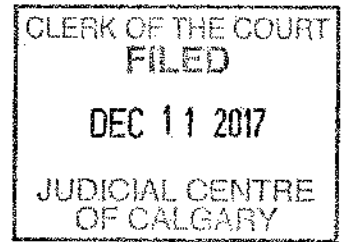
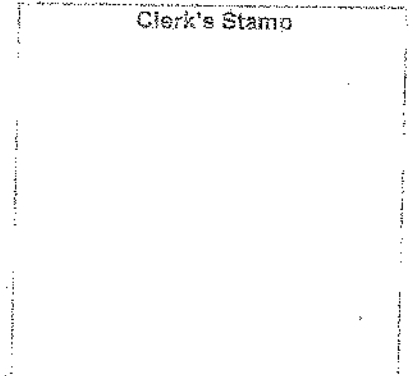


COURT FILE NUMBER 1501-00955  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY

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



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.



APPLICANT **DISTRICT SUBCOMMITTEE**

RESPONDENTS THE APPLICANTS IN THESE CCAA PROCEEDINGS AND ALL DEFENDANTS IN THE DISTRICT REPRESENTATIVE ACTIONS NUMBERED: 1603-03142 (ALBERTA QB), S1611798 (BC SC), S1611966 (BC SC), 1603-22816 (ALBERTA QB).

DOCUMENT **SERVICE AND SUPPLEMENTAL AFFIDAVIT**

---

**AFFIDAVIT OF ERINN WILSON**

**Sworn on December 7, 2017**

---

I, Erinn Wilson, of Calgary, Alberta, **SWEAR THAT:**

1. I have personal knowledge of the following information, except where I state that it is based on information from another person, in which case, I believe that information to be true.
2. I am 18 years of age or older.
3. On December 1, 2017 I served the Service List, attached hereto and marked at Exhibit "A", with a copy of:

the following documents are attached hereto and marked as Exhibit "B", which are filed with the Court:

- Application, filed December 1, 2017 with the Court of Queens Bench;
- Affidavit of Erinn Wilson, filed December 1 2017 with the Court of Queens Bench.  
(collectively the "Documents")

4. I served the document(s) listed above using the following method of service:

by sending an electronic (scanned) copy of the Documents to those listed on the Service List and their corresponding email addresses which has been specified by that party as the address to which information or data may be transmitted in respect of the action. Service was effected on December 1 – December 5, 2017, as is evidenced by the confirmations of the successfully completed transmissions, which are attached and marked collectively as Exhibit "C" to this Affidavit.

in accordance with the Order of the Court, dated January 23, 2015, Justice K.D Yamauchi who ordered that service may be effected by posting such Documents on the website address established by the Monitor. Attached hereto and marked as Exhibit "D" is an email from the Monitor's office confirming that such documents were posted to the Monitor's website.

5. I have the following other information regarding service of the Documents:

(a) Attached hereto and marked collectively as Exhibit "E" are letters from Defence Counsel notifying our office that they have received instructions from their clients to accept service on their client behalf.

(b) With respect to the Documents emailed to the Service List as described in paragraph 4, emails were delivered but cannot be confirm to have been opened:

- i. Jefferey Oliver
- ii. Dwayne Cleave
- iii. Chris Simard
- iv. Alexis Teasdale
- v. Doug Nishimura
- vi. Edward Asare-Quansah
- vii. Vi Pickering
- viii. Errin Poyner
- ix. Deb Berlach
- x. Ross Rucsis
- xi. John Singleton
- xii. Veronica Rosso
- xiii. Phyllis Smith

(c) Counsel for the Lutheran Church Canada and Lutheran Church Financial Ministries, David Bishop, was not contained on the Service List and consequently service of the Documents was emailed to him at his provided email address on or about December 5, 2017. Attached hereto and marked as Exhibit "F" is a confirmation that the transmission was received.

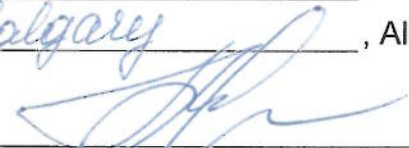
6. The following addresses of Defendants in the class actions comprised in the Representative Actions as defined in these proceedings are either unknown or inadequate and as such they were not successively served with the Documents:

- (a) David Bode
- (b) Roland Kubke
- (c) Bill Morgan
- (d) John Mueller
- (e) Glenn Schaeffer
- (f) Marvin Mutcler
- (g) Steven Grande
- (h) Paul Eifert
- (i) Hans Heumann
- (j) Grant McMaster
- (k) James Wrschler
- (l) David Schoepp

7. True copies of two emails, both dated from November 14, 2017, from Glen Mitchell, the Chair of the District Subcommittee pertaining to recent appointments to that Subcommittee are attached hereto as Exhibit "G".

**SWORN/AFFIRMED BEFORE ME**

on December 4, 20 17  
at Calgary, Alberta.



Commissioner for Oaths  
in and for the Province of Alberta



Signature of document server

**Elina Avtayeveva**  
A Commissioner for Oaths  
In and for the Province of Alberta  
My commissioner expires April 25, 2018

THIS IS EXHIBIT A  
 referred to in the Affidavit of  
Edwin Wilson  
 Sworn before me this 17  
 day of Oct, A.D. 2012  
 A Commissioner for Oaths in and for Alberta

COURT FILE NUMBER 1501-00955

COURT COURT OF QUEEN'S BENCH OF ALBERTA

**Elina Avtayeva**  
 A Commissioner for Oaths  
 In and for the Province of Alberta  
 My commissioner expires April 25, 2013

JUDICIAL CENTRE CALGARY

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

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.

APPLICANT DISTRICT SUBCOMMITTEE

RESPONDENTS THE APPLICANTS IN THESE CCAA  
 PROCEEDINGS AND ALL DEFENDANTS  
 IN THE DISTRICT REPRESENTATIVE  
 ACTIONS NUMBERED: 1603-03142  
 (ALBERTA QB), S1611798 (BC SC),  
 S1611966 (BC SC), 1603-22816 (ALBERTA  
 QB).

DOCUMENT SERVICE LIST

SERVICE RECIPIENT	EMAIL ADDRESS	PHONE/FAX	RECIPIENT STATUS
Deloitte Restructuring Inc.  Attn: Vanessa Allen 700-850-2 <sup>nd</sup> street SW Calgary, AB T2P 3K4	<u>vanallen@deloitte.ca</u>	PH: 403-298-5955 FX: 403-718-3681	Monitor

<p>Cassels Brock &amp; Blackwell LLP</p> <p>Attn: Jeffrey Oliver 10<sup>th</sup> floor, 888 - 3<sup>rd</sup> Street SW Calgary, AB T2P 5E9</p>	<p><a href="mailto:ioliver@casselsbrock.com">ioliver@casselsbrock.com</a></p>	<p>PH: 403-298-1000 FX: 403-263-9193</p>	<p>Counsel to Monitor</p>
<p>LCC Worker Benefits (pension plan)</p> <p>Dwayne Cleave</p>	<p><a href="mailto:treasurer@lutheranchurch.ca">treasurer@lutheranchurch.ca</a></p>	<p>PH: 1-800-588-4226</p>	<p>Creditor</p> <p>NOTE - NOT SERVED AS PER REQUEST RECEIVED FROM LCC WORKER BENEFITS JULY 9, 2015</p>
<p>Concentra Trust</p> <p>Attn: Dean Hutchison 1600-520-3<sup>rd</sup> Avenue SW Calgary, AB T2P OR3</p>	<p><a href="mailto:dhutchison@mlt.com">dhutchison@mlt.com</a></p>	<p>PH: 403-693-4305 FX: 403-508-4349</p>	<p>Counsel for Concentra Trust which is a secured creditor</p>
<p>Alberta Health Services</p> <p>Attn: Jill Curtis 10301 Southport Road SW Calgary, AB T2W 1S7</p>	<p><a href="mailto:jill.curtis@albertahealthservices.ca">jill.curtis@albertahealthservices.ca</a></p>		<p>Counsel for Alberta Health Services who is a contingent creditor</p>
<p>CEF Depositors</p> <p>Notice of Monitor's website address mailed by regular mail to last known address January 26, 2015 per Affidavit of Mailing filed February 4, 2015</p>			<p>Creditors of the District</p>
<p>CEF Creditors Committee</p> <p>Attn: Christopher Simard and Alexis Teasdale Bennett Jones 4500-855-2 Street SW Calgary, AB T2P 4K7</p>	<p><a href="mailto:simardc@bennettionies.com">simardc@bennettionies.com</a> <a href="mailto:teasdalea@bennettionies.com">teasdalea@bennettionies.com</a></p>	<p>PH: 403-298-4485 FX: 403-265-7219</p>	<p>Counsel for CEF Creditors' Committee</p>

DIL Depositors  Notice of Monitor's website address mailed by regular mail to last known address January 26, 2015 per Affidavit of Mailing filed February 4, 2015			Account holders in DIL
DIL Creditors Committee  Attn: Doug Nishimura Field LLP 400-604-1 <sup>st</sup> Street SW Calgary, AB T2P 1M7	<a href="mailto:dnishimura@fieldlaw.com">dnishimura@fieldlaw.com</a>	PH: 403-260-8500 EX: 403-264-7084	Counsel for DIL Creditors' Committee
Bank of Montreal 10199-101 Street, Edmonton, AB T5J 3Y4			Secured creditor at PPR against ECHS, EMSS, and District
IOS Financial Services 2300 Meadowvale Blvd, Suite 200, Mississauga, ON L5N 5P9			Secured creditor at PPR against ECHS
Xerox Canada Ltd. 33 Bloor ST. E. 3 <sup>rd</sup> Floor, Toronto, ON M4W 3H1			Secured creditor at PPR against EMSS
National Leasing Group Inc. 1525 Buffalo Place, Winnipeg, MB R3T 119			Secured creditor at PPR against EMSS
Alberta Securities Commission  Attn: Vi Pickering/Edward Asare-Quansah 600-250-5 <sup>th</sup> street SW Calgary, AB T2P 0R4	<a href="mailto:Edward.Asare-Quansah@asc.ca">Edward.Asare-Quansah@asc.ca</a> ; <a href="mailto:Vi.Pickering@asc.ca">Vi.Pickering@asc.ca</a>	PH: 403-355-3889 FX: 403-297-2210	
ARS Collection Agency of Canada Inc. operating as Fiserv	<a href="mailto:sstephens@owenbird.com">sstephens@owenbird.com</a>	PH: 604-691-7521 FX: 604-632-4447	Counsel for banking software provider

