

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SIMON FRASER STUDENT SOCIETY

PETITIONER

AND:

CANADIAN FEDERATION OF STUDENTS, CANADIAN FEDERATION OF  
STUDENTS – SERVICES, CANADIAN FEDERATION OF STUDENTS – BRITISH  
COLUMBIA COMPONENT

RESPONDENTS

**AFFIDAVIT #1 OF MICHAEL LETOURNEAU**

I, Michael Letourneau, Burnaby, former Graduate Student, MAKE OATH AND SAY THAT:

1. I was a graduate student at Simon Fraser University ("SFU") until September 1, 2008 and a Director of the petitioner Society from late September, 2007 to the end of April, 2008 and as such I have personal knowledge of the matters and facts set out herein.
2. In September 2002, I was admitted to the Master of Science program in the School of Computing Science at SFU. I completed my M.Sc. program in August 2004, and was subsequently enrolled in the Doctor of Philosophy program in that School. I have held two Postgraduate Scholarships from the Natural Sciences and Engineering Research Council of Canada, which are funded by the federal government and given to doctoral students displaying excellence in research and leadership. In May of 2006, I was appointed to the SFU "Leadership Society" in recognition of my leadership efforts within the School of Computing Science.
3. I was appointed to the Independent Electoral Commission ("IEC") of the SFSS in or around November 2006. The IEC is the body created pursuant to the SFSS Bylaw 14 to manage elections and referenda. This appointment lasted until the end of April, 2007, and during this

time I assisted in the supervision and management of seven concurrent by-elections of Directors of the SFSS, as well as a regular election of the entire SFSS Board concurrent with four referendum questions.

4. I was appointed to the Board of the SFSS by the Graduate Issues Committee ("GIC") on September 26, 2007. My term on the Board ended on April 30, 2008.

**A. Background**

5. Prior to my appointment to the Board, I was aware that the SFSS was planning to hold a referendum on the question of SFU students ending their membership in the Canadian Federation of Students ("CFS-National"), the Canadian Federation of Students-Services ("CFS-Services"), and the Canadian Federation of Students-British Columbia ("CFS-BC"). Throughout this Affidavit, I shall refer to those three organizations collectively as the "CFS", unless specified otherwise. Further, throughout this Affidavit, I shall refer to the process of ceasing membership in the CFS as "defederation", which is the term commonly used in the CFS and the March 18-20, 2008 referendum concerning defederation as the "Defederation Referendum". The term "CFS Bylaws" will refer to the Bylaws of the CFS-National, unless otherwise specified.
6. I did not participate in planning the SFSS Defederation Referendum campaign and was involved in other projects throughout the summer and fall of 2007. However, I recall that starting sometime in the summer of 2007, I saw posters on and around the SFU campus advertising the benefits of membership in the CFS. In particular, I recall seeing materials related to the "iamcfs" position, which promoted the benefits of CFS membership. Starting sometime in the fall of 2007, I also saw posters and other materials relating to the "We Want Out" position, which promoted leaving the CFS.
7. The posters attached as Exhibits "A" of this Affidavit are examples of the "iamcfs" posters I saw in the spring and summer of 2007.

8. In or around December, 2007, Derrick Harder, President of the SFSS asked me to serve as one of the SFSS's representatives on the Referendum Oversight Committee ("ROC") established pursuant to the CFS-National and CFS-BC Bylaws.
9. Before asking me to serve on the ROC, Mr. Harder confirmed that I had not been involved with planning the Defederation Referendum campaign. After some consideration, I agreed to serve on the ROC. On January 9, 2008, Mr. Kyall Glennie, another graduate student at SFU, and I were appointed by the SFSS Board as the SFSS representatives to the ROC.
10. Mr. Harder told me that he had submitted a letter to CFS-National in early November enclosing a set of proposed procedures for the Defederation Referendum and gave me a copy of his letter and the draft procedures (the "Draft Procedures"). A copy of the covering letter dated November 5, 2007 and Draft Procedures are attached as Exhibit "K" to Lucy Watson's Affidavit #1, sworn on May 26, 2008 ("the Watson Affidavit #1"). Amongst other things, the Draft Procedures included a process for resolving deadlocks that might develop within the ROC. I thought this was a good idea. Under the CFS Bylaws, the ROC was to be composed of two individuals appointed by the CFS and two appointed by the SFSS and I was concerned that there was no provision in the CFS Bylaws to resolve deadlocks that arose within the ROC.
11. Mr. Harder subsequently gave me a copy of the response he received to his letter from Amanda Aziz, National Chairperson of CFS-National, dated December 3, 2007, in which Ms. Aziz said that she had forwarded Mr. Harder's letter and proposal to the CFS representatives to the ROC, Ms. Lucy Watson, Director of Organising for the CFS, and Mr. Ben Lewis, National CFS Treasurer. A copy of that letter is attached as Exhibit "L" to Lucy Watson's Affidavit #1.
12. At some point early in 2008, I also received a copy of a letter that Mr. Harder sent Ms. Aziz dated January 10, 2008, indicating that Mr. Glennie and I had been appointed to the ROC and that he hoped that ROC would consider the Draft Procedures he had submitted with his previous letter. A copy of that letter is attached as Exhibit "B" to my Affidavit.
13. On January 22, 2008, Mr. Harder sent an email to me, Mr. Glennie, Ms. Watson, and Mr. Lewis introducing us to each other and putting us in contact with each other. A copy of his email is attached as Exhibit "C" to this Affidavit. Shortly thereafter, we scheduled an ROC meeting for

Tuesday, January 29, 2008. The meeting was to be by teleconference, as Ms. Watson and Mr. Lewis were not in Vancouver. On January 29, 2008 the Burnaby Mountain Campus of SFU was closed due to heavy snowfall and the meeting was rescheduled to February 4, 2008.

14. The ROC always met by teleconference, even though it is my understanding that the CFS representatives were in Vancouver for at least part of the time. The ROC met a total of ten times, on February 4, 11, 19, 25, 28, and March 3, 11, 12, 17, 28, 2008.
15. Some of the Minutes of the ROC meetings are attached as Exhibit "M" to the Watson Affidavit #1. Ms. Watson took the Minutes and the ROC approved all of the Minutes except those dated March 28, 2008. Although they are generally accurate concerning the matters they purport to report on, the Minutes do not reflect everything that went on at the meetings or the flavour of those meetings. The first set of Minutes shows the date of the meeting as February 3, 2008, which was a Sunday. This is incorrect. The first meeting was on Monday February 4, 2008. Minutes of the ROC meetings on February 25 and March 12 and 17, 2008, which were not attached to the Watson Affidavit #1, are attached as Exhibits "D" to this Affidavit.
16. I understood that in particular, my obligation as an appointee of the ROC was to work cooperatively with other ROC members to facilitate and supervise the Defederation Referendum and to develop procedures that were fair to both the CFS and SFSS and would help the Defederation Procedure to proceed efficiently and ensure that its results reflected the will of the SFU students who voted in it, one way or the other.
17. In response to the whole of Lucy Watson's Affidavit #1, Mr. Glennie and I attempted to make the ROC work and to fulfill our duties in a manner consistent with CFS Bylaw I(6). However, by the end of February 2008, it was apparent that the ROC was dysfunctional and would not be able to run the Defederation Referendum. As noted in paragraph 26 of Ms. Watson's Affidavit, the ROC had not even been able to reach agreement on any basic issues by the first day of polling such as the location of polling stations. In my view, the only way the Defederation Referendum could have proceeded in March 2008, or any other time in the spring of 2008, was for the IEC to step in and run it in conjunction with the elections and referenda scheduled for the same dates.

**B. Confidentiality**

18. In response to paragraphs 34 and 35 of Ms. Watson's Affidavit #1, we did not agree that discussions and deliberations would be kept confidential at the first meeting on February 4, 2008. Rather, as noted in the Minutes for that meeting, we agreed that Lucy Watson would keep Minutes of the meetings, which would be posted on the SFSS website and outside the SFSS office.
19. To the best of my recollection, the first time the issue of confidentiality was raised in the ROC was on February 25, 2008, after the SFU student newspaper, The Peak, published the article dated February 18, 2008 concerning the ROC, which is attached as Exhibit 'N' to the Watson Affidavit #1. I had been approached and interviewed by The Peak newspaper. I did not provide The Peak with a copy of the draft referendum questions referred to in that article or disclose any specific discussions or deliberations between ROC members. My comments were general and addressed the state of the ROC at that time. I did not see anything improper in my talking to The Peak since SFU students had a legitimate interest in the ROC.
20. In further response to paragraphs 34 through 37 of the Watson Affidavit #1, I was not aware that it was the CFS "custom and practise" to keep all discussions and deliberations of the ROC confidential or that the CFS considered the ROC meetings to be "in camera" until after the article was published in The Peak. There is no indication on the Minutes of the ROC meetings that they were held "in camera" and it was my understanding that the Minutes were intended for circulation.
21. In response to paragraph 37 of Watson Affidavit #1, when she raised the issue of confidentiality, I told her that I had discussed the ROC deliberations and issues with members of the SFSS Board of Directors and sought their views on certain issues. Ms. Watson agreed that it was appropriate that we discuss issues raised by the ROC with members of the SFSS Board, since they were the elected representatives of SFU students. Furthermore, it was clear to me from their comments that Ms. Watson and Mr. Lewis were having discussions with members of the CFS.

**C. Timing of the Defederation Referendum**

22. The most contentious area of disagreement within the ROC concerned the dates of the Defederation Referendum. In my view, the timing of the Defederation Referendum was not within the scope of the ROC's authority under the Bylaws and the ongoing debate concerning this issue diverted the ROC from fulfilling its proper responsibilities under Bylaw I (6)(f).
23. Although the CFS received notice of the dates of the Defederation Referendum in August 2007, they did not, to my knowledge, raise any objections to those dates until February 4, 2008.
24. At the February 4, 2008 ROC meeting, Ms. Watson and Mr. Lewis took the position that the Defederation Referendum could not be held on March 18-20, 2008 because the SFSS had not given proper notice, but did not state how the notice was defective. This was the first I had heard about any problems with notice and I agreed to look into it.
25. After the meeting, I consulted with Mr. Harder and other Executive members of the SFSS Board, who told me that notice of the dates of the Defederation Referendum had been given in accordance with the CFS By-laws. Mr. Harder showed me copies of the documents the SFSS had delivered to the CFS in August, 2007, which were the petition requesting a referendum ("the Petition"), a notarized notice document setting out the dates for the Defederation Referendum ("the Notice"), and the letter from the Registrar of SFU confirming that the persons who signed the Petition were students at SFU. I scanned and emailed the Notice to the other ROC members, informing them that it appeared that notice had been properly served. A copy of the documents I received and my email, dated February 4, 2008, are attached as Exhibit "E" to this Affidavit.
26. At the February 11, 2008 ROC meeting, Ms. Watson confirmed that the CFS had received the documents Mr. Harder sent them, including the Notice. However, she took the position that the dates of the Defederation Referendum had to be set out in the Petition itself, as opposed to the separate Notice we provided. This was the first time I heard of any such requirement. She stated that since the dates had not been included on the Petition, the Notice was invalid, and the ROC had the authority to set the dates. She further complained about the fact that the Defederation

31. Sometime around the end of February, 2008, Mr. Glennie and I were shown a copy of the letters from Gowlings' dated February 27 and 29, 2008, which are attached as Exhibit "X" to the Watson Affidavit #1, indicating that the CFS did not accept the legality of the upcoming Defederation Referendum. Nevertheless, the ROC continued to meet. Ms. Watson repeated on a number of occasions that the CFS was participating in the ROC and the Defederation Campaign on a "without prejudice" basis. As I understood their position, this meant that they would accept the results of the Defederation Referendum if they won and not accept them if they lost.
32. Although I had concluded, by the end of February 2008, that the ROC would not be willing or able to run the Defederation Referendum, I continued to attend the ROC and to encourage the CFS appointees to participate in the process.

**D. Draft Procedures**

33. During the first meeting on February 4, 2008, either Mr. Glennie or I asked Ms. Watson and Mr. Lewis if they were aware of the Draft Procedures Derrick Harder sent to Ms. Aziz in November 2007. Mr. Glennie and I had discussed those procedures, and felt that they would make a good starting point for the ROC process. Since Ms. Watson and Mr. Lewis indicated that they had not seen the Draft Procedures, we sent a copy to them by facsimile early in the meeting. They confirmed that they received the facsimile and would read it. We indicated that we were proposing, or would likely propose, many of the ideas suggested in that document.
34. At the same meeting on February 4, 2008, Mr. Glennie and I made certain proposals based on the Draft Procedures, including the following:
  - (a) We proposed that the question for the Defederation Referendum be that set out in the Draft Procedures, which was the question stated in the petition submitted to the CFS in August 2007 - "Do you wish to remain a member of the Canadian Federation of Students?"
  - (b) We proposed that the ROC should consider appointing an arbitrator to deal with disagreements that might arise. We noted that we were concerned that Bylaw I (6) did not provide any mechanism to address disagreements between ROC members.

