



BC Farm Industry Review Board

May 9, 2023

File: 44200-35\MPL

DELIVERED BY EMAIL

Morgan Camley
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Dentons Canada LLP
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Derek Sturko
Chair
BC Vegetable Marketing Commission
207 – 15252 32nd 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 – WITNESS LIST, ORDER OF PRESENTATION & SCHEDULE

On May 5, 2023, the BC Farm Industry Review Board (BCFIRB) confirmed the form and applications of all participants at the supervisory hearing.

As per the Final Terms of Reference, BCFIRB is advising parties on the following process components.

Witnesses

BCFIRB requests witness lists from participants with full participation rights: the BC Vegetable Marketing Commission (Commission), MPL BC and Greenhouse Grown Foods Inc./Windset Farms (Canada) Ltd (GGFI and Windset). Participants should also send their list of witnesses to all participants.

Please send your witness list, to Wanda Gorsuch, Manager Issues & Planning at Wanda.Gorsuch@gov.bc.ca, cc firb@gov.bc.ca and the other participants by **May 12, 2023**.

Web:

Email: firb@gov.bc.ca
Website: www.gov.bc.ca/BCFarmIndustryReviewBoard

Phone:

Info: 250 356-8945
Fax: 250 356-5131

Mail:

PO Box 9129 Stn Prov Govt
Victoria BC V8W 9B5

Office:

2975 Jutland Rd
Victoria, BC V8T 5J9

Order of presentation

As per the Final Terms of Reference, the order of presentation, including opening statements, witness and documentary evidence, and related questioning, is set out below with an approximate schedule which will be adjusted as necessary.

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) Commission calls its witnesses – order of questions:

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

(b) MPL BC calls its witnesses – order of questions:

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

Day 2:

(c) GGFI and Windset call its witnesses – order of questions:

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

(d) 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, 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
- (c) GGFI and Windset
- (d) MPL BC reply
- (e) Commission reply

Schedule

May 23, 2023 9:30am – 4pm
May 24, 2023 9:00am – 4pm
May 26, 2023 9:00am – 4pm

Please send any comments on the order of presentation and schedule to Wanda Gorsuch, Manager Issues & Planning at Wanda.Gorsuch@gov.bc.ca, cc firb@gov.bc.ca by **May 12, 2023**.

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