and for updates from your Section Chair, Erin Best. •



## SECTION UPDATE

## **Criminal Law**

The National Criminal Justice Section Meeting was held on April 9 - 10, 2010 at the Westin Hotel in Vancouver. Past Chairs have noted that the Canadian Bar Association is the largest and most effective lobby group on Parliament Hill. This is most evident when dealing with criminal law. The time and effort put in by CBA members on a national level is staggering. At last count the CBA is active in providing 18 opinions on bills currently before Parliament.

As a result of Parliament being prorogued over the winter there was very little movement and it made it difficult to comment on exactly what stage each of these bills is at. The fact that there are 18 bills currently at different stages is staggering.

It is at this point that I must acknowledge Peter Ralph of Simmonds Breen Sullivan. Mr. Ralph has become involved in a great deal of research and opinion writing on a national scale and has been instrumental in assisting the CBA in forwarding its views and opinions to Parliament.

Currently I am on a committee reviewing the Mental Health Courts in Canada. The CBA has never taken a position on Mental Health Courts and the hope now is to develop a well informed position. Currently our purpose is to achieve a broader understanding of how the issue of mental health is being dealt with on a national level. This is an area that the CBA has not been involved with in the past and we are assisting the CBA in developing a position.

The area of criminal law is in a constant mode of change requiring a great deal of review and research. Assisting the CBA on this level is rewarding but time consuming. In the fall, it is my intention to expand the Criminal Section on a provincial level. It is my hope that we can expand the amount of participation in this area of law, allowing the CBA to provide better support for members practicing in Criminal Law, and allowing the CBA-NL to contribute more on a national level.

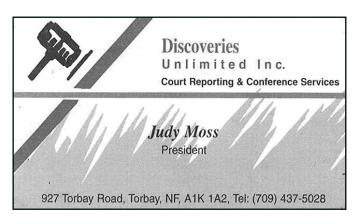
The Honorable Chief Judge Pike of the Provincial Court has expressed interest in working with the CBA to develop a system where the CBA can assist in speaking to the media. Many criminal matters in this province that are reported on By Robin Fowler

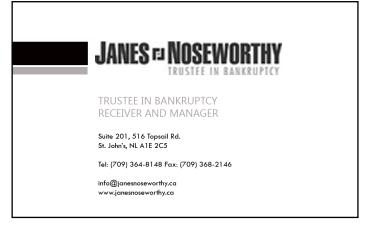


often make errors about the law and/ or procedure. This is an area where the CBA could take an active roll in assisting

the media by simply explaining the law and procedures that are being reported on.

The CBA's Criminal Law Section is balanced between prosecutors and defence counsel across the country, allowing for the CBA to draw on a great deal of wealth of experience and knowledge. Any CBA members that are interested in becoming more involved both on a national or provincial level should feel free to contact me or the CBA office.





## SECTION UPDATE

## **Citizenship and Immigration**

The CBA Citizenship and Immigration National Section held its midyear meetings in Ottawa in November. As Section Chair for Newfoundland and Labrador, I was in attendance.

The Citizenship and Immigration Section remains one of the most active sections of the CBA. The Section routinely serves to consult with government in the development of immigration law and policy. In addition, the National Executive holds regular meetings with government officials from Citizenship and Immigration Canada, the Canadian Border Security Agency (CBSA), and Service Canada.

At the National Meeting, the liaison meetings with government agencies were discussed. In addition, there were updates on recent submissions or position papers issued on behalf of the Section. In the last six months, policy papers have been delivered to appropriate government agencies, on the following issues:

- The recent CBSA branding initiative;
- Consultation on IRB Guideline Six;
- Immigration and Refugee Protection Regulations on Temporary Foreign Workers;
- Immigration and Refugee Protection Regulations on amendments to the Live In Care Giver program;
- IRB Guideline 6 Scheduling and Changing Date and Time of Proceeding; and
- My CIC: E-business Design and Participation of Authorized Representatives.

In addition to these substantive activities, the Section also discussed the yearly budget, membership updates, and the scheduling of annual meetings and CLEs for future years. The Annual Meeting and CLE was held at the Marriott Harbourfront in Halifax, Nova Scotia from May 13 to 15, 2010. In subsequent years, the event will be held in Gatineau, Quebec (2011) and in Kelowna, BC (2012). Planning for the 2013 meeting is underway, but a location has not been selected.

In summary, the Citizenship and Immigration Section continues to have a high level of activity in its capacity as a professional association, deliverer of excellent continuing legal education, and advocate for immigration reform. As always, I encourage active practitioners, or those who simply have an

#### By Blair Pritchett

interest in the area, to become involved with the local section.  ${\mbox{\bullet}}$ 



CBA-NL Family Brunch and Children's Activities - July 17, 2010





## SECTION UPDATE

## **Civil Litigation**

My report for this issue deals with two topics: The Sedona Principles of Electronic Discovery and news about what is happeningonanationallevelintheCivilLitigationSection. On April 27, 2010, we had a lunch and learn concerning electronic discovery at the local branch. Annette Conway attended a national conference on the Sedona Principles of Electronic Discovery and gave us a presentation on the Sedona Principles and a number of recent e-discovery cases. The Sedona Principles have been codified in Nova Scotia, have been enacted as guidelines in B.C. and Ontario and have now been judicially considered and applied in Newfoundland and Labrador in GRI Simulations Inc. v. Oceaneering International Inc.<sup>1</sup> That decision was rendered the day before Annette's presentation and she began with a discussion of Justice Hoegg's reasons. Justice Hoegg found the production requirements from an earlier Order being challenged were not too onerous with the exception of the search term "Newfoundland" being applied to one individual's emails which led to 10,000 results.