Referendum had been scheduled at the same time as the SFSS elections. She suggested that the CFS would be satisfied if the Defederation Referendum was held on March 25-27, 2008, one week later than the date specified in the notice.

27. Mr. Glennie and I did not agree that the Notice was defective and did not agree that the ROC had the authority to change the dates of the Defederation Referendum. I stated that I was concerned that the ROC did not have the authority to move the dates and, in addition, that we would violate the six-month notice rule under Bylaw I (6) if we moved the dates. I was concerned that moving the dates could lead to the results of the Defederation Referendum being invalidated under I (6) (b) (v). The only way we could give six months notice of new dates, even if we had the authority to move the dates, would be to postpone the Defederation Referendum until the fall, which would not be fair to the students who signed the Petition.
28. At the February 28, 2008 ROC meeting, the CFS appointees took the position that the Defederation Referendum could not proceed on the scheduled dates because it could not be held at the same time as the SFSS general elections. While on February 11, 2008, Ms. Watson had complained about the two votes occurring simultaneously, I do not recall her or Mr. Lewis taking the position that doing so was a breach of the Bylaws or would invalidate the Defederation Referendum. Ms. Watson stated the CFS was concerned that SFU students would be "hypersensitive" to the issue of CFS membership on March 18-20, 2008 due to the campaigns waged by students during the SFSS general elections.
29. In response to paragraph 23 of the Watson Affidavit #1, Ms. Watson did not raise this issue on February 3 and 4, 2008. Furthermore, I do not recall Ms. Watson or Mr. Lewis indicating that the CFS was concerned that holding the two votes at the same time would cause confusion as to who was in charge.
30. To the best of my recollection, Ms. Glennie and I explained that we did not see anything in the CFS Bylaws prohibiting the Defederation Referendum from proceeding at the same time as the elections and, further, that we did not think the ROC had the authority to move the dates of the referendum or breach the six month notice rule.



35. Ms. Watson and Mr. Watson never agreed to the Draft Procedures, or provided us with a draft alternative procedure. Rather, the ROC attempted to deal with issues in a piecemeal fashion as they came up.
36. At the first meeting on February 4, 2008, Mr. Glennie and I also proposed that the ROC work with the IEC, since there would be an overlap with respect to some of the logistics of the Defederation Referendum and the SFSS elections. I did not think that cooperation between the ROC and IEC was inconsistent with or violated the CFS Bylaws or constituted an improper delegation of the ROC's authority. Bylaw I (6) (f) of the CFS Bylaws gave the ROC discretion to develop its own procedures. In my view, that could have included procedures for working with the IEC in respect to common logistical matters such as polling stations, poll clerks, printing ballots, and tallying results.
37. I informed Ms. Watson and Mr. Lewis that I had previously served on the IEC and had a good working knowledge of its processes. Ms. Watson requested that I write up a description of the IEC process for administering a vote, so that she and Mr. Lewis could review it and discuss our proposal. She did not, at that time, state that it was the CFS's position that the elections could not be held at the same time as the Defederation Referendum. On February 8, 2008, I emailed to Ms. Watson and Mr. Lewis, a description of how the IEC election process works. A copy of that email, dated February 8, 2008, is attached as Exhibit "F" to my Affidavit.
38. Neither Ms. Watson nor Mr. Lewis ever responded to my proposal. When the issue subsequently arose, they refused to consider working with the IEC.
39. On March 3, 2008, when it was clear that the ROC would not be able to run the Defederation Referendum on its own, I again encouraged the CFS representatives on the ROC to work with the IEC. The IEC had put procedures in place for the SFSS elections and other referendums, which the ROC could have used for the Defederation Referendum. I told Ms. Watson and Mr. Lewis that I thought it was our duty to ensure that the Defederation Referendum proceeded, as best as possible, with representation from both sides. I further indicated I had specific proposals as to how the ROC could work with the IEC. Ms. Watson and Mr. Lewis stated that allowing the IEC to play any role in the Defederation Referendum would constitute a breach of the CFS Bylaws and that they would not work with the IEC.

**E. The Referendum Question**

40. Paragraph 5 of the Draft Procedures Mr. Harder sent to Ms. Aziz in November 2007, proposed that the Defederation Referendum be that set out in the petition the SFSS delivered in August 2007. That question, which is attached as Exhibit "H" to the Watson Affidavit #1 was: "Do you wish to remain a member of the Canadian Federation of Students?"
41. Mr. Glennie and I proposed that question to the ROC at our first meeting on February 4, 2008. Ms. Watson and Mr. Lewis stated that they would get back to us. At the second ROC meeting on February 11, 2008, they stated that they were not in favour of our proposed question and instead proposed a two page question, the full text of which they circulated by email after that meeting. A copy of that question is attached as Exhibit "G" to this Affidavit (the "Two-Page Question").
42. Mr. Glennie and I discussed the Two-Page Question with each other and members of the SFSS Board and agreed it was unacceptable. It was long and confusing and did not address the fundamental question in issue in the Defederation Referendum, which was membership in the CFS. Indeed, it never mentioned the CFS. Instead, it asked SFU students if they wished to maintain formal relations with other student bodies, including the Simon Fraser Student Society, which made no sense to us. As I understood Ms. Watson's position in the meeting on February 11, 2008, the CFS did not want the question to refer to the CFS by name because they felt that SFU students had a negative impression of the CFS.
43. At the February 11, 2008 meeting, Mr. Glennie and I had proposed a third question - "Are you in favour of maintaining membership in the Canadian Federation of Students?" We understood that the CFS had already agreed to this question in the context of a referendum being conducted among the graduate students at the University of Victoria. A copy of the Minutes of the Victoria ROC Meeting, dated February 4, 2008, are attached as Exhibit "H" to my Affidavit.
44. At the next ROC meeting on February 19, 2008, after Mr. Glennie and I stated that we were opposed to the Two-Page Question, Ms. Watson and Mr. Lewis agreed to the wording that was being used for the Victoria referendum. That wording was used during the Defederation Referendum on March 18-20, 2008, and was one of the only significant issues the ROC was able to agree on.

posters at SFU and at transit stations promoting the benefits of membership in the CFS since the spring of 2007.

50. In paragraph 50 of the Watson Affidavit #1, Ms. Watson states that the CFS materials were not related to the Defederation Referendum. That was the position she took during ROC meetings. She drew a distinction between the "iamCFS" campaign, which she stated was only intended to inform students about the benefits they got from membership in the CFS, and the SFSS "I Want Out" materials which she said were aimed at influencing voters in the Defederation Referendum. Mr. Glennie and I indicated that we did not understand or agree with this distinction. In my view, the "iamCFS" campaign was promoting the benefits of CFS membership during the period leading up to the Defederation Referendum and was clearly aimed at convincing SFU students to vote in favour of continuing their membership in the CFS. The "I Want Out" campaign was aimed at informing students about the issues and expressing some of the reasons why some SFU students wanted to leave the CFS.
51. I cannot recall any other period during my time at SFU, which began in September 2002, when the CFS promoted its existence and services as heavily as it did in the months prior to March 2008. In my view, permitting the CFS to run a campaign promoting membership in its organization while preventing the SFSS from expressing a contrary view would have been unfair to both the SFSS and SFU students. Furthermore, there was no Bylaw prohibiting "pre-campaigning". Finally, I thought it was a bit late to impose such a rule, even if it were desirable, given that both sides had posters up prior to February 2008.
52. In response to paragraph 51 of the Watson Affidavit #1, it would have been impossible and undemocratic to try to prevent individual members of the SFSS, the CFS, or anyone else from voicing their views on the issue of Defederation on Facebook or any other medium of communication. For example, there were a couple of Facebook pages critical of the CFS other than the Facebook page referred to by Ms. Watson that had been set up by individuals who, to my knowledge, had no affiliation with the SFSS. In my view, it would not have been possible or proper for the ROC to attempt to interfere with those communications.

45. In response to paragraph 56 of Watson Affidavit #1, during Board meetings on February 20, and February 25, 2008, the SFSS Board of Directors voted to put a total of five questions to referendum votes in March, 2008 – the question relating to membership in the CFS, two questions relating to amendments to the SFSS by-laws, a question concerning a health and dental benefits plan for SFSS members, and a question concerning membership fees. The last question (the “Fees Question”) is cited at paragraph 56 of the Watson Affidavit #1.

**F. Campaign Period**

46. CFS Bylaw I(6)(c) states that there must be at least two weeks of campaigning immediately preceding voting. While the ROC discussed a campaign period and considered starting it on March 3, 2008, it never reached a final agreement on a date, largely because it never agreed upon the dates of the Defederation Referendum. However, the SFSS election campaign commenced on March 3, 2008 and both sides of the Defederation Referendum commenced their campaigning on or around March 3, 2008 as well.
47. On Friday, March 14, 2008, I sent an email to the other ROC members requesting that we discuss a date for the end of the campaign period at the ROC meeting scheduled for Monday, March 17, 2008. That was the day before polling was scheduled to commence and I thought we should decide whether to ask our respective sides to stop campaigning prior to the start of polling. A copy of that email dated March 14, 2008, is attached as Exhibit “T”.
48. In the ROC meeting on March 17, 2008, Ms. Watson indicated that the CFS intended to continue to campaign through the polling period.

**G. Pre-Campaigning**

49. In paragraphs 38-55 of her Affidavit, Ms. Watson complains about what she described in the ROC as “pre-campaigning” by the SFSS. I understand the term “pre-campaigning” to mean circulating materials and communications that promoted the SFSS position on defederation prior to the start of a campaign period to be designated by the ROC. When this issue came up in the ROC, Mr. Glennie and I indicated that we did not consider it a breach of any Bylaw or unfair for either side to express its views on the issue. We further noted that the CFS had been putting up

## **H. Logistics of the Vote**

53. In response to paragraph 26 of the Watson Affidavit #1, at the first ROC meeting on February 4, 2008, Mr. Glennie and I proposed that the polling stations be set up at the locations described in paragraph 26 of the Draft Procedures, which were the locations at the various campuses that had historically been used for SFSS referenda and elections. At the meeting on February 11, 2008, Ms. Watson indicated that those locations would likely be acceptable to the CFS, but that she would need to see them before deciding. She indicated she expected to be in Vancouver soon, and would be able to visit them. I offered to tour those locations with her, since I knew them well, an offer which she seemed to accept. However, Ms. Watson never contacted me to arrange a tour and the ROC never reached a decision concerning the location of polling stations.
54. The ROC was also unable to agree on a procedure for hiring poll clerks. The SFSS has a collective agreement with CUPE locals 3338 and 5396. CUPE takes the position that all poll clerks must be hired and employed according to the CUPE 5396 collective agreement with the SFSS. Accordingly, we proposed that the ROC hire and employ poll clerks in accordance with that agreement. We explained that the CFS appointees could reject employees they thought would be biased against them, since the process for hiring poll clerks always included the ability to reject candidates who were perceived to be biased. The CFS would not agree. As I understood it, they took the position that since this was a CFS referendum and not a SFSS one, the poll clerks had to be selected according to their process.
55. Sometime just prior to the commencement of polling, Ms. Wastson and Mr. Lewis proposed that half of the polls clerks be hired in accordance with the collective agreement and the other half be selected from amongst CFS volunteers. However, by that point, the poll clerks had already been hired and it was too late to discuss the proposal with CUPE.

**I. Approval of Campaign Materials**

56. As noted in the ROC Minutes for February 11, 2008, which are attached as Exhibit "M" of the Watson Affidavit #1, the ROC agreed to the following system for approving campaign materials by email ("the February 2008 Procedure")
- (a) The person submitting the materials would send them to a common email address that reached all members of the ROC.
  - (b) ROC members would review the materials and cast a vote to either approve or reject the materials. This vote would be cast by emailing it to the other members of the ROC.
  - (c) If a majority of "yes" votes were cast, then the materials would be approved. If not, then the materials would be rejected. The submitter would be notified of this result once it was reached.
  - (d) ROC members would have until 5:00 PM on the business day following the initial submission of the materials to cast their vote and respond to the submitter.
57. Paragraph 30 of the Watson Affidavit #1, only sets out part of the February 11, 2008 Procedure. As noted in the Minutes of February 11, 2008, the ROC also agreed that it would not engage in fact finding with respect to the truth or falsity of campaign materials unless there was a complaint, which referred to a complaint from individuals outside the ROC. Furthermore, we agreed that the ROC would provide its written approval or refusal by 5:00 P.M. on the business day after the campaign materials were submitted for approval.
58. The purpose of this procedure was to ensure that libellous, discriminatory and offensive materials were not posted, to provide persons with specific complaints any materials an avenue for objection, and to ensure that complaints were dealt with quickly and our responses provided to the applicants in a timely fashion. We did not agree that either the CFS or SFSS would have a blanket right to censor the other side's campaign materials on the grounds they did not think they were accurate. In my view, such an approach would have been both impractical and undemocratic.