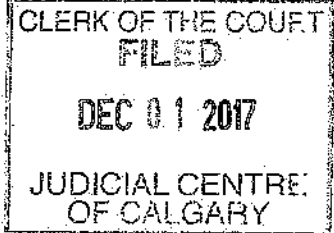
Attn: Scott H. Stephens Owen Bird Law Corporation Bentall 3, suite 2900 595 Burrard Street PO Box 49130 Vancouver, BC V7X 1J5			
Attn: Errin Poyner Sugden, McFee & Roos LLP 700-375 Water Street Vancouver, BC V6B 5C6	<a href="mailto:epovner@smrlaw.ca">epovner@smrlaw.ca</a>	Ms. Poyner: PH: 604-687-7700 FX: 604-687-5596	Counsel for group of Depositors
Attn: Christa Nicholson Jensen Shawa Solomon Duguid Hawkes LLP Suite 800, 304-8th Ave SW Calgary, AB T2P 1C2	<a href="mailto:nicholsonc@jssbarristers.ca">nicholsonc@jssbarristers.ca</a>	PH: 403-571-1520 FX: 403-571-1528	
Attn: Deborah Berlach Stieber Berlach LLP 18 <sup>th</sup> floor, 130 Adelaide St. W. Toronto, ON M5H 3P5	<a href="mailto:dberlach@sblegal.ca">dberlach@sblegal.ca</a>	PH: 416-366-1400 FX: 416-366-1466	Counsel for District Insurer
Encon Group Inc.  c/o Marsh Canada Limited Attn: Michael Johnson 680, 10180-101 Street NW Edmonton, AB T5J 3S4	<a href="mailto:Michael.johnson@marsh.com">Michael.johnson@marsh.com</a>	PH: 780-917-4852 FX: 780-429-1422	D&O Insurer for the District and DIL
Northbridge General Insurance Corporation  c/o Westland Insurance Brokers Ltd Attn: Ross Bucsis 24-8180 Macleod Trail SE Calgary, AB T2H 2B8	<a href="mailto:rbucsis@westlandinsurance.ca">rbucsis@westlandinsurance.ca</a>	PH: 403-640-0264 (x107) FX: 1-866-422- 7990	D&O Insurer for ECHS and EMSS
Attention: Nicole Taylor- Smith Miller Thomson LLP 3000, 700 - 9 <sup>th</sup> Avenue SW Calgary, AB T2P 3V4	<a href="mailto:ntaylor-smith@millerthomson.com">ntaylor-smith@millerthomson.com</a>	PH: 403-298-2401 FX: 403-262-0007	Counsel for Alberta Health Services
John R. Singleton QC. and	<a href="mailto:jsingleton@singleton.com">jsingleton@singleton.com</a> <a href="mailto:vtrossos@singleton.com">vtrossos@singleton.com</a>	PH: 604-682-7474	Counsel for the District

<p>Veronica S.C. Rossos</p> <p>Singleton Urquhart Suite 1200, 925 West Georgia St Vancouver BC V6C 312</p>			
<p>Alan S. Rudakoff, Q.C. and Katrina Edgerton-McGhan</p> <p>Scott Ventura Rudakoff LLP Suite 1500, 222 - 3rd Ave SW Calgary AB T2P 0B4</p>	<p><a href="mailto:a.rudakoff@scottventuro.com">a.rudakoff@scottventuro.com</a> <a href="mailto:kem@svrlawyers.com">kem@svrlawyers.com</a></p>	PH: 403-231-8232	Counsel for ECHS
<p>Richard Van Dorp</p> <p>Peacock, Linder, Halt &amp; Mack LLP 4050, 400-3 Avenue SW, Calgary, AB, T2P 4H2</p>	<a href="mailto:rvandorp@plhlaw.ca">rvandorp@plhlaw.ca</a>		
<p>Hannah Roskey</p> <p>Fasken Martineau Suite 3400, 350 7th Ave SW Calgary AB T2P 3N9</p>	<a href="mailto:hroskey@fasken.com">hroskey@fasken.com</a>	PH: 403-261-6163	
<p>Cam Sherban</p> <p>Kluane Partners Suite 725, 435 4 AVE SW Calgary, Alberta T2P 3A8</p>	<a href="mailto:cam.sherban@klupart.com">cam.sherban@klupart.com</a>	PH: 403-681-3608	
<p>Emery Jamieson LLP 100, 10235 - 101 Street NW Edmonton, AB T5J 361</p> <p>Attn: Phyllis Smith</p>	<a href="mailto:PSmith@emeryjamieson.com">PSmith@emeryjamieson.com</a>	PH: 780-426-5220	Counsel for Prowse Chowne LLP



COURT FILE NUMBER 1501-00955  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY

Clerk's Stamp



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

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.

APPLICANT DISTRICT SUBCOMMITTEE  
RESPONDENTS THE APPLICANTS IN THESE CCAA  
PROCEEDINGS AND ALL DEFENDANTS IN  
THE DISTRICT REPRESENTATIVE ACTIONS  
NUMBERED: 1603-03142 (ALBERTA QB),  
S1611798 (BC SC), S1611966 (BC SC), 1603-  
22816 (ALBERTA QB).

THIS IS EXHIBIT <sup>B</sup>  
referred to in the Affidavit of  
*[Signature]*  
Sworn before me this 7  
day of Dec A.D. 20 17  
A Commissioner for Oaths in and for Alberta

DOCUMENT APPLICATION FOR ADVICE, DIRECTIONS,  
DECLARATIONS AND RELATED ORDERS

**Elina Avtayeveva**  
A Commissioner for Oaths  
In and for the Province of Alberta  
My commissioner expires April 25, 20 18

ADDRESS FOR SERVICE AND CONTACT  
INFORMATION OF PARTY FILING THIS DOCUMENT  
Higgerty Law  
Attn: Clint Docken, Q.C.  
Suite 1010 440 2<sup>nd</sup> Ave SW  
Calgary AB, T2P 5E9  
Phone: 403-503-8888  
Fax: 587-316-2260

**NOTICE TO RESPONDENTS:**

This application is made against you. You are a respondent. You have the right to state your side of this matter before the judge.

To do so, you must be in Court when the application is heard as shown below:

Date: **December 7, 2017**  
Time: **11:30 am**  
Where: **Calgary Court Center, 601 – 5<sup>th</sup> Street SW, Calgary, Alberta**  
Before Whom: **The Honourable Justice B.E.C Romaine in Chambers**

Go to the end of this document to see what else you can do and when you must do it.

**Remedy claimed or sought:**

1. An Order declaring service of notice of this application and the supporting materials to be good and sufficient, shortening the time for service, and dispensing with service, to any extent this Honourable Court deem appropriate.
2. Advise and direction pursuant to, *inter alia*,
  - a. the 5<sup>th</sup> Amended Plan of Compromise and Arrangement (the "Plan"), as amended from time to time, sanctioned by the Sanction Order pronounced on August 5, 2016 (the "Sanction Order");
  - b. the Initial Order pronounced on January 23, 2015 (the "Initial Order");
  - c. the District Subcommittee Order pronounced August 5, 2016 (the "Subcommittee Order");

in relation to certain actions undertaken on behalf of the Applicant by its District Representative Counsel from time to time in the Applicant's District Representative Actions.

3. A Declaration and Order that all procedural steps taken by the Plaintiffs in the Alberta Action Number 1603-03142 (the "District Alberta Class Action") and B.C. Action Number S1611798 (the "District BC Class Action") (collectively the "District Class Actions") to date are compliant, *nunc pro tunc*, with the Plan, the *Companies' Creditors Arrangement Act*, RSC 1985, c. C-36. ("CCAA"), and, as applicable, the Rules of Court, the *Class Action Proceedings Act of Alberta and B.C.*, and all other relevant acts and regulations, and may continue without further leave.
4. A Declaration and Order that the Alberta Action 1603-22816 ("District Alberta Derivative Action") and BC Action S1611966 ("District B.C. Derivative Action") (collectively the "District Derivative Actions") are compliant, *nunc pro tunc*, with the Plan, the CCAA, and, as applicable, the Rules of Court, the *Business Corporations Act of Alberta and B.C.* and all other relevant acts and regulations, and to the extent that they may be subject to any stay, such stay be lifted and that they may continue without further leave.
5. An Order approving the substitution of some of the Representative Plaintiffs in the District Alberta Class Action and District BC Class Action.
6. An Order that the District Class Actions (as defined in the Plan, Sanction Order and Subcommittee Order) may continue under and shall be governed by the Class Proceedings Act of Alberta or BC, as applicable, and supervised by the Superior Court having jurisdiction for each such action.
7. Order to extend time for service of Statements of Claim in the District Class Actions, as amended in the District Alberta Class Action, and District Derivative Actions.
8. Such further and other relief as counsel may advise and this Honourable Court may permit.

**Grounds for making this application:**

9. All terms not otherwise defined herein shall have the meanings prescribed within the Plan, Initial Order, Sanction Order and/or the Subcommittee Order.
10. The District Alberta Class Action was filed on February 22, 2016 and then served on all Defendants named in that Action to that date and before that Action was stayed.

11. The District Alberta Class was subsequently amended on December 16<sup>th</sup>, 2016, December 23<sup>rd</sup>, 2016, *inter alia*, adding additional defendants to meet the limitation deadline in relation to those Defendants, and amended again on February 13, 2017 for certain body amendments.
12. Except as specified in paragraph 10 above, no service of the Statements of Claim in the District Class Actions and District Derivative Actions has been effected.
13. Paragraph 9 of the Subcommittee Order authorizes the District Subcommittee to take reasonable steps to maximize the amount of funds that are ultimately available for distribution to the District Representative Action Class. Moreover, under the same Order, the District Subcommittee has a fiduciary duty to the Representative Action Class with respect to the District Representative Action.
14. Paragraph 20 of the Subcommittee Order authorizes and enables the District Subcommittee to take any and all such steps as they deem necessary and desirable to commence and prosecute the District Representative Action on behalf of the District Representative Action Class.
15. The Representative Action Class are an aging population with 57% of the individual members being over 75 years of age and older. These elderly people are in many cases vulnerable financial situations with many of them unable to pay for their care. It is therefore essential that the District Representative Action proceed expeditiously on their behalf.
16. The District Subcommittee accordingly wishes to pursue the Representative Action Claims as summarily as possible, and having regard to what has transpired procedurally thus far.
17. Therefore, the District Subcommittee has instructed counsel to seek the requested advice, direction, Declarations and Orders from this Honourable Court.