Annette went on to review the Sedona Principles, including the fact that parties should ensure steps taken in the discovery process are proportionate, taking into account the nature and scope of the litigation, the costs, burden and delay imposed on the party dealing with electronically stored information ("ESI"), and relevance of available ESI. The obligation to preserve arises when litigation is reasonably anticipated. Counsel should meet and confer early in the litigation process to encourage collaboration about retention and production of ESI, including the format in which information is to be stored and produced. For complex cases, document management software may be required. A "clawback agreement" might be employed to address inadvertent disclosure of privileged information. Sanctions and costs might result where there is a failure to produce, for instance in one case the Judge struck out the defence.<sup>2</sup> Some other interesting cases discussed include: i) a decision applying the proportionality test for a laptop to be reviewed by a forensic expert, ii) an Ontario case dismissing a motion for further production where By Daniel M. Glover

only 27 of 25,000 documents appeared to be relevant, iii) an inadvertent disclosure of privileged information case, iv) cases regarding relevance



and privacy of Facebook accounts and v) a case regarding information on servers outside Canada.<sup>3</sup>

In other news, I attended a teleconference of the National Civil Litigation Section on May 31, 2010 where we resolved to submit a proposal for a panel discussion topic at the Halifax CLC in 2011, established an organizing committee for the 2011 CLE Conference to be held jointly with the National Insurance Law Section, discussed further online PD ideas and the upcoming meeting of the National Civil Litigation Section in Quebec City (or Ottawa). I also volunteered to submit an article for the next edition of Civil Writes (the National Section newsletter) on proposed and enacted changes to the Rules of Court in Newfoundland and Labrador. This article may include possible input from the Nova Scotia section chair in relation to their recent Rules changes.•



1  $\,$  2010 NLTD 85. See the case digest in this edition of Squid ro quo for a summary of the case.

<sup>2</sup> On appeal the Court reinstated the Defence but held that where particular documents were not produced the Court should make a presumption in favor of the Plaintiff. The Plaintiff was also given costs on the motion and the appeal. See *Jay v. DHL Express (Canada) Ltd.*, 2009 PECA 2. See also *Doucet v. Spielo Manufacturing Inc.*, 2007 NBQB 245, aff d 2007 NBCA 85 and *SaintJohn (City) Employee Pension Plan v. Ferguson*, 2008 NBQB 179.

<sup>3</sup> i) Vector Transportation Services Inc. v. Traffic Tech Inc., 2008 CarswellOnt 1432 (SCJ). See also Chadwick v. Canada (Attorney General), 2008 Carswell, BC 1341 (SC). ii) Mathieson v. ScotiaCapital Inc., 2008 CarswellOnt 5289 (Master). iii) EarthEnergy Utility Corp. v. Maxwell, 2008 CarswellOnt 4224 (SCJ). iv) Leduc v. Roman, 2009 CarswellOnt 843 (CA); Terry v. Mullowney, 2009 NLTD 56; Bishop (Litigation Guardian of) v. Minichiello, 2009 CarswellBC 3301 (CA); Wice v. Dominion of Canada General Insurance Co., 2009 CarswellOnt 4076 (SCJ). v) eBay Canada Ltd. v. MNR, 2008 FCA 348.



## Squid pro quo Letters to the Editor

Squid pro quo welcomes letters to the editor from members of the Canadian Bar Association wishing to express observations, opinions, corrections, very brief reports, or comments on previously published articles.

Please note the following:

- 1. Your letter must be single spaced, Times New Roman font, point size 12 with one inch margins.
- Letters must not exceed 250 words in length; Published letters will be edited for clarity and length without the prior approval of the author. Unpublished letters will not be returned.
- Signatures of all authors are required (by fax will be acceptable), together with the author's full mailing address and daytime telephone number. Pen names and anonymous letters will not be published
- 4. Letters referring to a recent *Squid pro quo* article must be received within one month of its publication
- 5. Squid pro quo will not accept responsibility for statements made by contributors.

# In Personam

On February 3, 2010, Judge Jacqueline Brazil was appointed a judge of the Provincial Court of Newfoundland and Labrador. When I contacted Judge Brazil to ask if she would be willing to do an interview for *Squid pro quo*, she not only consented to an interview, but also offered to give me a tour of the oldest functioning court house in Canada, that is, the Court House in Harbour Grace, where she now sits.

Jacqueline Marie Brazil is the daughter of Sadie and the late Stan Brazil. She grew up in Renews on the

Southern Shore where her dad, a businessman, owned and operated a general store. As the youngest of 14 children, she says she was always treated like the baby of the family, and her siblings still call her that today. All of them presently live in Newfoundland and the whole family gets together often. Although Judge Brazil was the only sibling to enter the legal profession, her niece, Laura, followed in her aunt's footsteps and now practices at Ottenheimer Baker. A picture of the two of them wearing their court clothes is proudly displayed in Judge Brazil's office.