59. On March 3, 2008, Garth Yule, an SFSS employee, submitted 14 items of campaign material in support of the "We Want Out" position. A copy of Mr. Yule's email is attached to this Affidavit as Exhibit "J". On March 4, 2008 Mr. Yule submitted further materials for approval by the ROC.
60. On March 4, 2008, Mr. Glennie and I each voted in favour of approving those materials. Ms. Watson declined to vote, saying that she wished to discuss the materials at a meeting. This concerned me, particularly because it was not consistent with the February 2008 Procedure, which required that we decide and respond by 5:00 PM on March 4, 2008. I asked if she felt any materials could be approved at that time. A copy of this chain of emails is attached as Exhibit "K" to this Affidavit.
61. At 9:34 PM on March 4, 2008, Ms. Watson replied by approving two of the 14 items, stating that she wished to discuss the remaining 12 items at a meeting of the ROC. A copy of this email is attached to this affidavit as Exhibit "L". The next regularly scheduled meeting of the ROC was set for 12:30 PM on Monday, March 10, 2008.
62. On March 4, 2008, Andrew Fergusson, an SFU student, sent in materials in support of the CFS position on March 5, 6, 10 and 17, 2008. I did not receive the materials forwarded on March 5 and 6, 2008 until March 7, 2008, through no fault of Mr. Fergusson.
63. The ROC tried to arrange a meeting prior to March 10, 2008 but was unable to schedule one. In response to paragraph 62 of the Watson Affidavit #1, we tried to arrange a meeting for Friday, March 7, 2008 but were unable to do so. From previous correspondence we were aware that Mr. Lewis was available that date and Mr. Glennie and I indicated that we would be available. Ms. Watson suggested meeting mid-morning but Mr. Glennie was not available due to prior commitments. We never heard back from Ms. Watson concerning her alternative availability. A copy of that string of emails is attached to my Affidavit as Exhibit "M".
64. On Monday, March 10, 2008, Mr. Glennie and I were available to meet by teleconference for our regularly scheduled ROC meeting. At or around 12:30 p.m., we contacted the conference call service Ms. Watson and Mr. Lewis had arranged but they had not yet called in. At or around

broadly censor SFSS materials they disagreed with was contrary to the spirit and letter of the February 2008 Procedure and was in some cases, absurd. Nevertheless, I discussed them with Mr. Yule the next day, March 18, 2008, the first day of polling.

70. Although the ROC did not get around to approving any campaign materials, with a few exceptions, both sides posted and distributed their materials in the two weeks prior to the vote. A copy of some of the CFS materials posted and distributed in the period leading up to the polling are attached as Exhibit 'N' to my Affidavit.

**J. The Role of the IEC**

71. As of late February 2008, Mr. Glennie and I concluded that the CFS did not want the Defederation Referendum to proceed and were not prepared to address the issues that needed to be addressed if it was to proceed. I came to this conclusion because I thought that a number of the positions the CFS appointees to the ROC had were unreasonable and, in my view, were intended to cause delay and divert the ROC from fulfilling its duties. In particular, I was concerned by the following:

- (a) The CFS's apparent refusal to respect their own Bylaws concerning notice.
- (b) Their failure to object to the dates of the Defederation Referendum in a timely fashion and failure to provide any principled reasons for their objection.
- (c) Their suggestion that we adopt the Two-Page Question, which they must have known was unacceptable.
- (d) Their absolute refusal to even discuss working with the IEC on logistical matters.
- (e) Their refusal to consider the suggestions the SFSS put forth in the Draft Procedures and, in particular, their apparent lack of interest in developing a procedure for resolving disagreements between the two sides to the ROC.

72. The ROC had made little concrete progress preparing for the Defederation Referendum and Mr. Glennie and I had no confidence that it could go ahead under the supervision of ROC.



12:40 p.m., the teleconference system disconnected us, indicating that we should call back when they were available.

65. Shortly before we called into the teleconference, Mr. Glennie and I were provided with a copy of letter from Gowlings to the SFSS dated March 10, 2008, complaining about the ROC's inability to approve campaign materials and blaming that failure on us. That letter, which is attached as Exhibit "BB" to the Watson Affidavit #1, concluded: "The CFS hopes that the Oversight Committee will be able to meet shortly in order to review and approve the CFS campaign materials."
66. After we were disconnected from the teleconference system, Mr. Glennie called either Mr. Lewis or Ms. Watson on their cellular telephones. Mr. Glennie informs me and I believe, that they indicated that they were not prepared to meet with us because they had just received a copy of the March 10, 2008 Gowlings Letter and wanted to consider it before they met with us.
67. We set up an ROC meeting for the following day, Tuesday, March 11, 2008. At this meeting we discussed the letter we received the previous day and discussed approval of the Referendum Material. The CFS appointees made it clear that the CFS was going to object to the truth of some of materials filed by the SFSS, which was not consistent with either the spirit or the terms of the February 2008 Procedure. We decided that if the CFS was going to proceed on the basis that they had the right to object to the SFSS materials they thought factually incorrect, we would do the same with respect to their material.
68. Since we did not have enough time on March 11, 2008 to discuss all the materials, we agreed to meet again on March 12, 2008. The minutes of the March 12, 2008 ROC meeting are attached to this Affidavit at Exhibit "D". At those meetings, Ms. Watson voiced objections to many of the materials submitted by the SFSS, but that she could not provide reasons for her objections at that time, but would send them to us them by email.
69. At 11:51 PM on Saturday, March 15, 2008, just over two days prior to the commencement of polling, Mr. Lewis sent an email attaching a list of their objections to the SFSS materials, a copy of which is attached as Exhibit "DD" to the Watson Affidavit #1. The ROC met on March 17, 2008 and at which time we discussed the CFS's objections. In my view, the CFS's attempt to

73. Our concerns were confirmed by the letters from Gowlings dated February 27 and 29, 2008.
74. I expressed our views to Mr. Harder. We agreed that since the ROC was apparently not able or willing run the referendum on March 18-20, the IEC could step in. It was already set up to run the elections and other referendum. While I had previously promoted the idea of the two bodies working together on common issues, the IEC only took over the Defederation Referendum process after it became apparent, in late February, 2008, that the ROC was unable to run the vote.
75. The ROC continued to meet and we continued to encourage the CFS appointees to participate. In addition, Mr. John ("J.J.") McCullough, Chair and Chief Commissioner of the IEC, invited the ROC to IEC meetings and encouraged them to participate as well.
76. For example, on March 4, 2008, Mr. McCullough sent an email inviting us meet with the IEC on March 6, 2008 to discuss common issues Ms. Watson sent a reply on March 5, 2008 stating that the CFS representatives would not attend the meeting. A copy of that chain of emails is attached as Exhibit "O" to my Affidavit.
77. On March 12, 2008, Mr. McCullough sent a further letter enclosing a letter he sent to Ms. Aziz dated March 11, 2008, copies of which is attached as Exhibit "P" to my Affidavit,, providing information on the polling process for March 18-20, 2008 and inviting and encouraging the CFS to send scrutineers to observe the polling and participate in counting of the referendum ballots on March 20, 2008. On or around March 18, 2008, I received a copy of a letter Mr. McCullough received in response from Gowlings indicating that they would not be participating. A copy of that letter is attached as Exhibit "Q" to my Affidavit.
78. On March 11, 2008, Ms. Watson and Mr. Lewis proposed that the ROC sit down with a mediator. Mr. Glennie and I reminded them that the SFSS has suggested an arbitrator in the Draft Procedures Mr. Harder sent the CFS in November, 2007 and that we had made the same proposal on February 4, 2008. Ms. Watson responded that they were not in favour of having an arbitrator who could make binding decisions. In our view it was too late for mediation or

arbitration, given that the campaign was already underway and the polling due to commence in seven days.

**K. Polling – March 18-20**

79. Although the CFS representatives to the ROC refused to participate, I talked to Mr. McCullough and we agreed that I would be involved in observing the operations on March 18-20, 2008, insofar as the Defederation Referendum was concerned.
80. The Defederation Referendum proceeded on March 18-20, 2008. As noted in Mr. Harder's Affidavit #1, the "No" side won, after 4,442 ballots were cast. This was a very high turnout for SFSS elections since, in my experience and from what I have been told, elections and referenda generally only attract around 1,500 voters.
81. I was present during most of the polling period and spent much of my time circulating through the polling stations. I am satisfied, based on my observations, that the campaign and polling processes were conducted properly and fairly and that the results of the Defederation Referendum reflected the democratic will of the SFU voters.

**L. March 28 ROC Meeting**

82. On March 24, 2008, I emailed the preliminary results to the other ROC members requesting that we meet to discuss approving the results. We scheduled a meeting for the morning of March 28, 2008. When the ROC met on March 28, 2008, we discussed a couple of preliminary issues and then turned to the results. Ms. Watson explained that while they were sure that Mr. Glennie and I understood their position, they would like to read a prepared statement "into the record", which we agreed to, and they then read that statement. The meeting then ended and the ROC has not met since.
83. On March 30, 2008, Ms. Watson circulated by email minutes of the March 28 meeting by email and they are attached as Exhibit "R" to my Affidavit. Since the ROC has not met since March 28, 2008, it has not formally approved them. To the best of my recollection, the description of

their statement as presented under section “Approval of Referendum Results” is accurate to that which we heard in the meeting:

We understand that the Society has taken the position that the vote held on March 18-20, 2008, constitutes a binding and effective referendum on membership in the Canadian Federation of Students.

It has been our position throughout this process that the vote on March 18-20 was conducted outside the jurisdiction and procedure of the Bylaws of the Canadian Federation of Students and the Referendum Oversight Committee. For this and other reasons (made known to the society and this Committee through discussion here and correspondence from counsel), this vote was not in accordance with the Bylaws and, accordingly, can not be and is not a valid or binding referendum.

We wish to make it clear that the CFS will not recognize the validity of the March 18-20 poll.

Certainly, we will not “approve” or recognize the vote results in any fashion.

Finally, we also wish to make it clear that we are committed to the process set out in the Canadian Federation of Students’ Bylaws and will continue to meet as a Committee in order to implement a referendum in accordance with the Bylaws, on continued membership in the Federation.

**M. Participation by Kamloops Students**

84. At paragraphs 77 and 78 of the Watson Affidavit #1, Ms. Watson states that no students at SFU’s “Kamloops campus” voted in the defederation referendum, since there was no polling station set up there.
85. Simon Fraser University does not have a physical campus in Kamloops, although it does offer a program in Kamloops. It is my understanding that polling stations have never been set up in Kamloops because it is far away from the Greater Vancouver area and there are only a small number of students served by the program. During my time on the IEC, no polling stations were ever set up in Kamloops for the events we oversaw, and to my knowledge, no such polling station has ever been set up in Kamloops for general SFSS elections or referenda.
86. However, this does not mean they did not have an opportunity to vote. SFU has other students who are not be able to vote at any of the campuses, distance-education students who study by mail or over the internet, students pursuing advanced qualifications in education who are also

employed full-time as school teachers at various locations throughout British Columbia, students attending SFU-organized "field schools" in other countries, and graduate and undergraduate students performing research at other locations. These students are invited to vote by mail. The SFSS Administrative Policy 19, which is attached as pp. 100-103 of Exhibit "C" to Ms. Watson's Affidavit #1 describes the process of voting by mail. The SFSS suggested a similar procedure in its SFSS Draft Procedures.

87. To the best of my knowledge, these procedures for allowing off-campus students to vote were followed by the IEC with respect to all of the elections and referenda of March, 2008, including the Defederation Referendum.

**N. Participation of SFU Graduate Students**

88. In addition to my service with the SFSS Board, I was also a Director of The Graduate Student Society at Simon Fraser University ("GSS"). I was appointed to this position upon incorporation of the GSS on July 26, 2007 and was elected to a second term on July 24, 2008. I served in that position until August 31, 2008.
89. I was one of the principal organizers and founders of the GSS, and I was the principal creator of its governance structure and the principal author of its constitution and bylaws. I also oversaw many of the aspects of its incorporation and the transfer of the responsibilities for representing SFU's graduate students from the SFSS to the GSS. I served as Chair of the GSS's Graduate Council, which is its highest-level governing body, from July 27, 2007 to April 30, 2008.
90. In the Watson Affidavit #1, Ms. Watson's assertion that the graduate students were no longer members of the SFSS at the time of the Defederation Referendum is incorrect. While the GSS was formed in 2007 and included all graduate students as members, those members did not cease to be members of the SFSS until May 1, 2008. A copy of the Minutes of the 2007 SFSS Annual General Meeting, dated October 10, 2007, indicating that the amendments to its Bylaws and Constitution removing graduate students as members would only be effective May 1, 2008 or September 1, 2008, at the Board's discretion, are attached as Exhibit "S" to my Affidavit. The Board subsequently agreed that the amendments would be effective as of May 1, 2008.

91. Prior to May 1, 2008, SFU graduate students were members of the GSS, SFSS and CFS. Furthermore, the graduate students had a direct interest in the outcome of the Defederation Referendum since it was unclear to us whether our split from the SFSS automatically ended our membership in the CFS. We were concerned that the CFS would take the position that it did not. I am informed by Clea Moray, the SFSS's Graduate Issues Officer at the time of the Defederation Referendum and current President of the GSS, and believe, that she had asked different individuals in the CFS their views on the issue but was told to wait until after the Defederation Referendum.
92. Attached to my Affidavit as Exhibit "T" is an article from the "Manitoba Online", dated November 9, 2005, indicating that graduate students at the University of Manitoba participated in a referendum concerning joining the CFS, even though they were already members of the CFS and, accordingly, the referendum was only concerned with whether the undergraduates should join.