**Material or evidence to be relied on:**

18. The Court Record herein and in the District Class Actions and District Derivative Actions; including without limitation the following:
  - a. The Plan;
  - b. The Initial Order;
  - c. The Sanction Order;
  - d. The Subcommittee Order.
19. The Affidavit of Erin Wilson, sworn on December 1, 2017.
20. Such further and other material as counsel may advise and this Honourable Court will permit.

**Applicable rules:**

21. Alberta Rules of Court, including, *inter alia*, Rules 1.3 3-26, 3.27, 3.62, 6.3, 6.58(1), 9.4(2), 13.5;
22. BC Supreme Court Civil Rules, including, *inter alia*, Rules 3-2, 4-5, 6-1, 6-2.

**Applicable Acts and regulations:**

23. *Companies' Creditors Arrangement Act*, RSC 1985, c. C-36;

24. *Alberta Judicature Act*, RSA 2000 J-2;
25. *Supreme Court Act*, RSBC 1996, C-443;
26. *Class Proceedings Act*, RSA 2003, C-16.5;
27. *Class Proceedings Act*, RSBC 1996, C-50;
28. *Business Corporations Act*, RSA 2000, c. B-9;
29. *Business Corporations Act*, SBC 2002, C-57.

**Any irregularity complained of or objection relied on:**

30. N/A

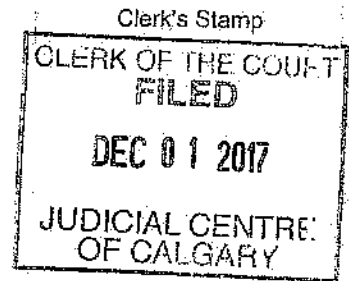
**How the application is proposed to be heard or considered:**

31. Before the presiding Justice in Chambers.

**WARNING**

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.

COURT FILE NUMBER 1501-00955  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY



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

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.

APPLICANT DISTRICT SUBCOMMITTEE

RESPONDENTS THE APPLICANTS IN THESE CCAA  
PROCEEDINGS AND ALL DEFENDANTS IN  
THE DISTRICT REPRESENTATIVE ACTIONS  
NUMBERED: 1603-03142 (ALBERTA QB),  
S1611798 (BC SC), S1611966 (BC SC), 1603-  
22816 (ALBERTA QB).

DOCUMENT AFFIDAVIT of ERINN WILSON

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS DOCUMENT HIGGERTY LAW  
Attention: Clint Docken  
Suite 101 440 2<sup>nd</sup> Ave SW  
Calgary, Alberta T2P 5E9  
Phone: 4035038888  
Fax: 5873162260

AFFIDAVIT OF ERINN WILSON

Sworn on December 1st, 2017

I, Erinn Wilson, of Calgary, Alberta, SWEAR AND SAY THAT:

1. I work as a legal assistant for Mr. Clint Docken, Q.C. and as such have personal knowledge of the matters hereinafter deposed except where stated to be based upon information in which case I believe the same to be true.
2. Attached hereto and marked as Exhibit "A" to this Affidavit is the procedure card for Alberta Action Number 1603-03142.



CLERK OF THE COURT - COUNTER PROCEDURE RECORD PRINT

ACTION NO: Q1603 03142

ACTIVITY DESCRIPTION LITIGANTS HEARING DATE & TYPE AMOUNT RESULT EXPLANATION APPLICATION JUSTICE/MASTER DATE FILED LAW FIRM

ELBERT, PAUL  
HEUMANN, HANS  
MCMASTER, GRANT  
WERSCHLER, JAMES  
SCHOEPP, DAVID  
ENCHARIS COMMUNITY HOUSI

STATEMENT OF CLAIM ORDE CONT

ST. OF CLAIM - ACCOUNTI CONT

STATEMENT CLAIM - DAMAG AMNDPRINCE OF PEACE LUTHERAN

STATEMENT OF CLAIM ORDE CONT

ST. OF CLAIM - ACCOUNTI CONT

STATEMENT CLAIM - DAMAG AMND

STATEMENT OF CLAIM ORDE CONT

ST. OF CLAIM - ACCOUNTI CONT

NOTICE WIDRAW AS LAWYER SHERMAN, SHARON  
SHERMAN, SHARON; PER. RE  
SHERMAN, RUBY; BY PER. R  
BEINERT, GEORG

16DEC2016 AGP  
16DEC2016 AGP  
23DEC2016 AGP  
23DEC2016 AGP  
23DEC2016 AGP  
13FEB2017 AGP  
13FEB2017 AGP  
13FEB2017 AGP  
25MAY2017 AGP

#2:ADD DEF/AMD BODY

#3:AMD BODY/REMEDY

THIS IS EXHIBIT A  
referred to in the Affidavit of  
Brian Wilson  
Sworn before me this  
day of Dec 1 17  
A Commissioner for Oaths in and for Alberta

Sumeet Sandhu  
Student-at-Law, Notary Public &  
Commissioner for Oaths  
in and for Alberta

\*\*\* END OF ACTIVITIES \*\*\*  
\*\*\*\*\*END OF REPORT\*\*\*\*\*

EDMONTON PROCEDURE RECORD PRINT

CASES R00033 CLERK OF THE COURT - COUNTER

ACTION NO: Q1603 03142

ACTIVITY DESCRIPTION	LITIGANTS HEARING DATE & TYPE	AMOUNT RESULT	EXPLANATION APPLICATION	JUSTICE/MASTER	DATE FILED	LAW FIRM
	HABERSTOCK, CLIFFE					
	GABERT, GENE					
	LUTZ, RICHARD					
	SCHICK, DAVID					
	WILLISKO, CINDY					
	BECKER, DARYL					
	HEIDE, RANDY					
	SANDER, MARK					
	BURNS, JUDITH					
	PLITT, MARJ					
	STEINKE, GERRY					
	KRUSE, KEITH					
	STROUP, FORREST					
	HABERSTOCK, KEITH					
	KUHN, MELANIE					
	DRESSLER, DAVID					
	WASHEIM, PHILIP					
	GIESE, GREG					
	LUNDERBY, WAYNE					
	GILLINGHAM, MICHAEL					
	TUFTS, CRAIG					
	BUCK, RHONDA					
	ESPERANZA, VIC					
	GERGENS, LYNN					
	WEIST, BELOYCE					
	RUF, JANICE					
	RIVET, CANDACE					
	HENNIG, DARLA					
	ROBINSON, KURT					
	ULMER, TED					
	BODE, DAVID					
	KUBKE, ROLAND					
	MORGAN, BILL					
	MUELLER, JOHN					
	SCHAEFFER, GLENN					
	MUTSCHLER, MARVIN					
	GRANDE, STEVEN					



EDMONTON

CASES RQ0033  
 CLERK OF THE COURT - COUNTER

PROCEDURE RECORD PRINT

MORGAN, BILL  
 MUELLER, JOHN  
 SCHAEFFER, GLENN  
 MUTSCHLER, MARVIN  
 GRANDE, STEVEN  
 EIFERT, PAUL  
 HEUMANN, HANS  
 MCMASTER, GRANT  
 WERSCHLER, JAMES  
 SCHOEPP, DAVID  
 ENCHARIS COMMUNITY HOUSI  
 PRINCE OF PEACE LUTHERAN  
 LUTHERAN CHURCH - CANADA  
 LUTHERAN CHURCH - CANADA F  
 LUTHERAN CHURCH - CANADA,  
 TAMAN, FRANCIS  
 BISHOP & MCKENZIE LLP  
 CHOWNE, RONALD  
 PROWSE CHOWNE LLP  
 SHEPHERD'S VILLAGE MINIS

ACTIVITY DESCRIPTION	LITIGANTS HEARING DATE & TYPE	AMOUNT RESULT	EXPLANATION APPLICATION	JUSTICE/MASTER	DATE FILED	LAW FIRM
STATEMENT CLAIM - DAMAGES			NO AMOUNT		22FEB2016	AG
STATEMENT OF CLAIM ORDE CONT					22FEB2016	AG
ST. OF CLAIM - ACCOUNTI CONT					22FEB2016	AG
STATEMENT CLAIM - DAMAG AMNDSHERMAN, SHARON; PER. RE SHERMAN, RUBY; BY PER. R. BEINERT, GEORG SCHIEMANN, DONALD KENTEL, JIM NEY, WILLIAM RUF, HAROLD SCHMIDT, HAROLD SCHUELKE, JAMES BEIDERWEIDEN, MARK HABERSTOCK, HAROLD HEINBUCH, JAMES			#1:ADD PLTS/DEFS/AMD BO		16DEC2016	AGP

EDMONTON

RQ0033

CASES

CLERK OF THE COURT - COUNTER

PROCEDURE RECORD PRINT

ACTION NO: Q1603 03142

SHERMAN, SHARON  
SHERMAN, SHARON; PER. RE  
SHERMAN, RUBY; BY PER. R  
BEINERT, GEORG; BOX 1616 FAIRVIEW AB T0H

305,10011 117 ST,EDM AB  
305,10011 117 ST,EDM AB  
305,10011 117 ST,EDM AB  
BOX 1616 FAIRVIEW AB T0H

VS SCHIEMANN, DONALD  
KENTEL, JIM  
NEY, WILLIAM  
RUF, HAROLD  
RUF, MARK  
SCHMIDT, HAROLD  
SCHUELKE, JAMES  
BEIDERWEIDEN, MARK  
HABERSTOCK, HAROLD  
HEINBUCH, JAMES  
HABERSTOCK, CLIFF  
GABERT, GENE  
LUTZ, RICHARD  
SCHICK, DAVID  
WILLISKO, CINDY  
BECKER, DARYL  
HEIDE, RANDY  
SANDER, MARK  
BURNS, JUDITH  
PLITT, MARJ  
STEINKE, GERRY  
KRUSE, KEITH  
STROUP, FORREST  
HABERSTOCK, KEITH  
KUHN, MELANIE  
DRESSLER, DAVID  
WASHEIM, PHILIP  
GIESE, GREG  
LUNDERBY, WAYNE  
GILLINGHAM, MICHAEL  
TUFTS, CRAIG  
BUCK, RHONDA  
ESPERANZA, VIC.  
GERGENS, LYNN  
WEIST, DELOYCE  
RUF, JANICE  
RIVET, CANDACE  
HENNIG, DARLA  
ROBINSON, KURT  
ULMER, TED  
BODE, DAVID  
KUBKE, ROLAND

02/11/2017 12:26:41 PAGE 0001

CASES RQ0033 EDMONTON PROCEDURE RECORD PRINT

ACTION NO: Q1603 22816 LUTHERAN CHURCH-CANADA, ALLAN GARBER VS DELOITTE LLP/DELOITTE S. ROLFE, BENSON LLP

ACTIVITY DESCRIPTION LITIGANTS HEARING DATE & TYPE AMOUNT RESULT EXPLANATION APPLICATION JUSTICE/MASTER DATE FILED LAW FIRM STATEMENT CLAIM - DAMAGES NO AMOUNT 23DEC2016 AGP

\*\*\* END OF ACTIVITIES \*\*\* \*\*\*\*\*END OF REPORT\*\*\*\*\*

THIS IS EXHIBIT - 8 referred to in the Affidavit of Sworn before me this day of Dec A.D. 20 17 A Commissioner for Oaths in and for Alberta.