Judge Brazil attended St. Joseph's Elementary in Fermeuse and later Regina Mundi Junior High in Renews. She then attended Baltimore High School in Ferryland before going on to study at Memorial University. At this early stage, she was already contemplating a legal career, as it was an option suggested to her by her high school guidance counselor. As a result, she chose a political science major. For her minor, she chose English, as it was a subject she loved.

Judge Brazil completed her Bachelor of Arts degree in 1988 and went on to attend law school at the University of New Brunswick. Her favourite subject was Criminal Law, which is likely helpful to her at this point, as the

#### By Sharyl Rowsell

majority of her matters at Provincial Court are criminal. (Of course, she also hears family matters and small

claims.) When asked what she remembers most about her law school years, she says it is the friends that she made there, many of whom she is still in contact with today. In fact, one friend, Paula Anderson, flew in from Toronto for Judge Brazil's swearing-in ceremony in March.

When she graduated from law school in 1991, Judge Brazil immediately returned to Newfoundland and

> Labrador. When asked if she was ever tempted to leave Newfoundland and Labrador to work in another province, the answer is a simple "no"; she always intended to practice here.

> Judge Brazil articled under Brian Casey and was called to the bar on April 8, 1992. She continued to work at Gittens, Casey for one year, followed by seven years with Heywood, Kennedy, Belbin in Mount Pearl. Judge Brazil says she had a varied practice at first, but later concentrated mainly on family law, as there

was a demand for this type of work at

Heywood, Kennedy, Belbin at that time. She says she enjoyed practicing family law, as she has always been concerned with the human condition. Judge Brazil continued to practice in that area when she moved to Rose & Brazil, where she worked with Linda Rose, QC.

After 13 years in private practice, Judge Brazil was ready for a change. She took a position with the Department of Justice in January 2005, where she practiced in the very busy litigation unit in the civil division. She says this work was never boring as she was assigned to varying matters. While working with the Department of Justice, Judge *(Continued...)* 

Judge Jacqueline Brazil





Brazil was appointed a Queen's Counsel, on September 26, 2008.

Although she misses seeing her colleagues and friends at the Department of Justice every day, Judge Brazil has embraced her new position as a Provincial Court Judge. She was sworn in on March 5, 2010, and began sitting on the bench on March 8. After a week in St. John's, she started her position in Harbour Grace. She says that jumping in and getting started was the best way to begin.

When discussing her new role, Judge Brazil says she realizes that appearing before a judge is a stressful time for most people, especially in criminal matters. She hopes to have civility among everyone in her courtroom, including herself, as more can be accomplished this way.

When asked what aspects of being a judge she enjoys so far, she mentioned that she is glad she no longer has to write briefs, although she realizes that this work will now be replaced by decision-writing, which has already begun. She also appreciates the fabulous staff in Harbour Grace.

When asked about any particularly memorable experiences or accomplishments in her legal career to date, she notes that the work she did during the five years at Rose & Brazil was especially fulfilling. She says Linda Rose is an incredible lawyer and person. She also benefited from the experience and direction of Brian Casey, Barry Heywood and Don Burrage, QC, who was the director of the litigation unit when she was hired with the Department of Justice, and is now the Deputy Minister of Justice.

Judge Brazil feels that being a lawyer is a privilege, and a great job. When asked about her advice for young lawyers, she remembers advice that came from Linda Rose when she first began practicing: you have to give law at least five years to see whether you like it. She says that people have different strengths in specific situations which can help make a successful legal career; there's not simply one attribute that can define a good lawyer.

Outside of her work, Judge Brazil spends time with her partner, Reg Lawlor, and his two children, Ayla, age 14, and Liam, age 9. In her spare time, she enjoys running, which she began four years ago. True to her humble nature, she refers to herself as a jogger, not a runner, but

she participated in the Tely 10 in 2007 and has already taken note of the fact that there is an annual 10 kilometre race in Harbour Grace. Although she would not admit to having a great singing voice, this was confirmed by other sources. She is a proud fan of U2 and the Toronto Blue Jays. She also likes to read and belongs to a book club.

Judge Brazil spoke very highly about the Court House in Harbour Grace, which is a provincial historic site. My visit included a tour of the Court House, which includes two courtrooms. A curtain on the wall of the lower level courtroom conceals a large door, behind which are several jail cells, now used for storage. Each cell contains a small window, covered with bars. A walk down the hall leads to an enclosed courtyard, where the prisoners once exercised.

According to the Harbour Grace website and a brochure provided by Judge Brazil, the present Court House was designed and built in 1830 by Patrick Keough. The building is entirely made of stone, including walls that are four feet thick, and a slate roof. The jail and warden's residence were in use until 1963. The Court House was built and paid for in a single year in an unusual way: every merchant in Conception Bay pledged one pound for every 1000 quintals of fish shipped annually.