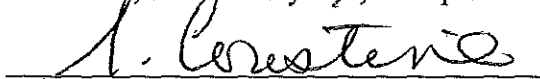
**O. Shamus Reid's Allegations**

93. In response to paragraph 3 of Shamus Reid's Affidavit, sworn June 23, 2008, I am not a SFSS staff person. I was a SFU student at the time of the Defederation Referendum. I was at the poll where Garth Yule was scrutinizing to discuss the CFS complaints concerning the SFSS campaign materials with him, as discussed above. I do not remember what conversation he had with the poll clerk but I know that he did not give her directions or otherwise say anything improper since I would have remembered if he had.
94. In response to paragraph 7 of Mr. Reid's Affidavit, it is my understanding that Hattie Aitken's son was hired as a poll clerk according to the regular procedures for hiring clerks.
95. In response to paragraph 9, of Mr. Reid's Affidavit, he is mistaken in his observations. Mr. McCullough and I personally oversaw the storage of the ballot boxes, which were stored in a secure location and no ballot boxes for the Defederation Referendum were stored or left in the SFSS office. Every day when the polling was done, the ballot boxes were returned to the IEC office where they were monitored either by myself or another IEC member. When all of the boxes were turned in, Mr. McCullough and I moved them to a secure storage area. Furthermore,

I never saw any ballot boxes that showed signs of being tampered with or that were otherwise compromised.

96. I swear this Affidavit in support of the SFSS petition for a Declaration that the Defederation Referendum of SFU students conducted on March 18-20, 2008, on the subject of membership in the CFS, is a valid and binding referendum and for no other purpose.

SWORN BEFORE ME at Vancouver, British Columbia, this 2nd day of <sup>June</sup> September 2008

  
A Commissioner for taking Affidavits  
for British Columbia. )  
)  
)  
)

  
Michael Letourneau

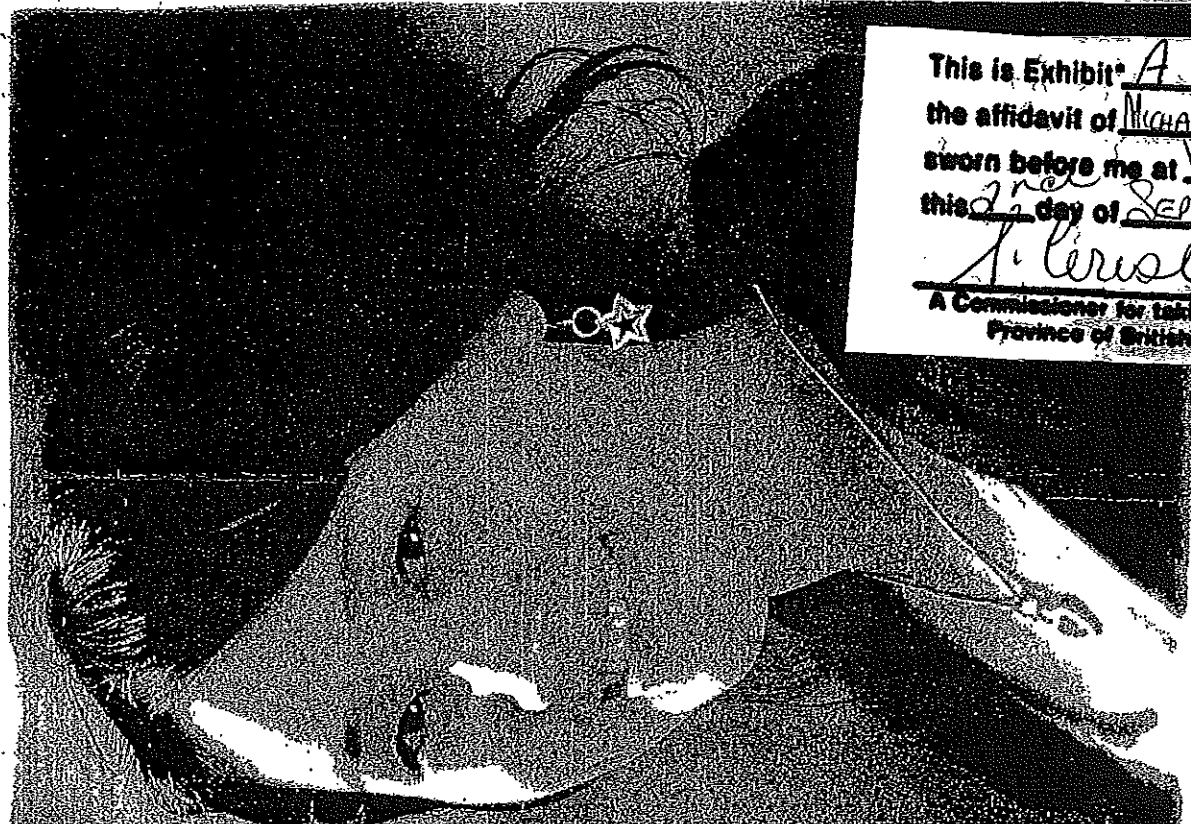
**CORISTINE WOODALL**  
*Barristers and Solicitors*  
660-220 Cambie Street  
Vancouver, B.C. V6B 2M9

# Membership gets results

- X 10,000 postcards signed
- X 1,000 handwritten letters
- X 75 meetings with gov't officials
- X 1 national student movement

Adult basic education  
**now free!**

**amcfs.ca**  
Canadian Federation of Students



000001  
This is Exhibit "A" referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 27<sup>th</sup> day of SEPTEMBER 2008  
A. Persele  
A Commissioner for taking Oaths in the  
Province of British Columbia

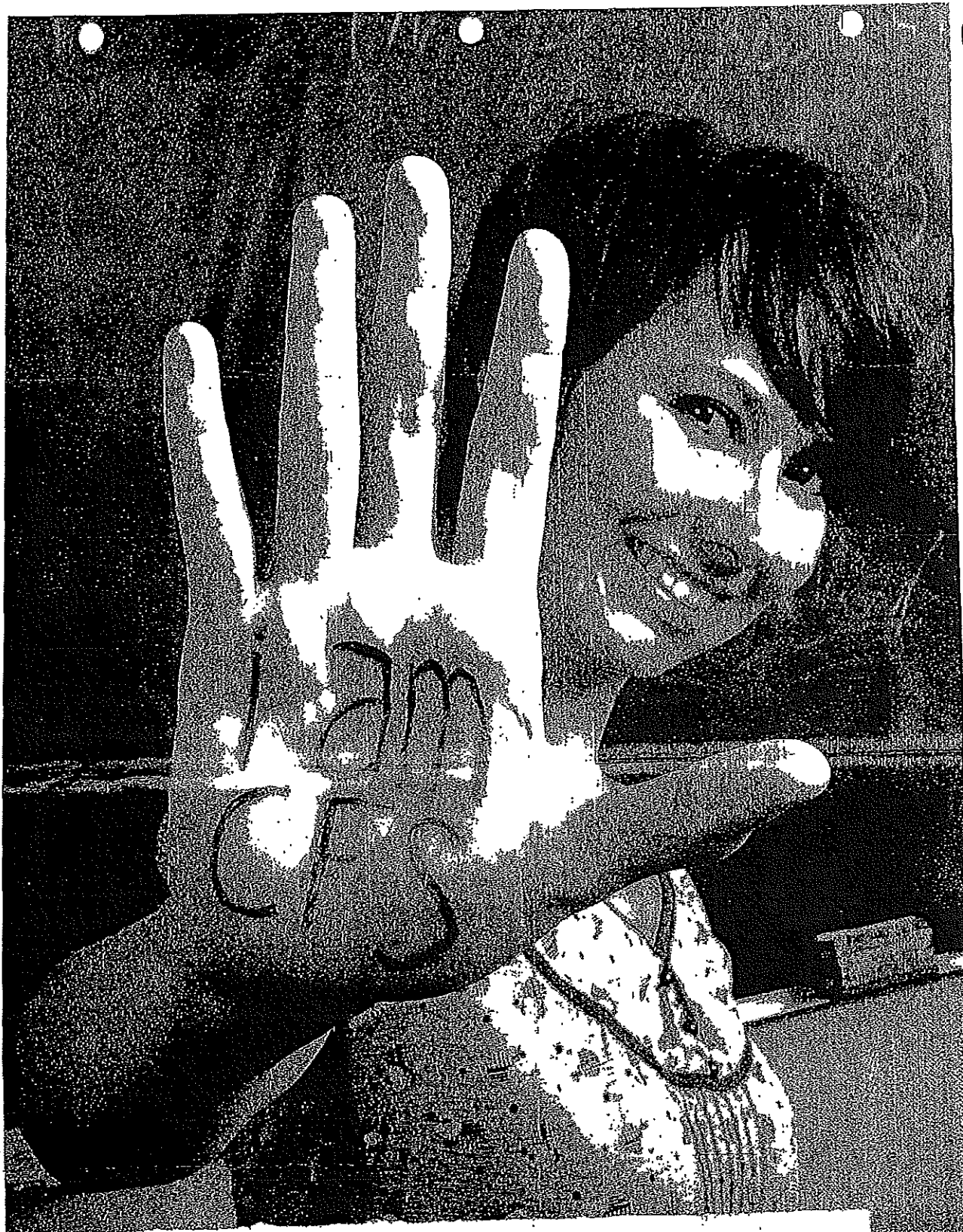




At my college, we're members of the  
**CANADIAN FEDERATION OF STUDENTS.**

We work together to increase  
post-secondary funding.

**iamcfs.ca**  
Canadian Federation of Students



At my university, we're members of the  
**CANADIAN FEDERATION OF STUDENTS.**

Together we have a voice on policies that  
affect us as students.

**iamcfs.ca**  
Canadian Federation of Students

simon fraser student society  
canadian federation of students local 23

mbc 2250, simon fraser university, 8888 university drive  
coast salish territory, burnaby, bc, v5a 1s6  
tel: 778.782.3870 fax: 778.782.5843  
[www.sfss.ca](http://www.sfss.ca)



January 10, 2008

To: Amanda Aziz, National Chairperson, Canadian Federation of Students.

I am happy to inform you that on January 9<sup>th</sup>, 2008, our Board of Directors appointed Mike Letourneau and Kyall Glennie as the Society's representatives to the Referendum Oversight Committee. Both Mike and Kyall are active members in good standing of the Society. As we do not have contact information for your representatives, and have not been contacted by them since their appointment, I trust that you will be able to forward this letter on to them. I will be happy to supply contact information for our representatives upon request.

It is my sincere hope that one of the first tasks of the Referendum Oversight Committee will be a thorough review of the draft procedures that we submitted to you in November. As I have stated previously, I believe that we both have a sincere interest in a referendum that is conducted transparently, efficiently, and fairly. The interests of our membership should be paramount through this process, and it is therefore incumbent upon us to develop as smooth and transparent a process as possible, that satisfies the relevant bylaws as well as the principles of democracy.

I trust that the Referendum Oversight Committee will manage to make contact and convene shortly. Again, we are concerned that discrepancies in procedure that are not resolved now could become problematic in the future; this would obviously not be in anyone's interests.

As ever, if you have any questions or concerns, please do not hesitate to contact me at 778.782.6564. I look forward to hearing back from you.

Sincerely,

Derrick Harder, President  
Simon Fraser Student Society

This is Exhibit 13 referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 2<sup>nd</sup> day of SEPTEMBER 2008

A. W. Rustin  
A Commissioner for taking Oaths in the  
Province of British Columbia

**Subject:** SFSS-CFS oversight committee

**From:** "derrick harder" <derrick.harder@gmail.com>

**Date:** Tue, 22 Jan 2008 17:00:04 -0800

**To:** treasurer@cfs-fcee.ca, organiser@cfs-fcee.ca, keg3@sfu.ca, "Michael Letourneau" <mletourn@cs.sfu.ca>

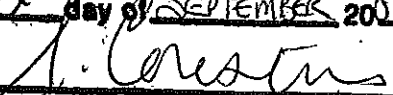
hi lucy, ben, kyall, mike;

as the four appointed members of the oversight committee for the simon fraser student society's upcoming referendum, i'd like to introduce you all to each other by way of this email. i trust that i can leave it to yourselves to organise an initial meeting.

feel free to contact me for any information or clarification.

cheers,  
derrick.

