

99-25
4/4/00



File: 44200-50/EMB ISLAND
44200-50/EMB 99-25

April 4, 2000

DELIVERED BY FAX

Fasken Martineau DuMoulin
Barristers and Solicitors
2100 - 1075 West Georgia Street
Vancouver, BC V6E 3G2
Attention: Mr. Christopher Harvey, Q.C.

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

Dear Sirs/Mesdames:

**RE: APPEALS BY ISLAND EGG SALES LTD. FROM DECISIONS OF THE
BRITISH COLUMBIA EGG MARKETING BOARD**

In response to a preliminary application by the British Columbia Egg Marketing Board (the "Egg Board"), on February 21, 2000 the British Columbia Marketing Board (the "BCMB") made the order "that any imposition of over-quota levies on the Appellant by the Respondent be stayed pending the hearing of these appeals by the BCMB."

On February 23, 2000, in response to queries raised by counsel, the BCMB stated "(t)he Panel has issued a stay on the imposition of over-quota penalties pending the March 28-30 hearing. As part of the hearing on the merits of these appeals, the Panel is prepared to consider applications by the parties with respect to the over-quota penalty issue, including whether there should be any interim relief offered to the Appellants."

On March 28, 2000, the above hearing was commenced. At that time, the Egg Board sought to clarify whether our stay was intended to stay only the enforcement and collection of over-quota levies or whether it intended to stay the imposition of any over-quota levies.

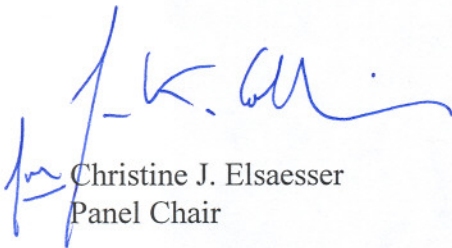
The Panel's intention was to prevent the Egg Board from enforcing any over-quota levy against the Appellant until the matter had been heard on its merits.

.../2

Mr. Christopher Harvey, Q.C.
Mr. Robert P. Hrabinsky
April 4, 2000
Page 2

Until such time as the Panel has made its ruling with respect to the above captioned appeal, the Egg Board cannot seek to recover any over-quota levy from the Appellant. However, the Appellant should bear in mind that the foregoing does not amount to an ultimate waiver of over-quota penalties and conduct itself accordingly.

BRITISH COLUMBIA MARKETING BOARD
Per



Christine J. Elsaesser
Panel Chair