I am sure that Judge Brazil will enjoy her time in Harbour Grace, which appears to be a great place to begin her judicial career. On behalf of *Squid pro quo*, I would like to thank Judge Brazil for taking time out of her busy schedule to meet with me. •



Harbour Grace Court House

#### President's Report (Continued from page 3)

#### **Branch Annual General Meeting**

The CBA-NL Annual General Meeting was held in St. John's from July 15-17, 2010, and started with our Council Meeting on Thursday where, among other things, National President Kevin Carroll addressed members and the budget for 2010-11 was approved by Council.

On Friday there was a Professional Development (PD) session entitled Advising for Advantage: What to Tell Your Corporate Clients. This session featured local lawyers, an accountant, and Canada Revenue Agency employees, who informed attendees on: the important things to address with a client when incorporation is being considered; how to deal with problems that arise between shareholders; succession planning; and the tax issues which commonly arise in business transactions.

Immediately following the PD session the Branch was delighted to have Max Ruelokke with us to speak to members about the regulatory issues regarding the CNLOPB.

Friday evening was the Branch's Awards Dinner during which the Distinguished Public Service Award was presented to Frank Fowler. Look for an article in the fall edition of the Magazine, which will provide members with some insight into Mr. Fowler's career and his significant contributions to volunteerism.

The Annual General Meeting finished on Saturday with a Family Fun Day in Pippy Park. Over 20 members and their children enjoyed a wonderful brunch together with face painting, juggling and a huge bouncy castle. Many thanks to Hughie Shea and CBIA and CBAF who generously agreed to sponsor this event.

#### Nationally

During the June 2010 BOD Meeting there was an update on the CBA's continued efforts to pursue a litigation strategy to forward the cause for increased funding for legal aid. More details on the efforts of the CBA in this regard can be found in the Canadian Bar Association National News section of this edition of the Magazine.

Also of note was a presentation to CBA board members by national staff members responsible for professional development. The CBA continues to be a leader in the supply of legal education. The Canadian Skilled Lawyer Series, which is scheduled to launch this fall, is no exception. Through interactive on-line programming lawyers will be able to access training in essential skills in many fields of practice including litigation and corporate/commercial. This programming will be especially useful for lawyers in their first few years of practice.

The CLC for 2010 is in Niagara Falls with yet another exceptional line up of both educational and social events including: a concert with Jim Cuddy and Greg Keelor of Blue Rodeo; speeches from Rick Hiller, Canada's former Chief of the Defence Staff; Richard Susskind, legal futurist and author; Richard Pound, Q.C., International Olympic Committee Member; and Dr. Linda Duxbury, workplace health expert. If you have not already planned to register for this conference I would strongly encourage you to consider it. Full conference information can be found at http://www.cba.org/CBA/niagara2010/main/. The Council of the CBA will also meet in Niagara where important resolutions will be debated by members, including the CBA's position on Bill C-232, which makes full bilingualism without the assistance of an interpreter a requirement for appointment as a judge of the Supreme Court of Canada.

This year has been a tremendously satisfying one for me; I have had the pleasure of working with many fine people both in this province and nationally. I would like to extend special thanks to all of the wonderful folks on the Branch Executive who I have had the privilege of working with. The Branch has an incredibly strong group of volunteers overseeing its activities, and will be in great hands as Janie Bussey assumes her Presidency in September. As always, if you have any questions about the Branch, or have anything you would like to discuss please feel free to contact me by phone or e-mail.





## Keeping real estate transactions where they belong—in your office.

Gardez les transactions immobilières là où elles doivent être—dans vos bureaux.

At Stewart Title, it's how we work that sets us apart. We deal in title insurance and related products, undertaking no part of the transaction that has traditionally fallen to lawyers/notaries.

Since our inception into the Canadian market, you will find that we have consistently combined comprehensive coverage with unparalleled support for lawyers/notaries. We are dedicated to streamlining your practice and increasing your revenue through our programs and innovative technology solutions.

At Stewart Title, we know it's our relationship with our customers that determines our success. That's why service is the foundation of our business and integrity, the keystone in all our dealings. Chez Stewart, c'est notre façon de travailler qui nous démarque des autres. Nous offrons de l'assurance titres en ne nous accaparant aucune partie des tâches traditionnellement réservées aux notaires.

Si vous regardez notre historique, vous constaterez que nous avons toujours fourni des couvertures inégalées, et ce, tout en respectant la communauté notariale. Nous ne désirons qu'aider les notaires en leur offrant des outils de travail aussi faciles à utiliser qu'efficaces.

Chez Stewart, nous savons que c'est notre relation avec nos clients qui fait notre succès. Voilà pourquoi le service est la fondation même de notre entreprise et l'intégrité, la pierre angulaire de chacun de nos dossiers.

Call us today or visit www.stewart.ca. | Contactez-nous dès maintenant ou visitez www.stewart.ca.

Atlantic Canada | Maritimes: (888) 757-0078 • Québec: (866) 235-9152 Canadian Head Office (Toronto) | Siège social canadien (Toronto): (888) 667-5151 • Western Canada | Ouest du Canada: (866) 515-8401



# **Case Digest**

#### What is the Scope of Electronic Discovery?

In *GRI Simulations Inc. v. Oceaneering International Inc.*<sup>1</sup> two parties entered into a Consent Order for the production of emails. The Order granted leave to apply to the Court to seek directions should unforeseen difficulties arise in carrying out the Order. Oceaneering applied to terminate its production obligations under the Order arguing the cost of continuing was disproportionate to the benefit for the Plaintiff in continuing.