--  
derrick harder | president  
simon fraser student society | [www.sfss.ca](http://www.sfss.ca)  
[dharder@sfu.ca](mailto:dharder@sfu.ca) | w.778.782.6564 | c.778.908.0119

This is Exhibit C referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 2<sup>nd</sup> day of SEPTEMBER 2008  
  
A Commissioner for taking Oaths in the  
Province of British Columbia

## MINUTES

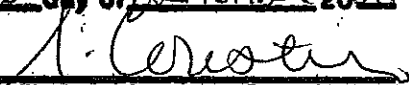
Referendum Oversight Committee □ Canadian Federation of Students  
Monday, February 25, 2008 • Teleconference

### COMMITTEE MEMBERS

Kyall Glennie	Simon Fraser Student Society Representative
Michael Letourneau	Simon Fraser Student Society Representative
Ben Lewis	Canadian Federation of Students' Representative
Lucy Watson	Canadian Federation of Students' Representative

### 1. APPROVAL OF MINUTES

The Committee approved the minutes of the February 11, 2008 and February 19, 2008 Oversight Committee meetings.

This is Exhibit "D" referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 2nd day of SEPTEMBER 2008  
  
A Commissioner for taking Oaths in the  
Province of British Columbia

# MINUTES

Referendum Oversight Committee o Canadian Federation of Students  
Wednesday, March 12, 2008 o Teleconference

## COMMITTEE MEMBERS

Kyall Glennie	Simon Fraser Student Society Representative
Michael Letourneau	Simon Fraser Student Society Representative
Ben Lewis	Canadian Federation of Students' Representative
Lucy Watson	Canadian Federation of Students' Representative

## 1. REVIEW OF MATERIALS

The Committee reviewed and approved the following referendum campaign materials:

"Vote yes" button

"Vote yes" poster: Let's Keep Canada's National Student Organization Strong (conditional upon approval of website)

"Vote yes" poster: Working Together for Higher Quality Education (conditional upon approval of website)

"Vote yes" poster: Working Together for Lower Student Debt (conditional upon approval of website)

"Vote yes" poster: Working Together for Lower Tuition Fees (conditional upon approval of website)

"Vote yes" poster: Working Together for Public Transit (conditional upon approval of website)

"Vote yes" poster: Working Together for More University Funding (conditional upon approval of website)

"Vote yes" leaflet: Benefits for International Students (conditional upon approval of website)

"Vote no" button: "I Want Out"

"Vote no" button: "We Want Out"

"Vote no" button: "Ask Me Why I Want Out of the CFS"

"Vote no" button: "Hey Ho Let's Go" (Chinese) (conditional upon approval of website)

"Vote no" button: "Defederation: Make it so" (Chinese) (conditional upon approval of website)

"Vote no" poster: "We're not Crazy" (conditional upon approval of website)

"Vote no" poster: "We Want Out of the CFS as Soon as Possible" (conditional upon approval of website)

"Vote no" poster: "I Want Out of the CFS Because There's a Better Way" (conditional upon approval of website)

"Vote no" poster: We Want Out of the CFS because They Don't Know How to Party" (conditional upon approval of website)

"Vote no" poster: "I Want Out of the CFS because I Like this School" (conditional upon approval of website)

## MINUTES

Referendum Oversight Committee • Canadian Federation of Students  
Monday, March 17, 2008 • Teleconference

### COMMITTEE MEMBERS

Kyall Glennie	Simon Fraser Student Society Representative
Michael Letourneau	Simon Fraser Student Society Representative
Ben Lewis	Canadian Federation of Students' Representative
Lucy Watson	Canadian Federation of Students' Representative

#### 1. APPROVAL OF MINUTES

The Committee postponed the approval of the minutes of the March 11, 2008 Oversight Committee meeting.

#### 2. DISCUSSION OF REFERENDUM PROTOCOL

##### Complaints--Decision:

All alleged violations of the Bylaws or referendum rules shall be investigated and ruled upon by the Oversight Committee.

The complaint must include the following:

- the specific Bylaw or referendum rule that is alleged to have been violated;
- the specific campaign or individual that is alleged to be in violation;
- the specific facts which constitute the alleged violation;
- the evidence of these facts; and
- the name and contact information including e-mail address and telephone number for the complainant.

No complaint will be considered by the Oversight Committee unless it is submitted to the [cfs.sfss.roc@gmail.com](mailto:cfs.sfss.roc@gmail.com) email address and is received within 24 hours of the alleged violation.

Where a complaint is received and found to be complete, the Oversight Committee shall investigate the facts and shall, within 24 hours, either dismiss the complaint or schedule a meeting of the Committee where the complaint will be heard. Such a meeting will be scheduled within one week, and the Committee shall schedule it so that both the complainant and the alleged violator(s) may make representations. If a hearing is scheduled, a complete copy of the violation report shall be sent to the alleged violator, along with any specific information the Committee may require from them.

#### 3. REVIEW OF COMPLAINTS AND QUESTIONS

The Committee reviewed complaints and questions submitted to the Committee.

#### 4. REVIEW OF MATERIALS

The Committee reviewed referendum campaign materials.

**Subject:** Notice of SFU referendum dates

**From:** Michael Letourneau <mletourn@cs.sfu.ca>

**Date:** Mon, 4 Feb 2008 16:18:54 -0800 (PST)

**To:** Ben Lewis <treasurer@cfs-fcee.ca>, Kyall Glennie <keg3@sfu.ca>, organiser@cfs-fcee.ca

Hi folks.

I brought up the issue of notice of the dates for the referendum with the SFSS execs today. They were of the opinion that notice was given at the time the petition was sent in to the Federation.

After hearing this I went to the SFSS finance office together with Derrick Harder and Adam Lein (our treasurer). Stored in there (under lock and key) is sealed envelope containing the entire, original contents of the SFSS's petition submission to the Federation. We consulted the contents of that envelope and noted the following as being in there:

- The covering letter on that submission was dated August 24, 2007
- A notarized notice document, dated August 21, 2007, outlining the dates and times of voting as March 18, 19, and 20, between 9:30 AM and 7:30 PM

I have scanned that notice document and attached it here as a PDF.

According to our execs, copies of everything in that envelope were sent in the submission that was sent in to the Federation.

Based on this, it seems to me that proper notice of the dates and times was given.

If more discussion is necessary on this, we can have it at next Monday's meeting. If there's any more information I can provide on it, please let me know.

- Mike

notice\_document.pdf Content-Type: APPLICATION/pdf  
Content-Encoding: BASE64

This is Exhibit E referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at Vancouver  
this 2nd day of SEPTEMBER 2008  
[Signature]  
A Commissioner for taking Oaths in the  
Province of British Columbia





## STUDENT SERVICES

Kate Ross  
Registrar & Senior Director  
Student Enrollment  
Simon Fraser University

August 24, 2007

MBC 3106  
8888 University Drive  
Simon Fraser University  
Burnaby, BC V5A 1S6  
Canada  
tel 778-782-4176  
fax 778-782-5732  
kuross@sfu.ca

Canadian Federation of Students  
170 Metcalfe St., Suite 500  
Ottawa, Ontario  
K2P 1P3

Attention: Amanda Aziz, National Chairperson

Dear Amanda:

This letter confirms that, on August 16 and 20; I verified a petition which contained 2738 valid signatures of SFU students. The official headcount for 2006/07 was 25,009 and the projected headcount for 2007/08 is 25,900. Given these numbers, the valid signatures represent over 10.57% of registered Simon Fraser University students.

Yours truly,

A handwritten signature in black ink, appearing to read "Kate Ross", is positioned above the printed name and title.

Kate Ross, Registrar & Senior Director  
Student Enrollment

simon fraser student society  
canadian federation of students local 23

mbc 2250, simon fraser university, 8888 university drive  
coast salish territory, burnaby, bc, v5a 1s6  
tel: 778.782.3870 fax: 778.782.5843  
[www.sfss.ca](http://www.sfss.ca)



August 24, 2007

To: Amanda Aziz, Chairperson, Canadian Federation of Students.

Please find attached notice of our intent to hold a referendum on defederation in March of 2008.

In addition, we have included a copy of a petition bearing the signatures of over 10% of our membership, as well as a letter from Kate Ross, Registrar at Simon Fraser University, certifying that the signatories to the petition are registered students at SFU and therefore eligible to sign. The original copy of the petition is available for inspection upon request.

If you have any questions or concerns, please do not hesitate to contact me at 778.782.6564 (please note the new number).

Sincerely,

Derrick Harder, President  
Simon Fraser Student Society

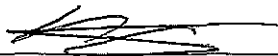
cc. Shamus Reid, Chairperson, Canadian Federation of Students, BC Component

## NOTICE

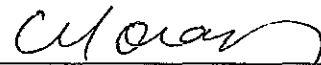
### SFSS Defederation Referendum

This is official Notice that the SFSS will be holding a referendum to determine whether SFSS members wish to defederate from the CFS. The SFSS is also delivering a Petition to the CFS, signed by over 10% of its members, asking for the referendum.

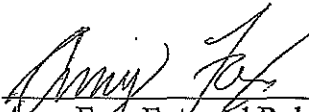
The vote will take place on 18, 19 and 20 March 2008, between 9:30 a.m. and 7:30 p.m.



Derrick Harder, President  
Simon Fraser Student Society



Clea Moray, At-Large-Representative  
Simon Fraser Student Society



Amy Fox, External Relations Officer  
Simon Fraser Student Society

This Notice was signed on 21 August 2007 in  
Vancouver, British Columbia, in the presence of a  
Notary Public



Notary Public

**SUSAN M. CORISTINE  
CORISTINE WOODALL**  
*Barristers and Solicitors*  
660-220 Cambie Street  
Vancouver, B.C. V6B 2M9

# PETITION

We the undersigned students of Simon Fraser University and members of the Simon Fraser Student Society are requesting that a Referendum be held at Simon Fraser University to consider the following questions:

1. Do you wish to remain a member of the Canadian Federation of Students?

2. If the Simon Fraser Student Society ceases to be a member of the Canadian Federation of Students, do you agree that the former CFS semesterly membership fees of \$7.62 per full-time student, or \$3.81 per part-time student, should be redirected into a Society Development Fund? This will result in no overall fee increase for students.

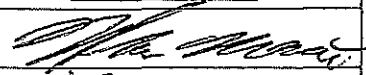

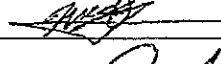
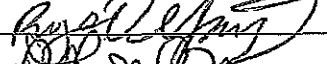
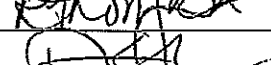








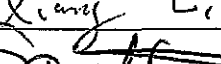
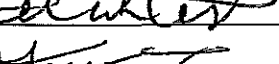
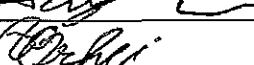
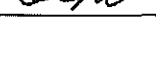
	<u>NAME</u>	<u>STUDENT NUMBER</u>	<u>SIGNATURE</u>
✓	Kevin Harding	301022747	Kevin Harding
✓	Joseph Paling	301031648	Joseph Paling
✓	Bryan Ottho	200108250	Bryan Ottho
✓	PHIL BOUTROS	301050395	Phil Boutros
✓	Sasha Fox	200063151	Sasha Fox
✓	Paul McCulloch	301059816	Paul McCulloch
✓	Eunuch Fernando	301044419	Eunuch Fernando
✓	Priya Cherdensing	301040097	P. Cherdensing
✓	Jasah Wong	200105814	jwa18@sfu.ca
✓	Marcus Pehy	301031067	Marcus Pehy
✓	Chris Sandue	200090172	Chris Sandue
✓	Natalie Bocking	301047502	Natalie Bocking
✓	Karen Tsai	200136534	Karen Tsai
✓	Lindsay Hinrichsen	301013127	Lindsay Hinrichsen
✓	Neil Canuel	953014975	Neil Canuel
✓	Christy Jung	200137850	Christy Jung
x	Steve Chia	301059490	Steve Chia
✓	Anna Belkue	200015421	Anna Belkue

# PETITION

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1. Do you wish to remain a member of the Canadian Federation of Students?

2. If the Simon Fraser Student Society ceases to be a member of the Canadian Federation of Students, do you agree that the former CFS semesterly membership fees of \$7.62 per full-time student, or \$3.81 per part-time student, should be redirected into a Society Development Fund? This will result in no overall fee increase for students.