Sumeet Sandhu Student-at-Law, Notary Public & Commissioner for Oaths in and for Alberta



# Court Services Online

# File Summary Report

Requested by: ANONYMOUS - Anonymous User

Date / Time: 06NOV2017 08:29 AM

File Number: VLC-S-S-1611798

Your Cross Reference Number:

### General File Details

Date File Opened: 21DEC2016

Style of Cause: MULDER, William v SCHIEMANN, Donald

Location: Vancouver Law Courts

Level of Court: Supreme

Class of Court: Supreme Civil (General)

Initiating Documents: Notice of Civil Claim

### Parties on File

Seq. #	Date Entered	Party Name	Party Role	Counsel Name	Also Known as Names / Other Legal Representatives
1	21DEC2016	BECKER, Daryl	Defendant		
2	21DEC2016	BEIDERWEIDEN, Mark	Defendant		
3	21DEC2016	BISHOP MCKENZIE LLP	Defendant		
4	21DEC2016	BODE, David	Defendant		
5	21DEC2016	BUCK, Rhonda	Defendant		
6	21DEC2016	BURNS, Judith	Defendant		
7	21DEC2016	CHOWNE, Ronald	Defendant		
8	21DEC2016	DRESSLER, David	Defendant		
9	21DEC2016	EIFERT, Paul	Defendant		
10	21DEC2016	ENCHARIS COMMUNITY	Defendant		
11	21DEC2016	ESPERANZA, Vic	Defendant		
12	21DEC2016	ESTATE OF FREDERICK	Plaintiff	GARBER, AA	
13	21DEC2016	GABERT, Gene	Defendant		
14	21DEC2016	GERGENS, Lynn	Defendant		

THIS IS EXHIBIT -  
referred to in the Affidavit of  
Sworn before me this  
day of Dec. A.D. 20 17  
A Commissioner for Oaths in and for Alberta

Sumeet Sandhu  
Student-at-Law, Notary Public &  
Commissioner for Oaths  
in and for Alberta

Executor WILSON, Dianne

Also Known as Names / Other Legal Representatives

Seq. #	Date Entered	Party Name	Party Role	Counsel Name
15	21DEC2016	GIESE, Greg	Defendant	
16	21DEC2016	GILLINGHAM, Michael	Defendant	
17	21DEC2016	GRANDE, Steven	Defendant	
18	21DEC2016	HABERSTOCK, Cliff	Defendant	
19	21DEC2016	HABERSTOCK, Harold	Defendant	
20	21DEC2016	HABERSTOCK, Keith	Defendant	
21	21DEC2016	HEIDE, Randy	Defendant	
22	21DEC2016	HEINBUCH, James	Defendant	
23	21DEC2016	HIENIG, Darla	Defendant	
24	21DEC2016	HEUMANN, Hans	Defendant	
25	21DEC2016	KENTEL, Jim	Defendant	
26	21DEC2016	KRUSE, Keith	Defendant	
27	21DEC2016	KUBKE, Roland	Defendant	
28	21DEC2016	KUHN, Melanie	Defendant	
29	21DEC2016	LUNDERBY, Wayne	Defendant	
30	21DEC2016	LUTHERAN CHURCH - C	Defendant	
31	21DEC2016	LUTHERAN CHURCH - C	Defendant	
32	21DEC2016	LUTHERAN CHURCH - C	Defendant	
33	21DEC2016	LUTZ, Richard	Defendant	
34	21DEC2016	MCMASTER, Grant	Defendant	
35	21DEC2016	MORGAN, Bill	Defendant	
36	21DEC2016	MUELLER, John	Defendant	
37	21DEC2016	MULDER, William	Plaintiff	GARBER, AA
38	21DEC2016	MUTSCHLER, Marvin	Defendant	
39	21DEC2016	PLITT, Marj	Defendant	
40	21DEC2016	PRINCE OF PEACE, LUTH	Defendant	
41	21DEC2016	PROWSE CHOWNE LLP	Defendant	
42	21DEC2016	RIVET, Candice	Defendant	
43	21DEC2016	ROBINSON, Kurt	Defendant	
44	21DEC2016	RUF, Harold	Defendant	

Seq. #	Date Entered	Party Name	Party Role
45	21DEC2016	RUF, Janice	Defendant
46	21DEC2016	RUF, Mark	Defendant
47	21DEC2016	SANDER, Mark	Defendant
48	21DEC2016	SCHAEFFER, Glen	Defendant
49	21DEC2016	SCHICK, David	Defendant
50	21DEC2016	SCHLEMANN, Donald	Defendant
51	21DEC2016	SCHMIDT, Harold	Defendant
52	21DEC2016	SCHOEPP, David	Defendant
53	21DEC2016	SCHUELIKE, James	Defendant
54	21DEC2016	SHEPHERD'S VILLAGE M	Defendant
55	21DEC2016	STEINKE, Gerry	Defendant
56	21DEC2016	STROUP, Forrest	Defendant
57	21DEC2016	TAMAN, Francis	Defendant
58	21DEC2016	TUFTS, Craig	Defendant
59	21DEC2016	ULMER, Ted	Defendant
60	21DEC2016	WASHEIM, Philip	Defendant
61	21DEC2016	WEIST, Deloyce	Defendant
62	21DEC2016	WERSCHLER, James	Defendant
63	21DEC2016	WILLISKO, Cindy	Defendant

Documents Filed						
Seq. #	Date Entered	Document Description	Initiating Document?	Amended Document?	Claim Amount	Filing Parties
1	21DEC2016	Notice of Civil Claim	Yes	No		(Plaintiff) ESTATE OF FREDERICK VOIGHT (Plaintiff) MULDER, William
Hearing and Results						
Transfers						

AVAILABLE INFORMATION  
 Court Services Online (CSO) provides access to the following court record information:

Civil court information - Supreme and Provincial Court  
 Court record information on civil Provincial and Supreme Court activity throughout the province with the exception of family proceedings in Provincial Court.

**Court information - Court of Appeal**  
Court record information on civil and criminal Court of Appeal activity for appeals filed after 1 January 2004.

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File Summary Report



# Court Services Online

# File Summary Report

Requested by: ANONYMOUS - Anonymous User

File Number: VLC-S-S-1611966

Your Cross Reference Number:

Date / Time: 06NOV2017 08:23 AM

### General File Details

Date File Opened: 28DEC2016

Style of Cause: LUTHERAN CHURCH- CANADA, THE ALBERTA-BRITISH COLUMBIA DISTRICT v DELOITT

Location: Vancouver Law Courts

Level of Court: Supreme

Class of Court: Supreme Civil (General)

Initiating Documents: Notice of Civil Claim

### Parties on File:

Seq. #	Date Entered	Party Name	Party Role	Counsel Name	Also Known as Names / Other Legal Representatives
1	28DEC2016	DELOITTE LLP/DELOITT	Defendant		
2	28DEC2016	LUTHERAN CHURCH-CA	Plaintiff	GARBER, A	
3	28DEC2016	ROLFE, BENSON LLP	Defendant		
4	28DEC2016	ROLFE, Benson	Defendant		

### Documents Filed

Seq. #	Date Entered	Document Description	Initiating Document?	Amended Document?	Claim Amount	Filing Parties
1	28DEC2016	Notice of Civil Claim	Yes	No		(Plaintiff) LUTHERAN CHURCH- CANADA, THE ALBERTA-BRITISH COLUMBIA DISTRICT

### Hearing and Results

### Transfers

### AVAILABLE INFORMATION

Court Services Online (CSO) provides access to the following court record information:

Civil court information - Supreme and Provincial Court

THIS IS EXHIBIT -  
 referred to in the Affidavit of  
 Sworn Before me this  
 day of Dec A.D. 2017  
 Sworn Before me this  
 day of Dec A.D. 2017  
 Commissioner for Oaths in and for Alberta

Sumeet Sandhu  
 Cent-a-Law Notary Public &  
 Commissioner for Oaths  
 in and for Alberta



Court record information on civil Provincial and Supreme Court activity throughout the province with the exception of family proceedings in Provincial Court.

**Court information - Court of Appeal**

Court record information on civil and criminal Court of Appeal activity for appeals filed after 1 January 2004.

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Every effort is made to ensure that the court record information is or remains consistent with statutory and court-ordered publication and disclosure bans. However the posting of court record information on this site in no way is a representation, express or implied, that the information conforms with publication and disclosure bans. As bans may be granted at any stage in the proceeding, the court record information will not include details of a ban granted in court on that day. It is the responsibility of persons using or relying on the court record information to personally check with the applicable court clerk or registry for bans and ensure that they comply with any bans on publication or disclosure.

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Any other use of CSO or court record information available through CSO is expressly prohibited. Persons found misusing this privilege will lose access to CSO and may be subject to legal action, including prosecution.

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File Summary Report

**Lutheran Representative Action - QUESTIONNAIRE :**  
**Entry # 1074**

**CLIENT PROFILE**

**Name**

Glen Mitchell

**Email**

[glen.mitchell@gmail.com](mailto:glen.mitchell@gmail.com)

**Phone**

(780) 908-9109

**Address**

25 53030 Range Road 20  
Parkland County, Alberta T7Y 2G8  
Canada  
[Map It](#)

**CEF DEPOSITOR INFORMATION**

Did you deposit/invest money into the Church Extension Fund of the Lutheran Church AB-BC District?

Yes

How much did you deposit into the CEF?

\$349,000.00

When did you make the deposit(s) (Day, Month, Year)?

12/04/2001

Have you Opted Out of the Representative Action?