Oceaneering filed a copy of The Sedona Conference, The Sedona Canada Principles: Addressing Electronic Discovery (Phoenix: The Sedona Conference, 2008) ("Sedona Principles"). The Sedona Principles were published by a working group of Canadian judges, lawyers and technologists which was formed to grapple with litigation production issues associated with the ever-growing electronic storage of information. The document identifies 12 principles which address electronic discovery.

The decision referred to Rule 32 governing document production which allows discretion to limit documentary production as the Court "thinks just" and cases interpreting the Rule. The Rule must be interpreted liberally to effect full disclosure. A party will be entitled to documentary production where he or she can satisfy the Court that production might advance his or her own case or damage the case of his or her adversary. The test for production should not be tied to the concept of relevance at trial.

Justice Hoegg considered whether there were unique features of emails that might cause them to fall outside the scope of Rule 32. She cited unique features of emails addressed in the Sedona Principles, including the ease with which email communication takes place, which can result in multiple copies of the same document, thereby increasing the volume of producible documents. Increased volume, however, does not in itself trigger By Daniel M. Glover



an exemption from Rule 32. The applying party must satisfy the Court that it is just to exempt them in the circumstances.

In this case the Applicant, Oceaneering, argued that emails already produced were not very useful. Justice Hoegg pointed out that it is not for the producing party to determine usefulness and that there was evidence that emails already produced were useful. The evidence showed that Oceaneering had the resources to carry out the production pursuant to the Order, that the search term limits were reasonable save for one exception which she directed to be revised, and there was no evidence of "inordinate cost and effort." In her decision, Justice Hoegg referred to the proportionality principle, that is a litigant is only entitled to avail of the rules relating to pretrial applications to the extent that the nature, purpose and complexity of a particular procedure justifies it.<sup>2</sup> She cited judicial comments from Air Canada v. Westjet<sup>3</sup> to the effect that the Plaintiff, Air Canada, could not initiate what it says is the largest corporate espionage case seen in Canada and then complain that production of documents is going to take an inordinate amount of time and money and compared that situation with Oceaneering's. The application was dismissed with costs.

<sup>&</sup>lt;sup>3</sup> Air Canada v. WestJet Airlines Ltd., 2006 CarswellOnt 2823 (S.C.J.).



<sup>&</sup>lt;sup>1</sup> 2010 NLTD 85. Michelle Davis appeared for Applicants, Oceaneering International Inc. and Joseph Grzetic, Andrew Fitzgerald for the Respondent, GRI Simulations Inc.

<sup>&</sup>lt;sup>2</sup> Hollett v. Hatfield, 2006 NLUFC 20.

### CBA-NL Distinguished Public Service Award Dinner July 16, 2010 at Blue on Water



The Voice of the Legal Profession

# **Canadian Bar Association National News**



Niagara 2010 - There's still time to register!

With only weeks to go, it's not too late to sign up for the CBA's Canadian Legal Conference in Niagara, Aug. 15-17. Professional development is the order of the day on Aug. 16 and 17, with over 24 PD programs, substantive business meetings and a stellar lineup of keynote speakers. The CLC offers an opportunity to learn from the experts on topics such as cross border business, leadership for lawyers, the future of the law and the legal profession, what the economic recovery means to your firm, work-life balance and many more sessions targeted to your area of practice. The CLC attracts legal professionals from across Canada and around the world, and features a multitude of networking opportunities.

The CLC 2010 is about learning from the top legal minds in the country, sharing best practices, and networking with peers at exciting social events in a scenic city. Make the CLC your destination this August.

Take advantage of travel discounts with Air Canada, Westjet and Porter Airlines. Shuttles to Niagara are available from Toronto's Pearson Airport; or consider car rentals from Budget and Avis.

Details, registration, travel www.cba.org/niagara2010

#### CBA success in protecting solicitor client privilege at SCC

The CBA has welcomed the June 17, 2010 judgment by the Supreme Court of Canada in *Ontario (Public Safety and Security) v. Criminal Lawyers' Association*, calling it a very good decision for the protection of solicitor-client privilege.

bono for the CBA in its intervention in the appeal, said: "In a unanimous decision written by McLachlin CJ and Abella J, the SCC overturned the Ontario Court of Appeal and held that the absence of a public interest override for privileged (or law enforcement related) documents is not unconstitutional, and that the privilege itself already contains a consideration of the public interest. The decision contains several very helpful statements about the near absolute character of solicitor-client privilege."

Read the statement http://www.cba.org/CBA/News/2010\_ Releases/2010-06-18-SCOCIntervention.aspx

#### CBA appreciates changes to Refugee Act

In light of the June 9, 2010 all party agreement in the Commons Standing Committee on Citizenship and Immigration, the CBA's National Citizenship and Immigration Law Section said, "The CBA expresses appreciation for the work of the Government and Opposition Parties to reach agreement on amendments to Bill C-11, *Balanced Refugee Reform Act.* Some of the concerns about the Bill have been adequately addressed. This speaks well of the willingness of the Minister and MPs from all parties to respond to legitimate criticism."

