Form 49 [Rule 13.19]

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JUN 2 3 2015

JUDICIAL CENTRE OF CALGARY

COURT FILE NUMBER

1501-00955

COURT

COURT OF QUEEN'S BENCH

OF ALBERTA

IN BANKRUPTCY AND INSOLVENCY

JUDICIAL CENTRE

CALGARY

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, as amended

APPLICANTS

LUTHERAN CHURCH — CANADA, THE ALBERTA — BRITISH COLUMBIA DISTRICT, ENCHARIS COMMUNITY HOUSING AND SERVICES, ENCHARIS MANAGEMENT AND SUPPORT SERVICES, AND LUTHERAN CHURCH — CANADA, THE ALBERTA — BRITISH COLUMBIA

DISTRICT INVESTMENTS LTD.

DOCUMENT

AFFIDAVIT

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS

DOCUMENT

Bishop & McKenzie LLP Barristers & Solicitors 1700, 530 - 8th Avenue SW Calgary, Alberta T2P 3S8

Attention: Francis N. J. Taman /Ksena J. Court

Telephone: 403-237-5550

Fax: 403-243-3623

File No.: 103,007-003

AFFIDAVIT OF DARYL BECKER Sworn on June <u>22</u>, 2015

1, DARYL BECKER, of Edmonton, Alberta, SWEAR AND SAY THAT:

I am a former Executive Assistant – Parish and School Services of Lutheran Church –
Canada, the Alberta – British Columbia District (the "District"). I have personal
knowledge of the matters hereinafter deposed, except where stated to be based on
information and belief, and where so stated, I verily believe them to be true.

- 2. All capitalized terms used in this Affidavit shall have the meaning ascribed to them in the prior Affidavits sworn by Kurt Robinson and filed in these proceedings unless otherwise indicated in this Affidavit.
- 3. I was laid off by the District as part of the restructuring process. I believe that this was due in large part to the reduction in Mission Remittances since the Initial Order was granted.
- 4. My duties at the District were with respect to the Department of Parish and School services.
- 5. The "Parish" part of the Parish & School Services included generational ministries: children, youth, young adults, college students, and seniors. As such it includes Sunday school/VBS support to congregations, along with youth gatherings and youth leadership support Youth Ministry Institute.
- 6. The "School" end of things includes support for the Lutheran Teachers Association, Administrators Conference, as well as the coaching of administrators. We have also assisted schools directly through school grants. In addition, we have been funding the development of a Lutheran school Christian studies curriculum for the past few years.
- 7. Besides working with the schools of our District and, at times, other schools in other districts of LCC, I work with leaders in reconciliation training and interventions. I lead workshops and meet with congregational leaders to assist them in many areas of Parish service, including church Sunday school and Adult Bible study, education, leadership and visioning for future Church development and growth.
- 8. My duties as Executive Assistant Parish and School Services did not directly involve me in CEF. The only materials which I would have had which relate to the matters in question in the CCAA proceedings would be from the Board of Directors meetings. Those documents I had in hard copy were left on the shelves in the office. Those documents which I had in electronic form were left on the District computer server.
- 9. During the last week of my employment, I did throw out some materials:
 - Periodicals relating to Lutheran Education, Lutheran Schools in Australia and the United States.

- LHI files that contained only duplicates of agendas and copies of documents shared at meetings, the originals of which would have been retained by LHI.
- Files with respect to work I had done with congregations and schools with respect to Natural Church Development, the Genesis Program (designed to help churches start-up schools), Law/Gospel workshops, church leadership and reconciling conflicts. All of these files were more than six years old. Most of the file from the last six years are kept in electronic form on the District server.
- Outdated church and school resources.
- Synodical and District Convention workbooks from past conventions.
- Old computer software on disks.

None of this material would have related to the matters in question in this CCAA proceeding.

- 10. At the end of my employment, I took the following with me:
 - Periodicals
 - Books
 - Personal belongings
 - Workshop material on Law and Gospel and on Biblically based reconciliation.
 - Personal files, including minutes and documents relating to the congregation I
 am a member of and which were acquired in my capacity as a member of that
 congregation.
 - A hard external hard drive containing copies of some of the computer files relating to my department. The originals remain on the District server. I felt that I would be better able to support future District staff should they have questions or want ideas for carrying out my function once I was gone. I remain committed to the District and the work I did there. It is my intention to make myself available as a resource in the future to ensure that the effect of my absence was minimized. I am, however, happy to return this hard drive to the District if it is felt inappropriate that I keep it.

- 11. These lists are to the best of my recollection. I did ensure that Pastor Schaeffer and Ms. Ruf were aware of what I was taking and what I was discarding to ensure and that they did not feel that they would be needed for future use in carrying out my function after my departure.
- 12. I am advised by the District's solicitor, Francis N. J. Taman that my actions were specifically brought to his attention as an allegation of the destruction and removal of documents. I am, quite frankly, surprised that someone had raised this issue my cleaning out my office when I left. It was no secret that I had been laid off and if someone had a concern, I wish that they had come to speak to me directly. I would have been happy to show them what I was doing and discuss any concerns they had.

SWORN BEFORE ME at Calgary, Alberta,

this $\overline{\Omega}$ day of June, 2015.

Commissioner for Oaths in and for Alberta

Daryl Becker

Lisa Martens Student-At-Law