

# Hunter Litigation Chambers

KAARDAL/SMART/STEPHENS/OULTON

March 22, 2019

File No: 2997.001

## By Email

BC Vegetable Marketing Commission  
207, 15252 – 32<sup>nd</sup> Avenue  
Vancouver, BC V3Z 0R7

**Attention: Andre Solymosi**

Dear Sirs/Mesdames:

**Re: February 28, 2019 Decision in *Prokam, Thomas Fresh v. BCVMC***

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We write on behalf of Thomas Fresh and Prokam Enterprises in response to your letter dated March 15, 2019, soliciting the views of IVCA, Prokam and Thomas Fresh concerning the composition of a Commission panel. Our clients are agreeable to the proposed panel on the basis of your advice that none of the members of the panel ship to, or are shareholders, directors or officers of BCfresh.

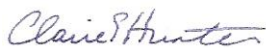
In terms of your offer to recommend to the Commission that the licence issued to Thomas Fresh immediately revert back to a Class 1 Licence without further consideration by the Commission, Thomas Fresh is eager to have its Class 1 Licence restored and agrees that this is the appropriate recommendation to the Commission. We do note as it may be relevant to other matters under consideration by the Commission that we do not agree that the BCFIRB made no findings with respect to whether Thomas Fresh had “entered into a contract to directly purchase regulated product with an un-licensed producer”. In particular, para. 34 of the decision records “the inescapable conclusion is that the management of IVCA (not just Mr. Dhillon) actively participated in obtaining these contracts”.

In respect of the process for reconsideration of the orders against Prokam, we respectfully request a meeting either with you or with the Commission panel considering these matters along with Commission counsel to make submissions with respect to the process for the consideration of matters with respect to Prokam currently under review.

Yours truly,

Hunter Litigation Chambers

Per:



Claire E. Hunter, Q.C.

cc. Robert Hrabinsky

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