News release at http://www.cba.org/CBA/News/2010\_ Releases/2010-06-10-RefugeeStatement.aspx

#### Legal aid research report released

As part of its renewed approach to advancing access to justice, the CBA has released a 125-page research report, Moving Forward on Legal Aid: Research on Needs and Innovative Approaches. Prepared for the CBA by Melina Buckley, LL.B., Ph.D., the report considers the current state of legal aid policy development, both in Canada and internationally, as well as innovative approaches to delivering access to justice.

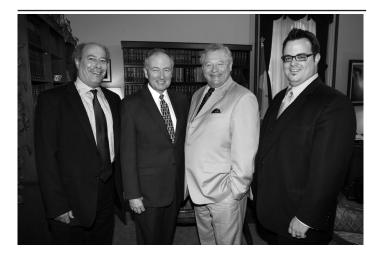
Dr. Buckley's report provides a unique and important summary of policy developments and current research, new delivery options, and an overview of recent legal aid initiatives. It concludes with suggestions for future CBA efforts to improve access to justice. It is expected that those suggestions will be helpful in informing the work of the Association for years to come.

Read the report at http://www.cba.org/CBA/Advocacy/legalAid/default.aspx

(Continued...)

CBA counsel Mahmud Jamal of Osler LLP, who acted pro

#### Canadian Bar Association National News (Cont.)



#### Meeting with the Minister of Justice

CBA President Kevin Carroll, Q.C. LSM, (second from right) joined by Grant Gold, Chair of the CBA's National Family Law Section (left) and Eric Gottardi, Secretary of the National Criminal Justice Section (right), met with federal Justice Minister Rob Nicholson (second from left) on June 10, 2010. The 45minute meeting focused on criminal and family law initiatives.

## YL-CBA partners with CBIA to launch new Financial Planning Podcast

Young Lawyers-CBA and the Canadian Bar Insurance Association (CBIA) have teamed up to produce a podcast which discusses the financial and insurance obligations of young lawyers. The 28-minute dialogue is tailored to the needs of newly called fictional lawyer "Jane", who is a single woman with an income of \$45,000 per year and \$50,000 in student loans. Peter Harrison, an authorized representative for CBIA and CBAF in eastern Ontario, and John Waddell Q.C., director and vice president of the board of directors for the CBIA, of Victoria, provide practical pointers on financial planning for young lawyers.

Listen to the podcast at: http://www.cba.org/CBA/YoungLawyers/Main/

#### **CBA Skilled Lawyer Series**

Fulfill your professional development requirements while sharpening essential corporate and litigation skills with the CBA Skilled Lawyer Series. Accessible, accredited, and affordable online sessions will help ensure you're at your best in the boardroom or the courtroom. CBA Skilled Lawyer Series...new and coming this fall. Please contact us at pd@cba.org for more information •

#### The Benefits of Membership (Continued from Page 4

Hope for the best, prepare for the worst. No one likes to consider ill things happening to them or loved ones, but bad things can happen; we know it, we see it, we help others through it. Why is it that so many of us help the client, but neglect our own needs and those of our families? Did you know that the Canadian Bar Insurance Association (CBIA) boasts some of the lowest rates and highest quality benefit packages on the market, and that the CBA provides a wide array of insurance services options to all CBA members and their families?

Always end on a strong note! Our strength is our voice of many, and that is our avenue to improve the law and practice of it. "We are only as strong as we are united, as weak as we are divided," said a famous professor in the Harry Potter series, and we, of all professions, know the importance of strength in advocacy. The CBA acts as intervenor and advocate in a variety of legal concerns, from advisory on changes to the law, to championing the profession as a whole.

Improving the bottom line of your business and enhancing your educational opportunities are advantages we need to keep exploring for our areas of law practice. As Leonardo da Vinci once said, "Iron rusts from disuse; water loses its purity from stagnation...even so does inaction sap the vigour of the mind." CBA events and benefits are there for its members to use; I urge you to take advantage of them. Learn more about what the CBA can offer by visiting www.cba.org/membership - you can even sign up with the RSS feed.

Enjoy the many advantages associated with your CBA membership and good practice! •

## CALLS TO BAR JUNE 2010

Amanda L Barfitt Jennifer E Barnes Rozina Jaffer\* Melissa May\* Meaghan W McConnell\* Tonya L Pritchett\* Amanda J Summers Philippe AR Theriault

\* Denotes CBA Member

# 1,000 reasons...



# ...to love your laptop

# **CBA PRACTICELINK**

**CBA PracticeLink** has over 1,000 pages of articles, guides and podcasts to help with the business side of law.

And now, with dedicated areas for Career Builders, Law Firm Leaders and Solo/Small Firm Lawyers, make **CBA PracticeLink** your home to stay on top of the latest trends and discuss emerging law practice issues with other like-minded members. Pick up exclusive tips on how to market your practice, improve your bottom line, and better serve clients. Plus, learn how to juggle work and personal life at our new Work-Life Balance Resource Centre.