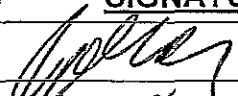
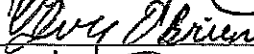

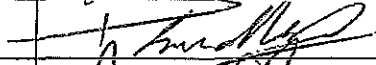
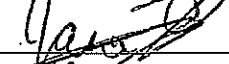
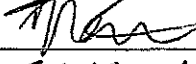
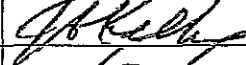


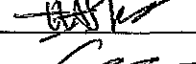
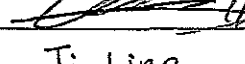

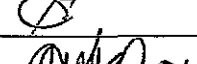
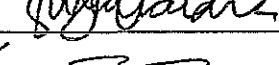
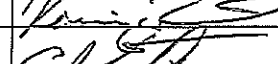
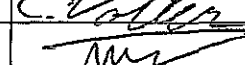
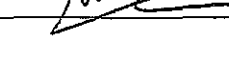
	<u>NAME</u>	<u>STUDENT NUMBER</u>	<u>SIGNATURE</u>
✓	Tyler Masse	200104239	
✓	Jeanne Kong	20011845	
✓	William Kim	301004097	
✓	Roger Yang	301048067	
✓	Robyn Thomson	301056800	
✓	Dina Chan	301042634	
✓	Jacob Post	301033025	
	<del>XXXXXXXXXX</del>	<del>XXXXXXXXXX</del>	<del>XXXXXXXXXX</del>
✓	Amanda van Boarsen	200121952	
✓	Glyn Lewis	200075320	
✓	Halimah Basrael	200122800	
✓	Jason Kwong	200093363	
✓	Keli Liang	301053714	
✓	Tie Gu	301046059	
✓	Li Xiang	301054384	
✓	Sarah Leslie	301074105	
✓	Harry Tsou	301040969	
✓	Andrei Orhei	301061763	

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<u>NAME</u>	<u>STUDENT NUMBER</u>	<u>SIGNATURE</u>
✓ Sack Bates	200052872	
✓ Zuy Obrien	301074797	
✓ Dami Olarewaju	301009913	
✓ Patrick Larnier-Woods	301012209	
✓ Jason Chan	301018099	
✓ Nan Aftab	2001051	
✓ Allan Kelly	773030424	
✓ Wisnu Aditya	301050473	
✓ Hank Song	301021771	
✓ Yukie Seztu	301038331	
✓ Leon Li	301032856	
✓ Jessica Ji	301063136	Ji Ling
✓ Raven Sawyer	200079332	
✓ Evan Bleker	301011141	
✓ Shyla Chandra	301046075	
✓ Veronique Vaehon	301016181	
✓ Carrie-An Voller	200070597	
✓ Shawn Ten	301039884	

**Subject:** Background overview -- SFSS election/referendum procedures

**From:** Michael Letourneau <mletourn@cs.sfu.ca>

**Date:** Fri, 8 Feb 2008 21:34:42 -0800 (PST)

**To:** Ben Lewis <treasurer@cfs-fcee.ca>, Kyall Glennie <keg3@sfu.ca>, *John*

This is Exhibit "F" referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 12th day of SEPTEMBER, 2008  
*John*  
A Commissioner for taking Oaths in the  
Province of British Columbia

Hi folks.

At our meeting on Monday, I mentioned that I would send out an overview of how the SFSS election/referendum process works, and here it is. Sorry for the delay in getting it sent out -- time has been at a real premium for me this week.

#### Independent Election Commission

SFSS elections are overseen by an Independent Electoral Commission (IEC). This body is provided for by the SFSS by-laws, consists of five members, and its members cannot be in elected office and are prohibited for running for office. The IEC is headed by a Chief Commissioner (CC), and normally has staff support provided to it by the SFSS. They meet regularly during election periods to administer the election process. Traditionally, the IEC members are not involved in referendum campaigns -- this is seen as practically the same as being a candidate for office. Their duties are set out in the SFSS's by-laws, supplemented by formal policy set by the SFSS Board. The IEC has a small office within the SFSS space that they alone have keys to, and this is used for secure storage of all ballots, both before and after polling.

When an election is called, the IEC convenes to review the process and sets timelines. They post notices and inform the student body of the election process, nominations procedures, polling dates and locations, et c. (The IEC also manages the nominations process, but I shall not describe this in detail, as it's unrelated to referendum procedures.) They meet (generally weekly) to review the process and to hear complaints.

#### Logistics

The IEC also manages the logistics of voting day. This includes issues from ballot design/printing to polling stations operations to voter registration. Ballot design and printing is done in conjunction with the SFSS's printing service. Voting stations are set up in conjunction with the various room booking services throughout the SFU campuses. Voter registration is managed by a secure, online computer database that only the IEC has access to. The student data in that list is provided to the IEC by the University's Registrar's office, which, for reasons of privacy, will only disclose it to the IEC to be used for electoral purposes. The computer system verifies that the student is on the voter's list, and logs when and where each voter votes, ensuring that each voter votes only once. (Voters demonstrate their identity by presenting their student card.)

Polling stations are staffed by poll clerks hired according to the SFSS's collective agreement with CUPE Local 5396. SFSS hiring is normally done jointly, with equal representation from the Union and the Society. For poll clerks, this usually means the CC and the IEC's staff support person jointly interviewing candidates on a single day of hiring that is advertised to all SFU students in general. The IEC trains the poll clerks on how to run their polling stations, how to operate the database, how to keep the ballots secure, et c. On the voting days, the IEC members set up and take down the polling stations, and supervise the operations at the stations, remaining on call to deal with issues that arise and/or supplement the polling station crews. (By the SFSS by-laws, they IEC is in charge of managing polling stations.)

In the recent past, the IEC has used "Scantron" ballots. These are printed ballots read by "optical scan reader" -- these are the fill-in-the-bubble forms commonly used for standardized tests. The ballot forms are preprinted on blank forms purchased from the supplier (NCS Pearson). Each voter then fills in the appropriate bubble beside their choice(s) -- for an election, a candidate's name; for a referendum "yes" or "no". These ballots are then taken to the ARES facility at the University of British Columbia, where they are scanned using a high-speed, automated scanner. (ARES specializes in survey design and implementation, and their facility mainly processes standardized test submissions.)

Their scanner captures an "image" of each ballot, labeling each with a serial number, and flagging each problematic ballot for further inspection. This information is then collected in a spreadsheet, reviewed for incorrect ballots (i.e. too many/few choices selected, wrong "bubbles" filled-in, et c.), and then tabulated. This system has the advantage of being both much faster than manual counting, as well as highly accurate -- the scanning equipment is designed for both speed and accuracy, and is maintained by a dedicated technician who works at ARES.

This is a pretty good high-level review of how the SFSS manages elections. If anyone sees any areas where they'd like more information, please let me know so I can provide details before we meet.

- Mike Letourneau



Proposed question

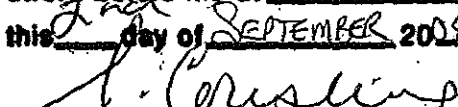
018

**Subject:** Proposed question  
**From:** organiser@cfs-fcee.ca  
**Date:** Mon, 11 Feb 2008 22:12:20 -0500  
**To:** Michael Letourneau <mletourn@cs.sfu.ca>, Kyall Glennie <keg3@sfu.ca>, Ben Lewis <treasurer@cfs-fcee.ca>

As discussed at our meeting earlier today.

Lucy

Ref-23-2008-Proposed Question.pdf Content-Type: application/pdf  
Content-Encoding: base64

This is Exhibit G referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 2nd day of SEPTEMBER 2008  
  
A Commissioner for taking Oaths in the  
Province of British Columbia

## **PROPOSED REFERENDUM QUESTION**

**Referendum Oversight Committee**

**2008/02/11**

**Are you in favour of maintaining formal relations with the students who are members of the following students' unions:**

University of British Columbia Students' Union-Okanagan  
 Camosun College Student Society  
 Capilano Students' Union  
 Downtown (City Centre) Campus Students' Union  
 Douglas Students' Union  
 Emily Carr Students' Union  
 Broadway (King Edward) Campus Students' Union  
 Malaspina Students' Union  
 College of New Caledonia Students' Union  
 North Island Students' Union  
 Northwest Community College Students' Association  
 Okanagan College Students' Union  
 College of the Rockies Students' Union  
 Selkirk Students' Association  
 Simon Fraser Student Society  
 Thompson Rivers University Students' Union  
 University of Victoria Graduate Students' Society  
 University of Victoria Students' Society  
 Alberta College of Art and Design Students' Association  
 University of Calgary Graduate Students' Association  
 First Nations University of Canada Students Association  
 University of Regina Students' Union  
 University of Saskatchewan Graduate Students' Association  
 University of Saskatchewan Students' Union  
 Brandon University Students' Union  
 University of Manitoba Graduate Students' Association  
 University of Manitoba Students' Union  
 Association étudiante du Collège universitaire de Saint-Boniface  
 University of Winnipeg Students' Association  
 Algoma University Students' Association  
 Atkinson Students' Association  
 Brock University Graduate Students' Association  
 Carleton University Graduate Students' Association  
 Carleton University Students' Association  
 Association étudiante de La Cité collégiale  
 Student Association of George Brown College  
 Glendon College Students' Union / Association des étudiants du Collège  
 Glendon  
 University of Guelph Central Student Association  
 University of Guelph Graduate Students' Association  
 Lakehead University Student Union  
 Laurentian Association of Mature and Part-Time Students  
 Laurentian University Graduate Students' Association

Laurentian University Students' General Association  
 Association des étudiantes et étudiants francophones de l'Université  
 Laurentienne  
 McMaster Graduate Students' Association  
 Nipissing University Student Union  
 Ontario College of Art and Design Student Union  
 University of Ottawa Graduate Students' Association des étudiant(e)s  
 diplômé(e)s de l'Université d'Ottawa  
 Queen's University Society of Graduate and Professional Students  
 Continuing Education Students' Association of Ryerson  
 Ryerson Students' Union  
 Saint Paul University Students' Association  
 Scarborough Campus Students' Union  
 LUniversity of Toronto Graduate Students' Union  
 Association of Part-Time Undergraduate Students of the University of Toronto  
 University of Toronto Students' Union  
 Trent Central Student Association  
 Trent University Graduate Students' Association  
 University of Western Ontario Society of Graduate Students  
 Wilfrid Laurier University Graduate Students' Association  
 University of Windsor Graduate Student Society  
 University of Windsor Students' Alliance  
 University of Windsor Organization of Part-time University Students  
 York Federation of Students  
 York University Graduate Students' Association  
 Concordia Student Union  
 Concordia University Graduate Students' Association  
 Dawson Student Union  
 Post-Graduate Students' Society of McGill University  
 University of New Brunswick Graduate Students' Association  
 Holland College Student Union  
 University of Prince Edward Island Graduate Student Association  
 University of Prince Edward Island Student Union  
 Cape Breton University Students' Union  
 Dalhousie Association of Graduate Students  
 University of King's College Students' Union  
 Mount Saint Vincent University Students' Union  
 Student Union of NSCAD University  
 Association générale des étudiants de l'Université Sainte-Anne  
 Newfoundland and Labrador / Terre-Neuve et Labrador  
 Grenfell College Student Union  
 Marine Institute Students' Union  
 Graduate Students' Union of the Memorial University of Newfoundland  
 Memorial University of Newfoundland Students' Union  
 College of the North Atlantic Students' Union

**Yes OR No**

# MINUTES

Referendum Oversight Committee • Canadian Federation of Students  
Monday, February 4, 2008 • Teleconference

## COMMITTEE MEMBERS

Nicole O'Byrne University of Victoria Graduate Students' Society Representative  
Takuto Shiota University of Victoria Graduate Students' Society Representative  
Ben Lewis Canadian Federation of Students' Representative  
Lucy Watson Canadian Federation of Students' Representative

## CONTACT INFORMATION

cfs.gss.roc@gmail.com

This is Exhibit "H" referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 2nd day of SEPTEMBER 2008  
[Signature]  
A Commissioner for taking Oaths in the  
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## 1. COMMITTEE MEETING MINUTES

The minutes of the January 24, 2008 Oversight Committee meeting were approved.

## 2. DISCUSSION OF REFERENDUM PROTOCOL

### Question—Decision:

"Are you in favour of maintaining membership in the Canadian Federation of Students?"  
Yes OR No

### Polling Stations—Decisions:

Two (2) on-campus polling stations will be established: main hall of the University Centre and foyer of the Library.

### Campaign Materials—Decisions:

Campaign teams must submit proposed campaign materials in digital format to the Committee for approval.  
The Committee will approve or reject proposed campaign materials within three (3) days of submission.  
All campaign materials must be removed by 17:00 Friday, March 21, 2008.

### Complaints—Decisions:

All complaints alleging violations of the referendum protocol must be submitted in to the Committee in writing and include the following: the specific facts which constitute the alleged violation, the evidence of these facts and the name and contact information including email address and telephone number of the complainant.

The Committee will provide a response to complaints within seven (7) days of the submission of said complaint.

### Voting Procedure—Decisions:

The voter must present a University of Victoria student card. In addition, the most current University registration data shall be used to verify student status.

Both poll clerks shall sign the back of the ballot before providing it to the voter.

### Electorate—Decisions:

Quorum shall be five percent (5%).

The result of the referendum shall be determined by a 50 percent plus one majority of the votes cast.

### Ballot Counting—Decisions:

The ballots shall be counted immediately following the conclusion of voting.

The "yes" and "no" sides shall each appoint one scrutineer to observe the counting procedure.

Where the mark clearly indicates a preference, as determined by the Committee, the ballot shall be deemed valid and counted.

**AGENDA – PAGE 2**

Referendum Oversight Committee • Canadian Federation of Students  
Monday, February 4, 2008 • Teleconference

**Campaign (General)—Decisions:**

The Committee shall destroy any and all lists submitted by campaign teams that include the names and/or contact information for campaigners following the referendum.