No

Are you also a DIL Depositor?

Yes

When did you know that they CEF Fund was mismanaged and/or that the LCC AB-BC District was in financial trouble?

By letter dated January 5, 2015, the ABC District advised Mr. Mitchell that District was "facing some hardships" because "a number of congregations and other ministries have been unable to pay their mortgages..". Mr. Mitchell was further advised that a moratorium was being placed on withdrawals from and deposits to the Church Extension Fund. At a meeting held at St. Matthews in Stony Plain on January 27, 2015 Mr. Mitchell shocked to learn of the massive senior housing development called Prince of Peace and that at least 83% of the funds for CEF had been invested in the "Encharis" loans.

Please use the space below to provide us with a detailed description of your involvement with the Lutheran Church, including a detailed account of your decision to deposit into the CEF.

THIS IS EXHIBIT - E  
referred to in the Affidavit of  
Glen Mitchell  
Sworn before me this 1  
day of Dec A.D. 2017  
A Commissioner for Oaths in and for Alberta

Sumeet Sandhu  
Student-at-Law, Notary Public &  
Commissioner for Oaths  
in and for Alberta

**Lutheran Representative Action - QUESTIONNAIRE :**  
**Entry # 1074**

When Mr. Mitchell and his wife and family moved to their home in the fall of 1999 they began looking for a Lutheran Church to attend and bring up their children in. They began attending the Lutheran Church closest to them. Mr. Mitchell and his sons were baptized by the Pastor and became members of St. John's Lutheran Church in the year 2000. They attended St. John's Lutheran Church regularly until the fall of 2015, attending Church and fellowship events almost every week. Mr. Mitchell's family was a very active, involved family in St. John's Lutheran Church for many years.

Mr. Mitchell was introduced to the Church Extension Program at St. John's Lutheran Church through church bulletins, Pastors making announcements on CEF investment opportunities, and the CEF representatives in the congregation giving information and selling "tracky" stamps in the narthex after services. People attending church were solicited for funds in this way.

In 2001 there was a big CEF campaign known as 7 for 7 for 7 (help 7 churches with various capital projects needing funding and for 7 months receive 7%). At the same time, Mr. Mitchell's Mother passed away, leaving him almost \$7,000. The Mitchell family thought it would be appropriate to deposit the money in CEF and help churches in her memory and use these savings for their boys when they grew up and needed funds.

Based on promotional material from CEF, Mr. Mitchell understood that CEF was used to provide loans to congregations for capital purposes, such as land purchase, new construction of church facilities, renovation, repair, and expansion of existing facilities. Loans were backed by assets and only given to congregations who were in a position of repayment and never given for operating expenses. These were not offerings. CEF was presented as being diversified and professionally managed and totally safe. It offered minimal, yet competitive interest rates with savings accounts and GICs offered by the big banks.

After making an initial deposit he regularly received marketing materials thanking him for his deposits and sharing the ways in which they were a wonderful blessing to congregations in the District. Deposits were encouraged and an increasing need for funds was presented in the material. He received bank statements that listed his deposits and the interest received on these accounts. Never did he receive any financial papers about the health of the investment such as you might receive if investing money nor was he informed that most of the money he deposited was going to support one project that wasn't a church or school. As loans were backed by assets, loaned out based on stringent criteria, monitored and guaranteed by the District, deposits were deemed to be safe. The material published about CEF stressed how safe deposits were, how large and growing the fund was, its stability over many decades.

On at least two occasions between 2011 and 2014 deposits were made in person in meetings with Defendant Janice Ruf and Defendant Candace Rivet at the ABC District head office. During these meetings there was never any indication given that there may be issues with the state or stability of the CEF fund.

From the time Mr. Mitchell joined St. John's, the Pastor and membership talked about building a new Church building to replace the aging structure that was no longer adequate for the needs of the congregation. The funds to do so would be borrowed on loan from Church Extension Fund. The Mitchell's understood that to get a loan from CEF, individual members of the congregation had to have a certain amount of savings in CEF to qualify. Mr. Mitchell was told that the congregation also received a reduction in interest on their loan based on the amount of savings that their members had with CEF.

**Other Comments**

The deposits were made over a number of years, beginning in 2001. I also have deposits under my company Gemini Systems Group Inc.

**Do you provide consent and agree herein to receive from us, Higgerty Law, emails and/or any other form of electronic messages for any purposes related to this legal matter and to receive any information regarding further legal and related services we may offer or solicit to you.**

- I do consent and agree to the above statement

**Lutheran Representative Action - QUESTIONNAIRE :**  
**Entry # 1074**

**Date**

11/27/2017

Lutheran Representative Action - QUESTIONNAIRE :  
Entry # 1083

CLIENT PROFILE

Name

Willy Berger

Email

[willyberger2014@gmail.com](mailto:willyberger2014@gmail.com)

Phone

(250) 392-6992

Address

27-500 Wotzke Drive  
Williams Lake, British Columbia V2G 4S9  
Canada  
[Map It](#)

CEF DEPOSITOR INFORMATION

Did you deposit/invest money into the Church Extension Fund of the Lutheran Church AB-BC District?

Yes

How much did you deposit into the CEF?

\$42,346.10

When did you make the deposit(s) (Day, Month, Year)?

04/01/1991

Have you Opted Out of the Representative Action?

No

Are you related to any of the Defendants in the Representative Actions (i.e, LCC, LCC AB-BC District and their Directors/Officers, Encharis, etc)? If so please indicate their name and your relationship with them.

Not related to anyone

Are you also a DIL Depositor?

No

When did you know that they CEF Fund was mismanaged and/or that the LCC AB-BC District was in financial trouble?

Letter from Lutheran Church Canada, Alberta / British Columbia District, dated January 5, 2015

Please use the space below to provide us with a detailed description of your involvement with the Lutheran Church, including a detailed account of your decision to deposit into the CEF.

THIS IS EXHIBIT - F  
referred to in the Affidavit of  
Grinn Wilson  
Sworn before me this 1  
day of Dec A.D. 2017  
A Commissioner for Oaths in and for Alberta

Sumeet Sandhu  
Student-at-Law, Notary Public &  
Commissioner for Oaths  
in and for Alberta

**Lutheran Representative Action - QUESTIONNAIRE :**  
**Entry # 1083**

Have been a member of St John Lutheran Church in Williams Lake since the early 1980's , no longer an active member since about 2005. We invested in CEF in order to help the Church lend money to new churches, the rate of return was also favorable for us. Over the years the reports showed no signs of any distress! The initial deposits were made in the late 1980's In the above question as to when the deposit was done, I inserted April 1, 1991 as I do not have a specific date. We than added funds into the account several more time. My wife Verena also holds about \$40,307.61 in investments.

**Other Comments**

We believed all along that a church organization would be honest with it's depositors, show them the true pictures of the accounts, and only hire competent people, well faith made me blind as i did not double checked enough all the reports!

Do you provide consent and agree herein to receive from us, Higgerty Law, emails and/or any other form of electronic messages for any purposes related to this legal matter and to receive any information regarding further legal and related services we may offer or solicit to you.

- I do consent and agree to the above statement

**Date**

11/27/2017

**Lutheran Representative Action - QUESTIONNAIRE :**  
**Entry # 1080**

THIS IS EXHIBIT - 03  
referred to in the Affidavit of  
Erin Wilson  
Sworn before me this  
day of DEC A.D. 2017  
A Commissioner for Oaths in and for Alberta

**CLIENT PROFILE**

Name

Wiley, R, Hertlein

Email

wileyandtiger@icloud.com

Phone

(403) 271-8325

Address

10903 Willowfern drive s.s.  
Calgary, Alberta T2j1r6  
Canada  
Map It

Sumeet Sandhu  
Student-at-Law, Notary Public &  
Commissioner for Oaths  
in and for Alberta

**CEF DEPOSITOR INFORMATION**

Did you deposit/invest money into the Church Extension Fund of the Lutheran Church AB-BC District?

Yes

How much did you deposit into the CEF?

\$125,000. 2014. ( Spouse \$50,000. In 2012 )

When did you make the deposit(s) (Day, Month, Year)?

07/02/2014

Have you Opted Out of the Representative Action?

No

Are you related to any of the Defendants in the Representative Actions (i.e, LCC, LCC AB-BC District and their Directors/Officers, Encharis, etc)? If so please indicate their name and your relationship with them.

Only by our Lutheran faith...

Are you also a DIL Depositor?

Yes

When did you know that they CEF Fund was mismanaged and/or that the LCC AB-BC District was in financial trouble?

When we received our letter in the mail in early January 2015,.....

Please use the space below to provide us with a detailed description of your involvement with the Lutheran Church, including a detailed account of your decision to deposit into the CEF.

**Lutheran Representative Action - QUESTIONNAIRE :**  
**Entry # 1080**

I have been a Lutheran by birth, baptized and confirmed. Our family heritage has been Lutheran since the reformation was started by Martin Luther 1517 and when it spread into southern Germany (Bavaria)

My spouse and I have lived in Calgary since 1975 and became members of the Lutheran church of the good shepherd LCC synod in 2000. During that period and 2014 we noticed church extension fund (CEF) brochures in most pews, suggesting why you should consider depositing in the CEF, due to the good works it provides. In April 2012 we looked into the CEF by informing ourself with the following. - discussed the following with the administration office in Edmonton. 1: are the deposits covered by insurance, response no need as this has been available to church members since the 1920's. 2: it is guaranteed by the ABC district. 3: what are the deposited member funds used for, response for new mission congregations start up buildings, renovations, operating funds in case of need etc.. 4: are those funds secured by mortgages against assets, response yes. With a monthly repayment schedule. 5 will you mail current financial statements, response at a later date as we have changed accounting firms, never received. Based on our discussions and on our Lutheran faith and trust, we made the \$50,000 in spouses name to mature April 2015.. During the period of 2012 and February 2014 no mention was ever made by abc, our pastor as a director and the brochures remained in the pews. We were not aware of CEF used to fund the Prince of peace complex.

Since my spouse was diagnosed with Crohn's in 2011 and treatment was mainly covered by our insurance company, in 2013 we decided we should sell all our public stock as her specialist indicated an operation to help out with the Crohn's is was required. We were not sure of the treatment thereafter as to expense cost coverage. By the end of 2013 all stock was sold and we decided to park \$125 thousand with the CEF for one year until we knew if we had coverage with AHC, our INDEPENDANT insurance or would a big portion be for our account. On February 7 2014 contacted the administrative group to arrange for the deposit, no mention indicating they had problems with cash flow. After explaining the Crohn's it was suggested by the officer to for for a three year plan for a higher interest facto. I advised will obviously require portions a lot earlier, response not an issue as you can chip portions off as required.

