

December 22, 1998

**DELIVERED BY FAX**

Blake, Cassels & Graydon  
Barristers & Solicitors  
Suite 2600, Three Bentall Centre  
595 Burrard Street  
P.O. Box 49314  
Vancouver, BC V7X 1L3  
Attention: Ms. Maria Morellato

Macaulay McColl  
Barristers  
Suite 600  
840 Howe Street  
Vancouver, BC V6Z 2L2  
Attention: Mr. Robert P. Hrabinsky

Mr. John Irving  
Vice President & General Counsel  
Dairyworld Foods  
Suite #300  
3920 Norland Avenue  
Burnaby, BC V5G 1K7

Dear Sirs/Mesdames:

**RE: AN APPEAL BY BULKLEY VALLEY MILK LTD. FROM DECISIONS,  
DATED NOVEMBER 23, DECEMBER 3 AND DECEMBER 8, 1998, OF  
THE BRITISH COLUMBIA MILK MARKETING BOARD**

On Monday, December 21, 1998, the Manager, Dispute Resolution Services for the British Columbia Marketing Board (BCMB) conducted a series of telephone discussions with various parties:

Representing the Appellant: Ms. Maria Morellato, Counsel  
Mr. Matthias Heer  
Mr. David Brame

Representing the Respondent: Mr. Rob Hrabinsky, Counsel  
Mr. Tom Demma, General Manager

Representing Dairyworld Foods: Mr. Anton Donker, General Manager.

Ms. Maria Morellato  
Mr. Robert P. Hrabinsky  
Mr. John Irving  
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The following order and associated comments are issued on a without prejudice basis with respect to the parties and the hearing of the merits of the appeal.

Upon application by Bulkley Valley Milk Ltd. (BVML), with the concurrence of Dairyworld Foods and with the British Columbia Milk Marketing Board (Milk Board) taking no position, the British Columbia Marketing Board (BCMB) makes the following order. This order will remain in effect until the subject appeal, unless otherwise resolved, is heard and decided by the BCMB.

**The BCMB directs that milk production originating in the Bulkley Valley and presently being shipped to Bulkley Valley Milk Ltd., continue to be shipped to Bulkley Valley Milk Ltd.**

Nothing in this order prevents BVML from seeking additional production in accordance with the Milk Board's Consolidated Order and subject to the Appellant's responsibilities to pay freight charges.

Should BVML require additional production during the period covered by this order, Dairyworld Foods agrees to discuss, with BVML and subject to its own requirements, the possibility of supplying that production directly from Vanderhoof shippers, without recourse to the pool.

The stay application hearing scheduled for December 22, 1998 and the hearing of the merits tentatively scheduled for December 31, 1998 are adjourned pending the outcome of a pre-hearing conference to be scheduled in early January 1999.

Dated at Victoria, British Columbia this 22<sup>nd</sup> day of December, 1998.

BRITISH COLUMBIA MARKETING BOARD

*(Original signed by):*

Ross Husdon, Chair

cc: Mr. Tom Demma, General Manager  
British Columbia Milk Marketing Board

Mr. Matthias Heer  
Bulkley Valley Milk Ltd.