**Subject:** Item for Monday

**From:** Michael Letourneau <mletourn@cs.sfu.ca>

**Date:** Fri, 14 Mar 2008 18:13:44 -0700 (PDT)

**To:** Ben Lewis <treasurer@cfs-fcee.ca>, Kyall Glennie <keg3@sfu.ca>, organiser@cfs-fcee.ca

Hi folks.

Events today have led me to believe that we should address one particular issue at Monday's meeting.

The issue is when the campaign period for the referendum ends. To my mind, it should either at the end of the day on the 17th (Monday), or at the end of the day on the 20th (Thursday).

Since the issue is timely, I'm hoping that we can all think about this over the weekend and then discuss it and resolve it at our meeting on Monday (which would still give us time to get the word out if we went for Monday).

- Mike

This is Exhibit I referred to in  
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sworn before me at VANCOUVER  
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[Signature]  
A Commissioner for taking Oaths in the  
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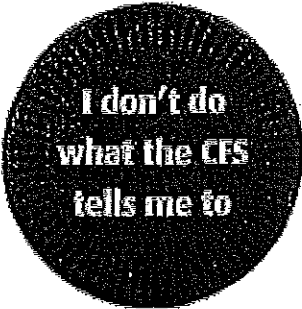
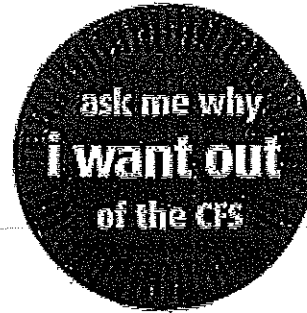
campaign materials for approval

mailbox:///C:/Documents%20and%20Settings/Mike/Application%20Dat...

**Subject:** campaign materials for approval  
**From:** Garth Yule <communications@sfss.ca>  
**Date:** Mon, 3 Mar 2008 12:13:51 -0800  
**To:** cfs.sfss.roc@gmail.com, elections@sfss.ca

Hi there,

here is a ream of campaign materials for your consideration.



This is Exhibit J referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 2nd day of SEPTEMBER 2008  
[Signature]  
A Commissioner for taking Oaths in the  
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# Compare and Contrast:

## United Federation of Planets



Voluntary council representing many planets in the galaxy

Progressed beyond the need for money

Helps people travel at warp speed

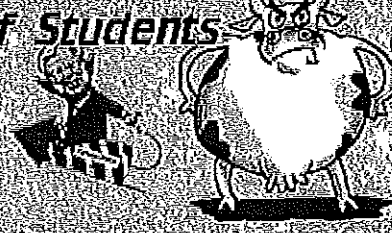
Strives for peaceful cooperation

Values innovation, democracy and honesty

Has Patrick Stewart and is therefore dead sexy



## Canadian Federation of Students



Ontario-centered bureaucracy that won't let you leave

\$430,000 a year in fees, plus extra for services, plus more to participate in CFS campaigns and conferences

Stalls out students' attempts to affect change

Throws lawyers at student journalists; refuses to work with other student groups; can't deal with constructive criticism

Prefers conformity, obedience and yesmanship

Does not even have William Shatner



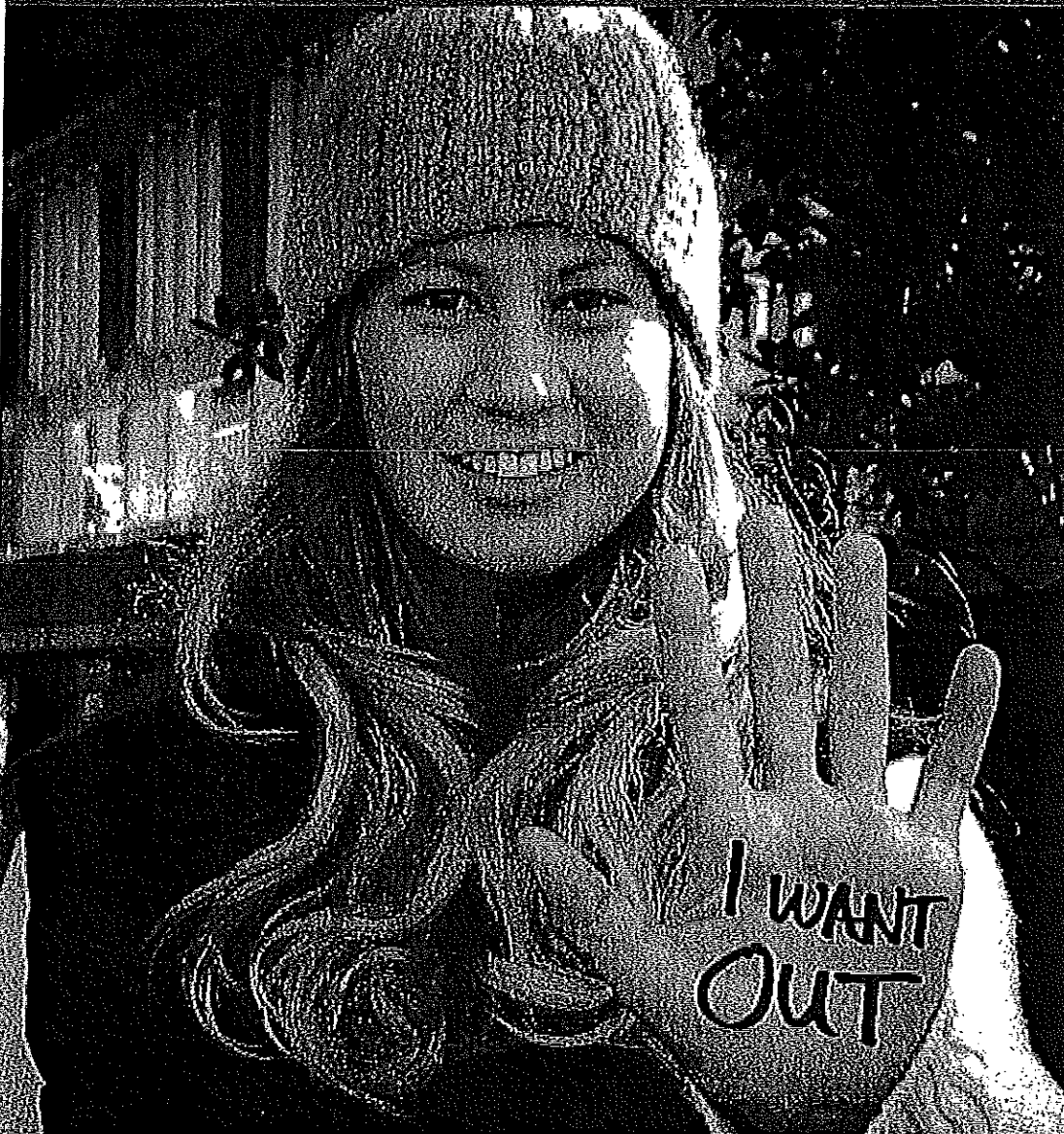
**Defederation: Make it so!**  
[www.sfss.ca/newantout](http://www.sfss.ca/newantout)



campaign materials for approval

mailbox:///C:/Documents%20and%20Settings/Mike/Application%20Dat...

**www.wewantout.ca**  
A message from the Simon Fraser Student Society



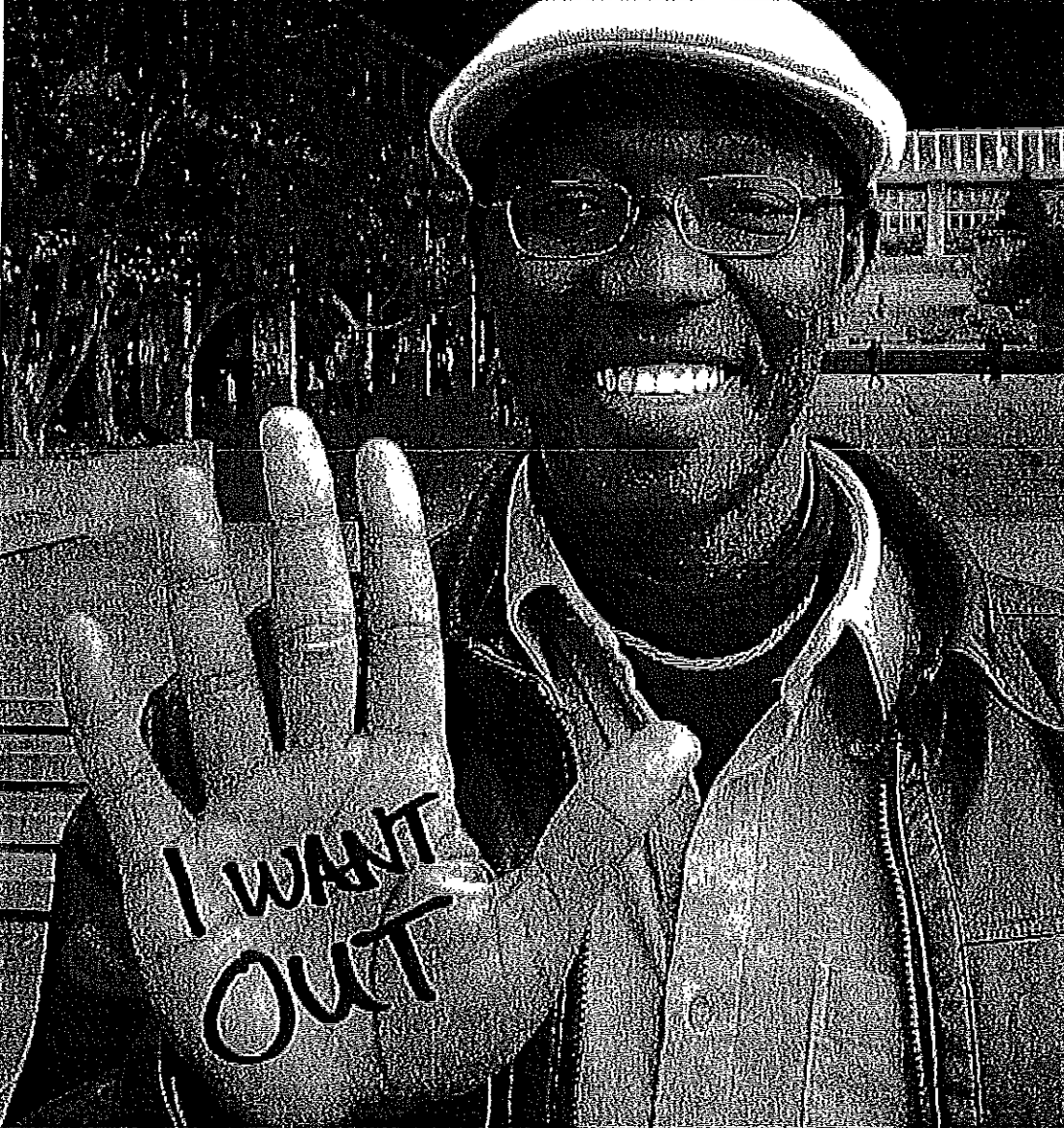
**I WANT OUT OF THE CFS BECAUSE IT IS  
A FINANCIAL BLACKHOLE**

"For years the CFS in BC has continually failed to provide audited financial statements in accordance with normal accounting and auditing principles."

*-Former SFSS University Relations Officer, Andrea Sandau*

campaign materials for approval

mailbox:///C:/Documents%20and%20Settings/Mike/Application%20Dat...



