



BC Farm Industry Review Board

August 17, 2022

File: 44200-60\AREV

DELIVERED BY EMAIL

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Dear All:

SUBMISSIONS ON HEARING COUNSEL RECOMMENDATIONS

I write further to the letters received from counsel for Prokam Enterprises Ltd. (Prokam), and the BC Vegetable Marketing Commission Commissioners John Newell, Corey Gerrard, Blair Lodder and Peter Guichon (Commissioners), in response to Hearing Counsel's recommendations on appropriate next steps in the Allegations of Bad Faith and Unlawful Activity Review (Supervisory Review).

Prokam has not provided a substantive submission in response to Hearing Counsel's recommendations. Rather, in a letter dated August 12, 2022, it has advised that it has filed an application for judicial review of the BC Farm Industry Review Board's July 14, 2022 Supervisory Review decision, and intends to seek a stay of this Supervisory Review pending the outcome of that application.

To date, however, I understand no stay application has been filed in the BC Supreme Court, nor has an application been brought before me. In the absence of such an application, and proper submissions being made to me on this matter, I am not prepared to stay this Supervisory Review.

I therefore ask that Prokam provide their substantive submissions on Hearing Counsel's recommendations **by August 24, 2022**. Those submissions should also specifically address the issue raised in the Commissioners' letter as to whether new (or amended) terms of reference may be warranted. Prokam's submissions should be no more than 8 pages in total.

Web:

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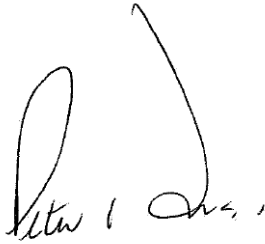
2975 Jutland Rd
Victoria, BC V8T 5J9

I also ask that all of the other participants, if they wish to do so, provide submissions on the issue raised in the Commissioner's letter **by August 24, 2022**, which should be no more than 3 pages.

Hearing Counsel is to file his reply to all submissions **by August 31, 2022**.

Please send your submissions to Wanda Gorsuch at Wanda.Gorsuch@gov.bc.ca.

Regards,

A handwritten signature in black ink, appearing to read "Peter Donkers". The signature is stylized with a large loop for the 'P' and a long, sweeping stroke for the 'D'.

Peter Donkers,
Chair

cc: Nazeer Mitha, Q.C.
Kate Phipps
Mark Underhill
BCFIRB web site