Visit **CBA PracticeLink** today to get it working for you!



# Work-Life Balance Tips from LPAC

#### Taking Care of Your Plimsoll Line

Samuel Plimsoll was a British politician and social reformer, now best remembered for having devised the Plimsoll Line. The original "Plimsoll Mark" was a circle with a horizontal line through it to show the maximum draft of a ship. This line is more commonly referred to as the 'waterline'.

Each of us has our own Plimsoll Line – that point where, if our personal load (stress) is increased, we become overloaded and clear sailing becomes threatened.

Knowing, and being aware of your Plimsoll Line is critical for survival on the sea of life. We must recognize our ability to take on stress and accept that not all stressors are 'bad'.

The word `stress`, as defined by the Oxford Dictionary, is "a state of affair involving demand on physical or mental energy".

Stress is extremely personal. We all encounter various stressors in everyday life. If you know how to manipulate it properly, stress can be turned into plenty of advantages for you.

A person who knows how to manage their stress, so as not to exceed their Plimsoll Line, can inject or eliminate the stress from himself whenever and wherever he wants it.

A change in attitude, such as simple modifications of habits, thought, and behaviour patterns, often go a long way in reducing stress and tension. Practicing to let go or making a conscious choice not to become angry or upset over trivial matters saves a lot of mental and physical energy.

And don't forget the role of laughter in reducing stress:

- Try to develop the habit of adopting a humorous view towards situations ("might as well laugh as cry").
- Try to spend as much time as possible with cheerful people.
- Try not to always take yourself too seriously.
- Keep a collection of your favorite funny books and CDs/DVDs.

The next time you are feeling miserable, identify your negative thoughts, focus on your feelings and then eliminate all selfdefeating thoughts. Substitute them with positive thoughts about yourself. Try putting a really cheerful smile on your face. You will find it difficult to stay sad and you will bask in the glow of making other people feel better. Positive thinking reduces negative emotions and acts as a stress-buster.

"Humor is the great thing, the saving thing. The minute it crops up, all our irritation and resentments slip away, and a sunny spirit takes their place."

Do not, however, avoid seeking professional help or mobilizing social support, if required, in dealing with stressful times.

The Legal Profession Assistance Conference (LPAC) of the Canadian Bar Assocation is dedicated to help lawyers, judges, law students and their families with personal, emotional, health and lifestyle issues through a network of Lawyer Assistance Programs, a national 24-hour helpline and provincial programs.

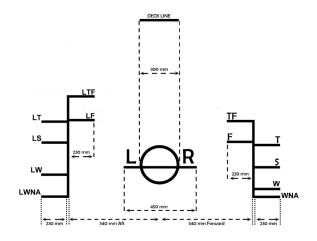
#### For more information: 1-800-667-5722

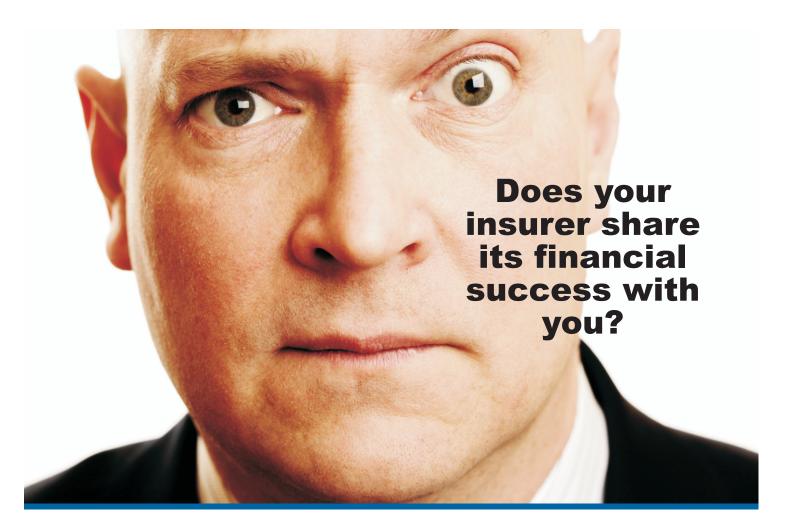
www.lpac.ca



#### DID YOU KNOW...

The Plimsoll Line is positioned amidships, indicating the legal limit to which a ship may be loaded for specific water types and temperatures. Temperature affects the level because warm water provides less buoyancy, being less dense than cold water. The salinity of the water also affects the level, fresh water being less dense than salty seawater.





Not only does our break-even pricing goal **provide you with insurance at a cost that's much lower**, it makes it possible for you to benefit from those occasions when our financial results exceed our long-term requirements.

This year is one such occasion as two of our most popular and lowest cost plans have had financial performance that exceeds our long term requirements. As a result, most **Term Life** insurance clients qualified for a **15% refund** of their paid 2008 premiums, and most of our **Business Expense Disability** insurance clients qualified for a **45% refund** of their paid 2008 premiums.

Over the last decade, better than anticipated plan performance has allowed us to return approximately \$30 million to our clients through rate reductions, benefit improvements and refunds. Does your insurer share its financial success with you?