Ten months later early January 2015 we were notified by letter they had issues and had called Deloitte to review and commence a work out, in the meantime CEF frozen, however DIL registered plan funds were safe and available. In mid January 2015 pastor Scheffer and Kurt Robinson executive financial officer spoke to the Calgary CEF depositors at Foothills Lutheran church. I asked several questions, but this one was very clear to me. How much in dollar value to the directors have EACH. response 5 million. They assured all in attendance that the DIL deposits were safe.

On January 28 2015 emailed the president Schiemann placing this injustice to the depositors squarely on him as a failure of management responsibilities. Also this had to be known as an issue long before the end of December 2014 and it should have been stopped. Advised he was in charge of a PONZI scheme for some time rather than a Lutheran deposit program. We were able to leave for a month break from this additional stress and when we returned mid march 2015 we were informed that DIL was also now in restructure by Deloitte. I again sent an email to Schiemann informing him this you would have to had known in 2014, that clearly you and your financial directors and officers clearly mismanaged both CEF and DIL for years and the objective was how to avoid being personally sued. This not only caused additional stress for my spouse, but in August 2015 I suffered heart stress and have been on medication ever since.

Some time in May or June of 2015, our pastor Dressler call for a meeting of all CEF and DIL depositors for a quick meeting after a church service, advising he releases us to sue the directors. This must of been pasted down from the abc district. This group of directors don't need to advise depositors what we can do. They still feel they are above us an individual.

In October 2016 the plan to accept the NEWCO shares (now Sage Properties) was presented the second time. The plan was a presentation prepared by the District Credit committee and the CRO Cam Sherban (Kluane) engaged by the ABC District Executive recommended by Deloitte. The depositors at this point were between a rock and a hard spot, as how best do you protect the major asset for the recovery of ones deposits. Vote no and let Deloitte fire sale the assets. Vote yes and sell at a later date! Hoping the economy gets better, but at least in mind feel you have control. Unfortunately the plan was prepared and devised by the CRO and district credit group that a selected management group and six directors was already in place, which was part of supposedly court approved. The vote passed. Now many voters are not happy with the directors and management team of Sage as non of the group are former depositors, but rather appointed by church congregations that have opted out of suing the directors. The CEO management, the chairperson and CRO are all former Deloitte employees. This picture becomes distasteful. In summary, our cash position of life savings is in shares of Sage and in deposits of DIL, registered plans. We are now operating our household under a very tight budget, with a number of cut backs. With the financial stress and medical tryout that did not place my spouses Crohn's under control Remicade and Humira, she is now on Stalera. This is not what we expected from our Lutheran Heritage and the fact we are in our late 70's, we hoped to spend our winter months in the south, we still try but only for a shorter time.



**Lutheran Representative Action - QUESTIONNAIRE :**  
**Entry # 1080**

We as others strongly believe the pastor directors and other support groups new of this disgraceful ending long before 2014, but carried on as a PONZI hoping it would clear up eventually. Their biggest fear was fear alone, that being sued. It is obvious to me they had carried on conversations long before 2014 with firms of how best to protect themselves and didn't concern themselves with the depositors of the day. Not what I would call living by the word. Christians. It is also my understanding a number directors had no idea of the Financial disaster that was about to hit them. It is up to the appointed director to find out his or her responsibilities when one accepts that position. IF THEY DID NOT KNOW THEY OUGHT TO HAVE KNOWN.

LUTHERAN CHURCH WINNIPEG Executive body was totally aware of ABC district involvement with GEF AND DIL funds and are totally accountable for the actions taken over the years, going back to the 1990's...

My spouse and I have resigned from the LCC synod and our congregation Lutheran church of the good shepherd. Our pastor David Dressler was aware of my disappointment in the management and leadership of the GEF and DIL going into default and liquidation. He has made no attempt to contact us requesting re consideration to rejoin or sorry. Dead silence. Sorry would of course admit to fault.

**Other Comments**

Errin what ever you think should be left out is fine by me; I didn't proof read so please correct any errors. Thanks a bunch . I'm tired of this and I reall wish your team to have all the success in nailing this down , Remember don't let the guilty try to settle by only the insurance paying . We need to go after a number of individual and the parent body LCC Winnipeg Also if we commence with the Alberta courts and it goes to trial insurance coverage required for me and Glen Mitchell

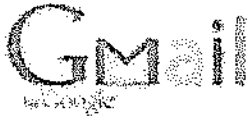
Thank you

**Do you provide consent and agree herein to receive from us, Higgerty Law, emails and/or any other form of electronic messages for any purposes related to this legal matter and to receive any information regarding further legal and related services we may offer or solicit to you.**

- I do consent and agree to the above statement

**Date**

11/27/2017



Erinn Wilson <erinn.wilson@higgertylaw.ca>

**sstephens@owenbird.com has just read «Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955»**

1 message

MailTrack Alerts <alerts@mailtrack.io>  
Reply-To: no-reply@mailtrack.io  
To: erinn.wilson@higgertylaw.ca

Fri, Dec 1, 2017 at 12:32 PM



**Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955** [open email](#)

sstephens@owenbird.com read your email 5 minutes after it was sent

✉ Sent on 2017-12-01 at 12:27h

✓ Read on 2017-12-01 at 12:32h by sstephens@owenbird.com

**Recipients**

✓ sstephens@owenbird.com ([invite to Mailtrack](#))

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THIS IS EXHIBIT <sup>C</sup>  
referred to in the Affidavit of  
*Erinn Wilson*  
Sworn before me this 1  
day of Dec, A.D. 2017  
A Commissioner for Oaths in and for Alberta

**Elina Avtayeveva**  
A Commissioner for Oaths  
In and for the Province of Alberta  
My commissioner expires April 25, 2018



Erinn Wilson <erinn.wilson@higgertylaw.ca>

---

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hroskey@fasken.com read your email 48 seconds after it was sent

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**Recipients**

✓ hroskey@fasken.com ([invite to Mailtrack](#))

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Erinn Wilson <erinn.wilson@higgertylaw.ca>

---

**cam.sherban@klupart.com has just read «Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955»**

1 message

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cam.sherban@klupart.com read your email 2 minutes after it was sent

✈ Sent on 2017-12-01 at 12:33h

✓✓ Read on 2017-12-01 at 12:35h by cam.sherban@klupart.com

**Recipients**

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Erinn Wilson <erinn.wilson@higgertylaw.ca>

---

**rvandorp@pplaw.ca has just read «Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955»**

1 message

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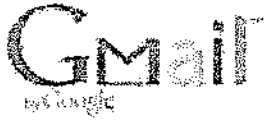
rvandorp@pplaw.ca read your email 18 minutes after it was sent

- ✉ Sent on 2017-12-01 at 12:32h
- ✓ Read on 2017-12-01 at 12:50h by rvandorp@pplaw.ca

**Recipients**

- ✓ rvandorp@pplaw.ca ([invite to Mailtrack](#))

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Erinn Wilson <erinn.wilson@higgertylaw.ca>

---

**teasdalea@bennettjones.com has just read «Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955»**

1 message

---

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teasdalea@bennettjones.com read your email  
15 minutes after it was sent

✉ Sent on 2017-12-01 at 12:37h

✓ Read on 2017-12-01 at 12:51h by teasdalea@bennettjones.com

#### Recipients

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Erinn Wilson <erinn.wilson@higgertylaw.ca>

---

**Allen, Vanessa (CA - Alberta) has just read «Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955»**

1 message

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Allen, Vanessa (CA - Alberta) read your email  
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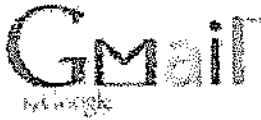
✉ Sent on 2017-12-01 at 12:19h

✓✓ Read on 2017-12-01 at 12:58h by Allen, Vanessa (CA - Alberta)

**Recipients**

✓✓ [vanallen@deloitte.ca](mailto:vanallen@deloitte.ca) ([invite to Mailtrack](#))

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---

**a.rudakoff@scottventuro.com has just read «Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955»**

1 message

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To: erinn.wilson@higgertylaw.ca

Fri, Dec 1, 2017 at 2:06 PM



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Fri, Dec 1, 2017 at 3:27 PM



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Christa Nicholson read your email 3 hours after it was sent

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✓✓ Read on 2017-12-01 at 15:27h by Christa Nicholson

**Recipients**

✓✓ nicholsonc@jssbarristers.ca ([invite to Mailtrack](#))

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Erinn Wilson <erinn.wilson@higgertylaw.ca>

---

**ntaylorsmith@millerthomson.com has just read «Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955»**

1 message

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Fri, Dec 1, 2017 at 3:41 PM

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To: erinn.wilson@higgertylaw.ca



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ntaylorsmith@millerthomson.com read your email 3 hours after it was sent

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1 message

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Tue, Dec 5, 2017 at 9:52 AM

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To: erinn.wilson@higgertylaw.ca



**Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955** [open email](#)

Chris Simard read your email 4 days after it was sent

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✓ Read on 2017-12-05 at 09:52h by Chris Simard

**Recipients**

✓ SimardC@bennettjones.com ([invite to Mailtrack](#))

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Erinn Wilson <erinn.wilson@higgertylaw.ca>

**RE: Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955**

1 message

Gaspar, Dana (CA - Alberta) <dgaspar@deloitte.ca>

Fri, Dec 1, 2017 at 2:41 PM

To: "Allen, Vanessa (CA - Alberta)" <vanallen@deloitte.ca>, "Oliver, Jeffrey" <joliver@casselsbrock.com>, Erinn Wilson <erinn.wilson@higgertylaw.ca>

Should go live by 3 pm MST.

**Dana Gaspar**

Senior Associate | Financial Advisory/Restructuring Services

D: (403) 267-0660 | F: (403) 718-3681

[dgaspar@deloitte.ca](mailto:dgaspar@deloitte.ca) | [deloitte.ca](http://deloitte.ca)

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THIS IS EXHIBIT \* 0  
referred to in the Affidavit of  
*Erinn Wilson*  
Sworn before me this  
day of *Dec*, A.D. 20 *17*  
A Commissioner for Oaths in and for Alberta

**Elina Avtayeve**  
A Commissioner for Oaths  
In and for the Province of Alberta  
My commissioner expires April 25, 2018

**From:** Allen, Vanessa (CA - Alberta)

**Sent:** Friday, December 1, 2017 1:52 PM

**To:** Gaspar, Dana (CA - Alberta) <dgaspar@deloitte.ca>; Oliver, Jeffrey <joliver@casselsbrock.com>; Erinn Wilson <erinn.wilson@higgertylaw.ca>

**Subject:** FW: Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955

Hi Dana,

Can you please post this on our website under Court documents and confirm for Erinn when this will go live?

