

Reply to: Ravi R. Hira, Q.C.
Direct Line: 604 800 8022
Direct Fax: 604 800 9022
E-mail: rhira@hirarowan.com
Our File No.: 7111-001

January 24, 2022

VIA EMAIL: Wanda.Gorsuch@gov.bc.ca

Wanda Gorsuch
Manager, Issues and Planning
B.C. Farm Industry Review Board
780 Blanshard Street
Victoria, BC V8W 2H1

Attention: Wanda Gorsuch, Manager, Issues and Planning

Dear Sirs/Mesdames:

Re: Supervisory Review re Vegetable Marketing Commission Allegations of Bad Faith and Unlawful Activity

We write in response to the January 23, 2022 reply submissions of Prokam. At pages 6 to 7, Ms. Hunter, QC relies upon the implied undertaking of confidentiality as a bar to Prokam making proactive inquiries of individuals alleged to have information material to this proceeding.

Ms. Hunter, QC goes on to colorfully state that seeking to rely upon evidence obtained while investigating the allegations set out in Prokam's civil claim would have been akin to committing professional misconduct.

This is not the law.

If Prokam obtained documents or oral evidence from individuals or parties in pursuit of its civil claim, such information or documents may be used in this proceeding by consent or court order.¹ Despite these options, Prokam has apparently done nothing to diligently pursue evidence of its allegations against Mr. Solymosi and others.

Yours very truly,

HIRA ROWAN LLP

Per:



Ravi R. Hira, Q.C.

RRH/akh

¹ See *Juman v. Doucette*, 2008 SCC 8, at paras. 30 and 51

cc: B.C. Farm Industry Review Board, via email: firb@gov.bc.ca
cc: Rose-Mary Basham, QC, via email: rmbasham@bashamlaw.ca
cc: Claire E. Hunter, QC, via email: chunter@litigationchambers.com
cc: J. Kenneth McEwan, QC, via email: kmcewan@mcewanpartners.com
cc: Nazeer T. Mitha, QC, via email: nmitha@mithalawgroup.ca
cc: Patti Allen, via email: patti.allen@dlapiper.com
cc: Ryan Androsoff, via email: randrosoff@litigationchambers.com
cc: Aubin Calvert, via email: acalvert@litigationchambers.com
cc: Dean Dalke, via email: dean.dalke@dlapiper.com
cc: Robert P. Hrabinsky, via email: rhrabinsky@ahb-law.com
cc: Emma Irving, via email: emma.irving@dentons.com
cc: Robert J. McDonell, via email: rmcdonell@farris.com
cc: Kate Phipps, via email: khipps@arvayfinlay.ca
cc: William Stransky, via email: wstransky@mcewanpartners.com
cc: Mark Underhill, via email: munderhill@arvayfinlay.ca