Consider joining the more than 30,000 members of the legal profession that choose the CBIA for their insurance protection. Please contact **your local CBIA Authorized Sales Representative by calling 1-888-873-2986 or visit www.barinsurance.com.** 



The CBIA Term Life and Business Expense plans underwritten by The Manufacturers Life Insurance Company (Manulife Financial). As plan performance can vary, future refunds of premium cannot be guaranteed. For more complete details visit www.barinsurance.com.

# Canadian Bar Insurance Association Update

#### Registered Disability Savings Plan (RDSP)

Recognizing that a person's responsibilities do not usually end when they leave the office, I have decided to write a piece on an underutilized registered savings program designed specifically for people with disabilities.

A wonderful program that allows parents and others to save for the long-term financial security of a person who is eligible for the Disability Tax Credit, a RDSP is a registered savings plan that permits tax deferred investing on behalf of a disabled person. The main monetary value is the matching grants and bonds.

For families with net incomes of less than \$75,770 a maximum annual grant of \$3,500 is available. These grants are matching contributions to receive: the maximum grant the person contributes is \$1,500 per year. The family income amount is based on the beneficiary's income rather than the family's income when they turn 18.

The maximum Canada Disability Savings Grant is \$70,000 over the beneficiary's lifetime. Grants are available until the year the beneficiary turns 49.

Lower income families also have access to the Canada Disability Savings Bond. If the family income is below \$21,287 then a \$1,000 annual bond to a maximum of \$20,000 is available. However after age 18 the family income will be based on the beneficiary's income. This is unfortunate, but most people who would qualify for this program will not be making in excess of \$21,287 and therefore should qualify for the full bond amount of \$1,000. This is not a matching amount; all that needs to be in place to collect this is a valid RDSP account.

A very important consideration for creating accounts for people with disabilities is that families do not want to disrupt the social networks and funding available through other By Hughie Shea

government programs. The province (effective April 1st, 2008) and the federal government have committed to not using any assets in the RDSP as part of any needs or income testing for social programs.

Another avenue to help family financial planning for individuals with disabilities is the creation of a support trust. For that major piece of work I refer you to Jennifer Gorman, Section Chair for Wills and Estates CBA – NL Branch.

As for withdrawals from the RDSP there are two payment types:

1. Lifetime Disability Payments (LDAP) which are recurring annual payments that will continue on until the plan is terminated or the individual collecting passes; and

2. Disability Assistance Payments, (DAP), a requested lump sum payment.

Important: Only the beneficiary will be permitted to receive payments to the plan. Also be advised it may be the beneficiary who controls the investment direction and they will be registered as the plan owner with the normal rights that an owner would maintain. This may not be beneficial in all circumstances, so get a comprehensive and honest appraisal to the fit for the individuals and families involved. So for the annual contribution of \$1,500 this should be a very good fit for almost everyone. However, using the program to transfer \$200,000 may disrupt any restrictions the family or individual supplying the money may want maintained. In the case of a larger lump sum contribution a support trust may be more appropriate.

Over the next few weeks I will be conducting some seminars at the CBA office on Water St. The content will vary based on demand. Details will be communicated via email to the CBA members. Have a great summer. You deserve it. •

<u>Annual Contribution</u> First \$500 Next \$500 Next \$500 Total Maximum Contribution \$1,500

<u>Matching Canada Disability Savings Grant</u> \$1,500 (\$3 for every \$1 contribution) \$1,000 (\$2 for every \$1 contribution) \$500 (\$1 for every \$1 contribution) Total Maximum Grant available \$3,500



# **People and Places**

**Jessica Bartlett,** formerly with the *Legal Aid Commission*, is now a Research and Policy Analyst with the *Provincial Advisory Council on the Status of Women*.

Philip Warren, formerly with Wayne White Law, is now with the Legal Aid Commission.

**Suzanne Orsborn**, formally Access and Privacy Analyst with the *Office of the Information and Privacy Commissioner*, is now Regulatory Development Consultant with the *Department of Health and Community Services*.



Canadian Bar Association - Newfoundland and Labrador Branch



## Enjoy an exclusive discount every time you travel with Provincial Airlines Limited.

The Canadian Bar Association (CBA), Newfoundland and Labrador Branch would like to remind members of our partnership with Provincial Airlines Limited (PAL) as the official Exclusive Provincial Preferred Supplier for air travel within Newfoundland and Labrador. This membership benefit is of value to you and your practice.

#### What does this mean for you as a member of the CBA – NL Branch?

As part of the new partnership, PAL will be offering CBA members of the Newfoundland and Labrador Branch preferential corporate discount These rates are only available to CBA members when you specifically identify yourself as a CBA member of the Newfoundland & Labrador Branch and provide the corporate contract number **10CBA101**.

PAL is the largest independent regional carrier in Eastern Canada and is fully committed to providing a superior level of service to Newfoundland and Labrador as well as Quebec. To learn more about Provincial Airlines' wide range of services, please visit there website at www.provincialairlines.ca.

If you have any questions about this preferred supplier agreement, please contact Sherry House, Executive Director, at the CBA-NL Branch office at (709) 579-5783 or e-mail cba-nl@cba.org.



**CBA-NL Family Brunch and Children's Activities - July 17, 2010 - Pippy Park**