Thanks very much,

**Vanessa Allen, B. Comm, CIRP, LIT**

Partner | Financial Advisory Services

Deloitte

700 Bankers Court, 850 - 2nd Street SW, Calgary, AB T2P 0R8

Direct: 403-298-5955 | Mobile: 403-477-9661

Fax: 403-718-3681

vanallen@deloitte.ca | www.deloitte.ca

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**From:** Erinn Wilson [mailto:erinn.wilson@higgertylaw.ca]  
**Sent:** Friday, December 1, 2017 12:56 PM  
**To:** Allen, Vanessa (CA - Alberta) <vanallen@deloitte.ca>; Oliver, Jeffrey <joliver@casselsbrock.com>  
**Subject:** Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955

Good afternoon,

Further to my previous email, could you please confirm that your office will be willing to post the enclosed service letter, application, and affidavit to the Lutheran CCAA website.

Thank you,

Erinn Wilson, BA, MPP  
Senior Manager, Paralegal Services  
Higgerty Law | Barristers & Solicitors  
Direct 587-332-0592

erinn.wilson@higgertylaw.ca




HIGGERTY LAW  
info@higgertylaw.ca  
higgertylaw.ca

Toll Free 1-888-699-7826  
Main 403-503-8888  
Fax 587-316-2260

Millennium Tower | Main Floor  
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Calgary, AB T2P 5E9

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THIS IS EXHIBIT "E"  
referred to in the Affidavit of  
*Elina Avtayeve*  
Sworn before me this  
day of *Dec*, A.D. 20 *17*  
A Commissioner for Oaths in and for Alberta



November 15, 2017

**Elina Avtayeve**  
A Commissioner for Oaths  
in and for the Province of Alberta  
My commissioner expires April 25, 2018

Alyssa J. Duke  
Direct +1 403 298 1844  
Direct Fax +1 403 695 3565  
Assistant +1 403 298 1813  
alyssa.duke@gowlingwlg.com  
File no. A156925

Higgerty Law  
101, 440 - 2nd Avenue SW  
Calgary, Alberta T2P 5E9

Attention: Mr. Clint Docken

Dear Mr. Docken:

**Re: District Representative Class Actions in CCAA Action Number 1501-00955: Sherman et al  
v. Lutheran Church Canada et al, Action Number 1603-03142 (the "Class Actions")**

We write further to your correspondence dated November 13, 2017. I am assisting David Bishop. I confirm that we act for Lutheran Church – Canada and Lutheran Church – Canada Financial Ministries and that we have instructions to accept service.

Yours truly,

Gowling WLG (Canada) LLP

A handwritten signature in black ink, appearing to read "Alyssa J. Duke".

Alyssa J. Duke

.AD;jlk

Gowling WLG (Canada) LLP  
Suite 1600, 421 7th Avenue SW  
Calgary AB T2P 4K9 Canada

T +1 403 298 1000  
F +1 403 263 9193  
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CAL\_LAW\2870585\1



Stieber  
Berlach LLP

Reply to:  
Deborah Berlach  
Direct Dial:  
(416) 594-4671  
dberlach@sblegal.ca  
www.sblegal.ca

Our File No. 16-0139

November 14, 2017

**Sent by Email**

Mr. Clint Döcken, Q.C.  
General Counsel  
Higgerty Law  
Millenium Tower, Main Floor  
101, 440 2<sup>nd</sup> Avenue SW  
Calgary, Alberta T2P 5E9

Dear Counsel:

**Re: The Lutheran Church Canada**

Thank you for your letter of November 13, 2017.

Please be advised that I do not and will not represent any of the Defendants nor will I be participating in the conference call.

Yours very truly,

STIEBER BERLACH LLP

Electronically signed

Deborah Berlach

DB/dek

cc: Travis Lysak/Hannah Roskey  
cc: Christa Nicholson  
cc: David Bishop  
cc: Alan Rudakoff and Katrina Edgerton McGhan  
cc: Phyllis A. Smith, Q.C.  
cc: John Singleton and Veronica Rossos



Should you have any questions please do not hesitate to contact the undersigned.

Yours truly,

Singleton Urquhart LLP

A handwritten signature in black ink, appearing to read "John R. Singleton, Q.C.", enclosed within a large, hand-drawn oval.

John R. Singleton, Q.C.

JRS/VSCR

cc: Erinn Poyner, via email: [epoyner@smrlaw.ca](mailto:epoyner@smrlaw.ca)  
Sugden McFee & Roos LLP  
Counsel for the Plaintiffs in the DIL action



Singleton Urquhart LLP  
 1200 – 925 West Georgia Street  
 Vancouver, BC V6C 3L2  
 T 604 682-7474  
 F 604 682 1283  
 Toll-Free 1 877 682 4404  
 su@singleton.com  
 www.singleton.com

John R. Singleton, Q.C.  
 D 604 673 7422  
 jsingleton@singleton.com  
 Our File: 40551.001  
 Your File:

November 16, 2017

**Via Email**

Higgerty Law  
 101, 440 2<sup>nd</sup> Avenue, S.W.  
 Calgary, AB T2P 5E9  
 Email: [cgd@higgertylaw.ca](mailto:cgd@higgertylaw.ca)  
**Attention: Clint G. Docken, Q.C.**  
*(Counsel for the Plaintiffs in the CEF action)*

Scott Venturo Rudakoff LLP  
 1500, 222 3<sup>rd</sup> Avenue, S.W.  
 Calgary, AB T2P 0B4  
 Emails: [A.Rudakoff@scottventuro.com](mailto:A.Rudakoff@scottventuro.com);  
[S.Chimuk@scott.venturo.com](mailto:S.Chimuk@scott.venturo.com) and  
[kem@scottventuro.com](mailto:kem@scottventuro.com)  
**Attention: Alan Rudakoff, Q.C. Scott Chimuk,  
 Katrina Edgerton-McGhan**  
*(Counsel for Encharis Community Housing and  
 Services)*

Gowling WLG (Canada) LLP  
 TD Canada Trust Tower  
 Calgary, AB T2P 4K9  
 Emails: [David.Bishop@gowlingwlg.com](mailto:David.Bishop@gowlingwlg.com);  
[Alyssa.Duke@gowlingwlg.com](mailto:Alyssa.Duke@gowlingwlg.com)  
**Attention: David Bishop and Alyssa Duke**  
*(Counsel for Lutheran Church – Canada/Lutheran  
 Church Canada Financial Ministries)*

JSS LLP  
 Suite 800, 304-8<sup>th</sup> Avenue, S.W.  
 Calgary, AB T2P 1C2  
 Emails: [jensenc@jssbarristers.ca](mailto:jensenc@jssbarristers.ca);  
[nicholsonc@jssbarristers.ca](mailto:nicholsonc@jssbarristers.ca) and  
[carries@jssbarristers.ca](mailto:carries@jssbarristers.ca)  
**Attention: Carsten Jensen, Q.C. Christa  
 Nicholson & Sean Carrie**  
*(Counsel Francis Taman/Bishop McKenzie LLP, a  
 Partnership)*

Emery Jamieson LLP  
 1700, 10235 – 101 Street, NW  
 Edmonton, AB T5J 3G1  
 Email: [psmith@emeryjamieson.com](mailto:psmith@emeryjamieson.com)  
**Attention: Phyllis Smith, Q.C.**  
*(Counsel for John Williams, Ronald Chowne,  
 Prowse Chowne, LLP, a Partnership)*

Dear Sirs/Mesdames:

**Re: Alberta CEF Action (ABQB 1603-03142) and BC CEF Action (SCBC S161798)**

Further to our telephone conference of November 14, 2017 we write to confirm that we will accept service on behalf of the defendants as named below:

Lutheran Church Canada, the ABC District  
Donald Schiemann  
Jim Kentel  
William Ney  
Harold Ruf  
Mark Ruf  
Harold Schmidt  
James Schuelke  
Mark Beiderweiden  
Harold Haberstock  
James Heimbuch  
Cliff Haberstock  
Gene Gabert  
Richard Lutz  
David Schick  
Cindy Willisko  
Daryl Becker  
Randy Heide  
Mark Sander  
Judith Burns  
Marj Plitt  
Gerry Steinke  
Keith Kruse  
Forrest Stroup  
Keith Haberstock  
Melanie Kuhn  
David Dressler  
Phillip Washeim  
Greg Giese  
Wayne Lunderby  
Michael Gillingham  
Craig Tufts  
Rhonda Buck  
Vic Esperanza  
Lynn Gergens  
Deloyce Weist  
Janice Ruf  
Candace Rivet  
Darla Henning  
Kurtis Robinson  
Ted Ulmer

Direct Line: (403) 571-1053  
Email: nicholsonc@jssbarristers.ca  
Assistant - Alyssa Okabe (403) 571-1516  
File No: 11396-220

BY EMAIL

November 29, 2017

Clint Docken, Q.C., and Patrick Higgerty  
Higgerty Law  
101, 440 2nd Avenue, S.W.  
Calgary, AB T2P 5E9  
Emails: cgd@higgertylaw.ca and  
phiggerty@higgertylaw.ca  
*(Counsel for the Plaintiffs in the below  
referenced Actions)*

John Singleton, Q.C., and Veronica Rossos  
Singleton Urquhart LLP  
1200 – 925 West Georgia Street  
Vancouver, BC V6C 3L2  
Emails: jsingleton@singleton.com and  
vrossos@singleton.com  
*(Counsel for Lutheran Church Canada, the ABC  
District, et al.)*

Alan Rudakoff, Q.C., Scott Chimuk, and  
Katrina Edgerton-McGhan  
Scott Ventura Rudakoff LLP  
1500, 222 3rd Avenue, S.W.  
Calgary, AB T2P 0B4  
Emails: A.Rudakoff@scottventuro.com;  
S.Chimuk@scott.venturo.com and  
kem@scottventuro.com  
*(Counsel for Encharis Community Housing and  
Services)*

David Bishop and Alyssa Duke  
Gowling WLG (Canada) LLP  
TD Canada Trust Tower  
Calgary, AB T2P 4K9  
Emails: David.Bishop@gowlingwlg.com;  
Alyssa.Duke@gowlingwlg.com  
*(Counsel for Lutheran Church – Canada/Lutheran  
Church Canada Financial Ministries)*

Phyllis Smith, Q.C.  
Emery Jamieson LLP  
1700, 10235 – 101 Street, NW  
Edmonton, AB T5J 3G1  
Email: psmith@emeryjamieson.com  
*(Counsel for John Williams, Ronald Chowne,  
Prowse Chowne, LLP, a Partnership)*

Dear Sirs/Mesdames:

Re: **Alberta Action No. 1603-03142 and BC Action No. S1611798**

We write to confirm that we will accept service on behalf of the following defendants named in the above referenced actions:

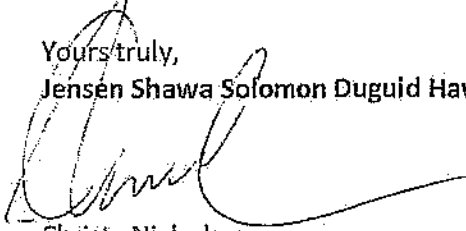
- Francis Taman; and

- Bishop & McKenzie LLP.

