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## BC Farm Industry Review Board

May 19, 2023

File: 44200-35\MPL

### DELIVERED BY EMAIL

Morgan Camley  
Counsel  
Dentons Canada LLP  
20th Floor, 250 Howe Street  
Vancouver, BC, Canada V6C 3R8

Derek Sturko  
Chair  
BC Vegetable Marketing Commission  
207 – 15252 32<sup>nd</sup> Ave  
Surrey, BC, Canada V3Z 0R7

Craig A. B. Ferris K.C.  
Counsel  
Lawson Lundell LLP  
Suite 1600 Cathedral Place  
925 West Georgia Street  
Vancouver, BC, Canada V6C 3L2

Dear Ms. Camley, Mr. Sturko and Mr. Ferris:

### **MPL BRITISH COLUMBIA DISTRIBUTORS INC. (MPL BC) AGENCY PRIOR APPROVAL PROCESS – REVISED ORDER OF PRESENTATION**

On May 9, 2023, the BC Farm Industry Board (BCFIRB) established an order of presentation for the supervisory hearing. Based on the witness lists received on May 12, 2023 and the summons issued on May 17, 2023 the revised order of hearing is as follows:

#### **Revised Order of presentation**

##### **Day 1:**

*Opening Statements* – These statements should provide a brief overview of the participants' presentation to BCFIRB and be 5-10 minutes in length.

- (a) Commission
- (b) MPL BC
- (c) GGFI and Windset

*Evidence* – participants will call witnesses to testify under oath and be subject to questions from other participants and BCFIRB.

(a) BCFIRB calls Andre Solymosi – order of questions:

- i) MPL BC
- ii) GGFI and Windset
- iii) Commission will be given opportunity to redirect if needed

(b) MPL BC calls Paul Mastronardi (reserving right to call Kevin Safrance) – order of questions:

- i) Commission
- ii) GGFI and Windset
- iii) BCFIRB
- iv) Questions arising from BCFIRB's questions

**Day 2:**

(c) Commission produces Debbie Etsell for cross-examination – order of questions:

- i) MPL BC
- ii) GGFI and Windset
- iii) BCFIRB
- iv) Questions arising from BCFIRB's questions

(d) GGFI and Windset call Steven Newell (reserving right to call John Newell) – order of questions:

- i) MPL BC
- ii) Commission
- iii) BCFIRB
- iv) Questions arising from BCFIRB's questions

(e) Village Farms Canada L.P. oral submission: 5 minutes, order of questions:

- i) GGFI and Windset
- ii) MPL BC
- iii) Commission
- iv) BCFIRB
- v) Questions arising from BCFIRB's questions

**Day 3:**

Continuation of evidence and *in-camera* hearing as necessary.

*Closing Statements* – These statements should be focused on whether MPL BC's agency designation accords with sound marketing.

Depending on how the hearing has progressed, and if time permits, these statements should be no longer than 30 minutes. If the hearing has run long, BCFIRB may direct that closing statements be made in writing and provide directions in that regard in the hearing.

- (a) Commission
- (b) MPL BC
- (b) GGFI and Windset
- (c) MPL BC reply
- (d) Commission reply

Regards,



Pawan Joshi  
Panel Chair

cc: Robert Hrabinsky, Legal Counsel, BC Vegetable Marketing Commission  
Agency Applicants and Storage crop Agency Managers  
Greenhouse Agency Managers  
Storage crop/Greenhouse Managers  
Storage crop Producers  
Greenhouse Producers  
Processing Producers  
Wholesalers  
Processors  
BCFIRB web site