Should you have any questions please do not hesitate to contact me.

Yours truly,

**Jensen Shawa Solomon Duguid Hawkes LLP**



Christa Nicholson

Partner

CN:ao

cc: Errin Poyner, counsel for the Plaintiffs in Alberta Action No. 1603-22507 and BC Action No. S1611746  
Carsten Jensen, Q.C. and Sean Carrie, firm  
Clients

SCOTT VENTURO RUDAKOFF LLP  
L A W Y E R S

November 17, 2017

**VIA EMAIL**

Haggerty Law  
101, 440 2nd Avenue SW  
Calgary, AB T2P 5E9

**Attention: Clint Docken**

Dear Sir:

**Re: In the Matter of Lutheran Church - Canada, et al.  
Our File: 67678.001**

---

Alan S. Rudakoff Q.C.  
Direct Line: 403.231.8232  
Email: a.rudakoff@svrlawyers.com  
Assistant: Ginger Campbell  
Direct Line: 403.231.3456  
Email: g.campbell@svrlawyers.com

We confirm that we will accept service of the already filed Statements of Claim on behalf of Encharis Community Housing and Services.

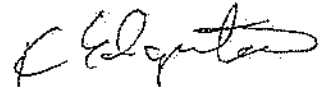
We echo Ms. Smith's email that this is on the understanding that by accepting service of British Columbia actions we are not conceding that British Columbia is the proper forum for these actions, nor are we conceding that it is appropriate to proceed simultaneously in two jurisdictions with essentially the same action.

Please note that we are still waiting on confirmation with respect to the names of the Encharis Community Housing and Services directors and officers. We do not have instructions to accept service on behalf of any of the individuals.

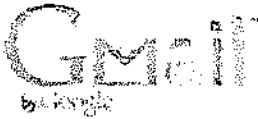
We will advise if we are in receipt of these instructions.

Yours truly,

SCOTT VENTURO RUDAKOFF LLP

  
for **ALAN S. RUDAKOFF Q.C.**  
ASR/ct

{00215645v1}



Clint Docken <cgd@higgertylaw.ca>

## Service of Statement of Claim

1 message

Phyllis Smith <Psmith@emeryjamieson.com>

Thu, Nov 16, 2017 at 2:27 PM

To: Clint Docken <cgd@higgertylaw.ca>, "epoyner@smrlaw.ca" <epoyner@smrlaw.ca>

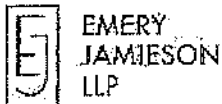
Cc: "John R. Singleton (JSingleton@singleton.com)" <JSingleton@singleton.com>, "David Bishop (David.Bishop@gowlingwlg.com)" <David.Bishop@gowlingwlg.com>, "dhutchison@mit.com" (dhutchison@mit.com)" <dhutchison@mit.com>, "a.rudakoff@scottventuro.com" (a.rudakoff@scottventuro.com)" <a.rudakoff@scottventuro.com>, Christa Nicholson <nicholsonc@jssbarristers.ca>, "Anna Lerch (Anna.Lerch@lawsociety.ab.ca)" <Anna.Lerch@lawsociety.ab.ca>, "rchowne@prowsechowne.com" <rchowne@prowsechowne.com>

Ms. Poyner, Mr. Docken:

I confirm my advice to you during the November 14, 2017 conference call that I will accept service of the already filed Statements of Claim on behalf of Ron Chowne and Prowse Chowne and any other named Prowse Chowne lawyer on the understanding that by accepting service of British Columbia actions we are not conceding that British Columbia is the proper forum for these actions, nor are we conceding that it is appropriate to proceed simultaneously in two jurisdictions with essentially the same action.

**Phyllis Smith**

Lawyer



**Barristers, Solicitors, Mediators & Arbitrators**

1700, 10235 – 101 Street NW | Edmonton, Alberta | T5J 3G1

T. 780.426.5220 | F. 780.420.6277 | TF. 1.866.212.5220

E. psmith@emeryjamieson.com | W. www.emeryjamieson.com

We are an independent member firm of



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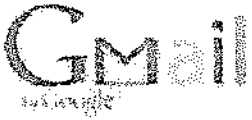
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La signification de documents judiciaires par courriel n'est pas acceptée sauf si des dispositions antérieures ont été faites pour accepter la signification de cette manière.





Erinn Wilson <erinn.wilson@higgertylaw.ca>

**Email read: «Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955»**

1 message

MailTrack Alerts <alerts@mailtrack.io>  
Reply-To: no-reply@mailtrack.io  
To: erinn.wilson@higgertylaw.ca

Tue, Dec 5, 2017 at 10:20 AM



**Lutheran Church - Canada, the Alberta-British Columbia District et al; Court File No.: 1501-00955** [open email](#)

Your email has been read 6 minutes after it was sent

- ✉ Sent on 2017-12-05 at 10:14h
- ✓ Read on 2017-12-05 at 10:20h by one of the recipients

THIS IS EXHIBIT F  
 referred to in the Affidavit of  
Erinn Wilson  
 Sworn before me this 5  
 day of Dec, A.D., 2017  
 A Commissioner for Oaths in Alberta

**Recipients**

- 👤 David.Bishop@gowlingwlg.com ([invite to Mailtrack](#))
- 👤 maureen.bealing@gowling.com ([invite to Mailtrack](#))

**Elina Avtayeveva**  
 A Commissioner for Oaths  
 In and for the Province of Alberta  
 My commissioner expires April 25, 2018

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[Stop receiving alerts](#)



Erinn Wilson <erinn.wilson@higgertylaw.ca>

**Re: Conference Call**

1 message

Glen Mitchell <glen.mitchell@gmail.com>

Tue, Nov 14, 2017 at 8:18 PM

To: Erinn Wilson <erinn.wilson@higgertylaw.ca>

Cc: Rod Johnson <rodeej1970@gmail.com>, Wiley Hertlein <wileyandtiger@icloud.com>, Clint Docken <cgd@higgertylaw.ca>, "Patrick B. Higgerty, QC" <phiggerty@higgertylaw.ca>, Willy Berger <willyberger2014@gmail.com>, Bill Mulder <mulderbill@hotmail.com>

Hi Erinn,

Further to my last email, the committee membership has again been altered slightly with the addition on Bill Mulder who is back on the subcommittee and will remain as a BC plaintiff.

In accordance with the subcommittee order to remain at 5 members I have asked Laurie to step off the subcommittee at this time.

Please update your mailing list accordingly. Please be sure to send out the conference call information again prior to this meeting on Thursday at 3 as a couple of the members will not be aware of it.

Thanks,  
Glen Mitchell

On Nov 14, 2017, at 2:38 PM, Erinn Wilson <erinn.wilson@higgertylaw.ca> wrote:

Good afternoon,

We had a conference call with all known opposing counsel this morning and have some information to share with the Subcommittee.

Please advise if everyone would be available for a meeting on Thursday, November 16 after 3 pm MST or Friday morning between 10-12pm.

Thank you,

Erinn Wilson, BA, MPP  
Senior Manager, Paralegal Services  
Higgerty Law | Barristers & Solicitors  
Direct 587-332-0592  
erinn.wilson@higgertylaw.ca

THIS IS EXHIBIT 6  
referred to in the Affidavit of  
Erinn Wilson  
Sworn before me this  
day of Dec. A.D. 2017  
A Commissioner for Oaths in and for Alberta



HIGGERTY LAW  
info@higgertylaw.ca  
higgertylaw.ca

Toll Free: 1-888-699-7826  
Main 403-503-8888  
Fax: 587-316-2260

Millennium Tower | Main Floor  
101, 440 - 2nd Avenue SW  
Calgary, AB T2P 5E9

Elina Avtayeve  
A Commissioner for Oaths  
In and for the Province of Alberta  
My commissioner expires April 25, 2018

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Erinn Wilson <erinn.wilson@higgertylaw.ca>

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**Re: Conference Call**

1 message

---

**Glen Mitchell** <glen.mitchell@gmail.com> Tue, Nov 14, 2017 at 6:24 PM  
To: Erinn Wilson <erinn.wilson@higgertylaw.ca>  
Cc: Laurie Schutz <voyager1200@gmail.com>, Rod Johnson <rodeej1970@gmail.com>, Wiley Hertlein <wileyandtiger@icloud.com>, Clint Docken <cgd@higgertylaw.ca>, "Patrick B. Higgerty, QC" <phiggerty@higgertylaw.ca>, wilyberger2014@gmail.com

Hi Erinn,

Sounds like Thursday is the best day.

Note that Willy Berger has been appointed to the subcommittee as well and he will stand as one of the BC plaintiffs. He has also indicated to me that Thursday would be the better day for him. His email address is included in the cc list and should be included on future subcommittee emails.

Thanks – GEM

On Nov 14, 2017, at 2:38 PM, Erinn Wilson <erinn.wilson@higgertylaw.ca> wrote:

Good afternoon,

We had a conference call with all known opposing counsel this morning and have some information to share with the Subcommittee.

Please advise if everyone would be available for a meeting on Thursday, November 16 after 3 pm MST or Friday morning between 10-12pm.

Thank you,

Erinn Wilson, BA, MPP  
Senior Manager, Paralegal Services  
Higgerty Law | Barristers & Solicitors  
Direct 587-332-0592  
erinn.wilson@higgertylaw.ca



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