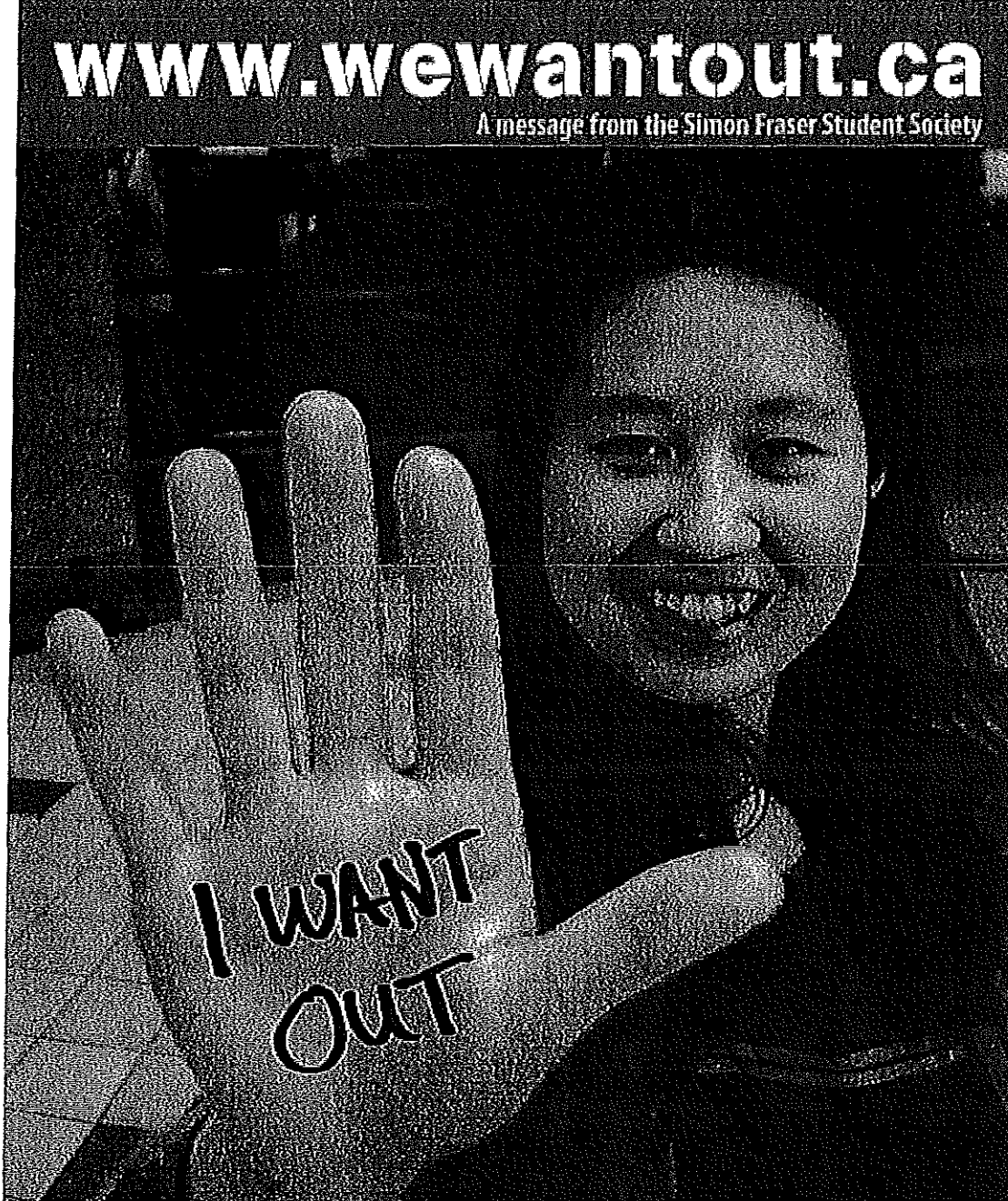
**www.wewantout.ca**  
A message from the Simon Fraser Student Society

**I WANT OUT OF THE CFS BECAUSE IT IS  
UNACCOUNTABLE**

*"The CFS has continually avoided and obfuscated accountability to members including direct questions from SFU students and failing consistently to reply to direct emails from SFSS elected representatives."*

*-Former SFSS President and PhD Candidate, Clement Apaak*





**www.wewantout.ca**  
A message from the Simon Fraser Student Society

**I WANT OUT OF THE CFS: IT'S TIME TO  
TAKE BACK OUR CAMPUS**

"The SFSS should be independent so we can lobby on issues that are relevant to SFU students. The CFS makes generic 'campaigns in box' - for ten years their campaigns have been the same and tuition has just kept going up. We can do better than this."

— SFSS Director 2006-2007 Jackie Hlew

campaign materials for approval

mailbox:///C:/Documents%20and%20Settings/Mike/Application%20Dat...

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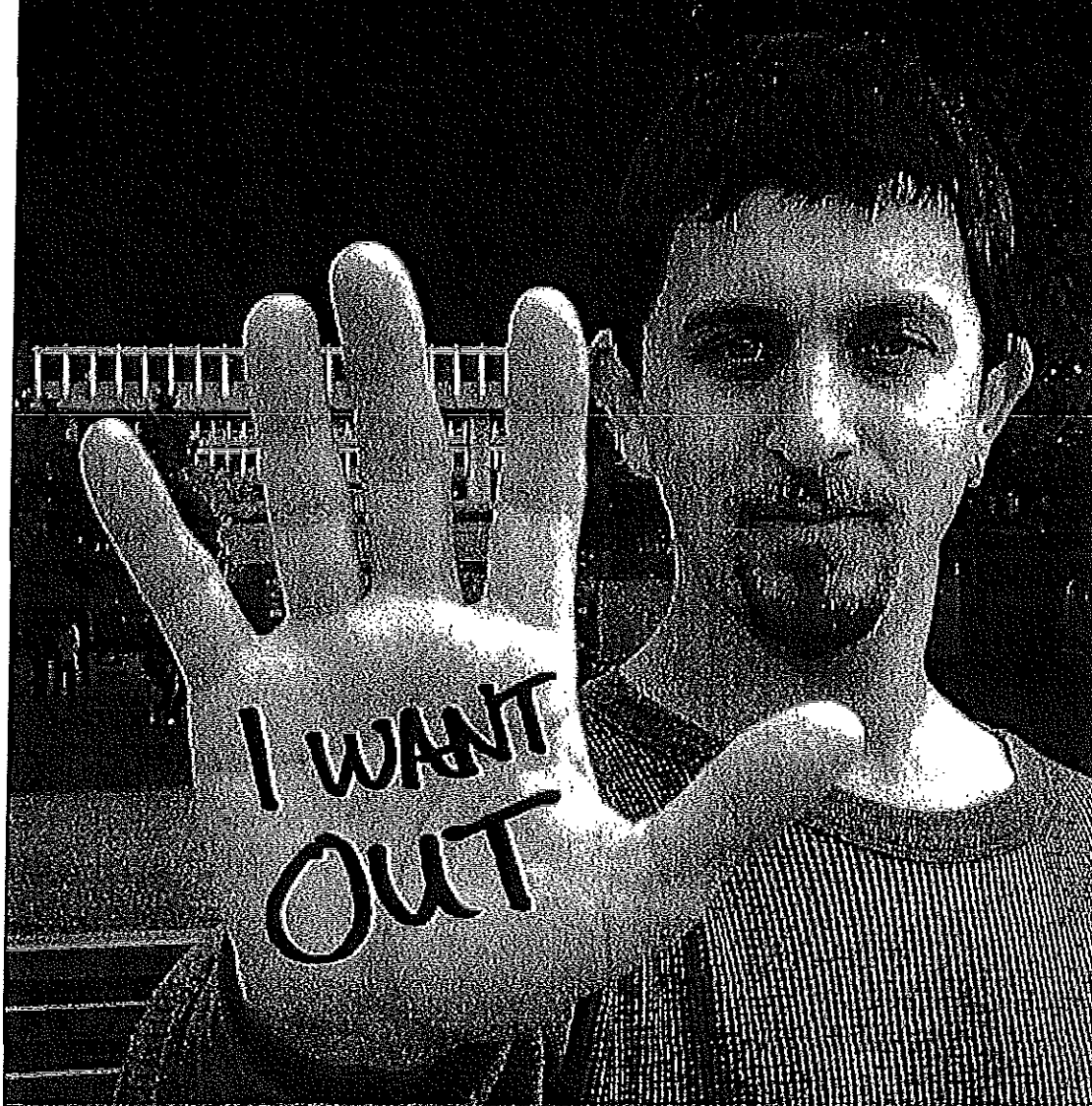
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# www.wewantout.ca

A message from the Simon Fraser Student Society



## I WANT OUT OF THE CFS BECAUSE IT IS ANTI-DEMOCRATIC

"Last year, a slate called 'Common Sense' led by Shawn Hunsdale, took power at the Student Society. Six months later, they were impeached at the largest General Meeting held in a decade, after racking up over \$205,000 in legal fees. I voted to Impeach them for their dishonesty, unaccountability and unethical treatment of their workers. When a member of Common Sense told me that the CFS had supported their campaign, I concluded it was time to leave the CFS."

-SFU Grad Student, Jason Tockman

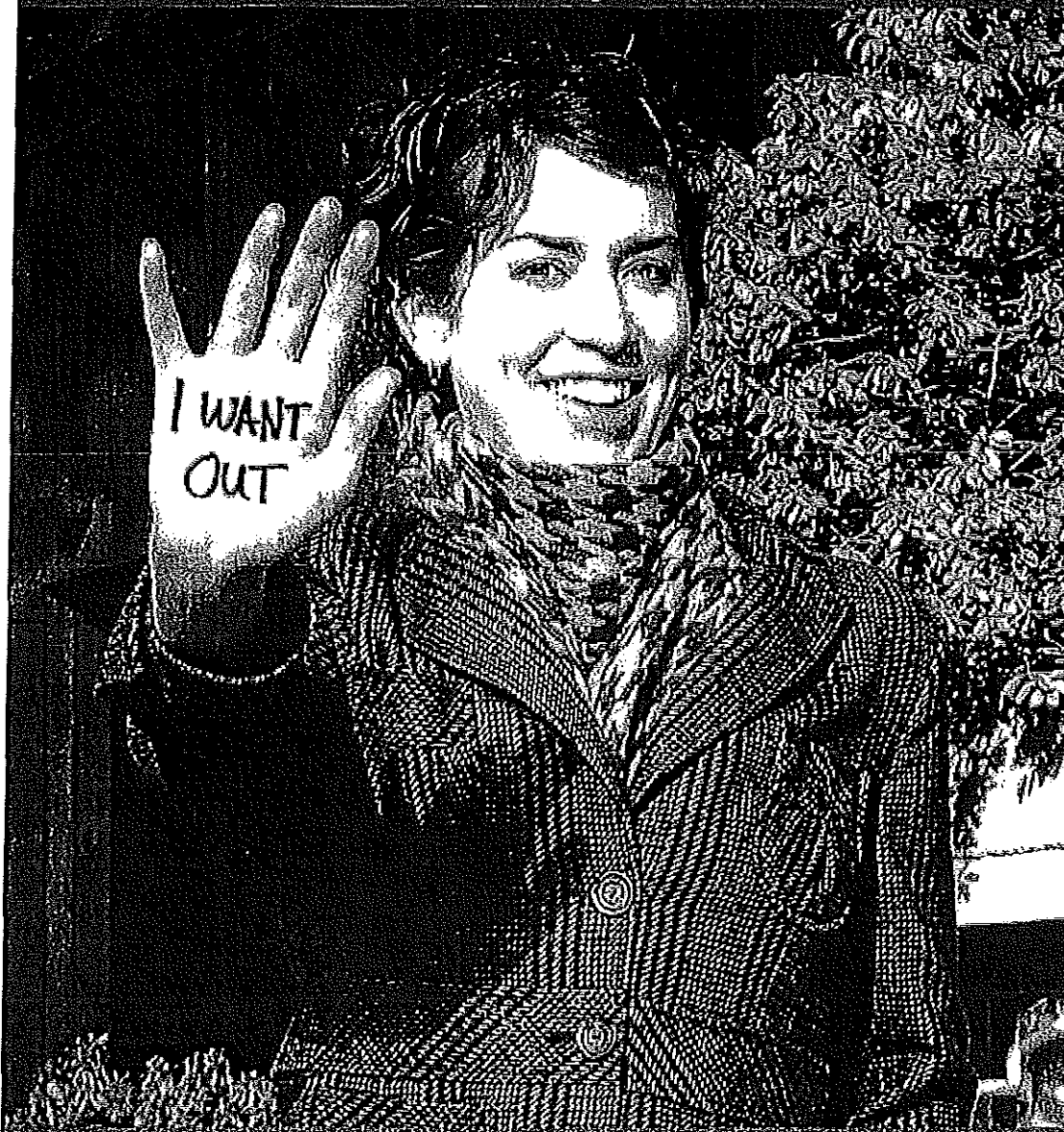


campaign materials for approval

mailbox:///C:/Documents%20and%20Settings/Mike/Application%20Dat...

# www.wewantout.ca

A message from the Simon Fraser Student Society



## I WANT OUT OF THE CFS BECAUSE I WANT MY VOICE HEARD

"The CFS shuts down students that want to see real changes. They enforce an artificial 'solidarity' at the expense of real, productive democratic debate. We can make a healthier student movement by working with all students in Canada and not having the CFS trying to control what we do."

— SFU Student Megan Hendershot

campaign materials for approval

036  
mailbox:///C:/Documents%20and%20Settings/Mike/Application%20Dat...

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ATTENTION PEOPLE'S!!!!

TODAY LOOK-UP TOWARD THE

NIGHT-SKY, AT <sup>PM</sup> 9:30-1 AM TO  
NIGHT. YOU WILL SEE THE

GUARDIANS THAT WAS PROPHESED

IN THE BIBLE, THEY ARE

EXTRATERRESTRIALS!!! THERE →

→ FORMATION LOOK LIKE THIS <sup>SOMETHING</sup>



THE DOTS ARE THE  
SHIPS!!! THEY ARE NOT STARS.  
THE LIGHTS WILL CAUSE NO  
REFRACTION AND SIT MUCH  
LOWER THAN SATELLITES!!!

THIS IS NO JOKE. ALSO  
THEY COME TO WARN US ABOUT THE  
TEAR IN THE ATMOSPHERE  
THE ALDEBARAN; A GIANT

SUN. THE KEY STAR OF TAURUS

CONSTELLATION; TO-VIEW-LOOK

TOWARD NORTH EAST AT

PRE-DAWN 5-6:00AM. LAST TIME

SEEN WAS THOUSANDS OF YEARS AGO.

IT IS BRIGHTER THAN THE MOON.  
AS PROPHESED IN THE BIBLE!!!!

— VERY SOON —  
MAJOR DESTRUCTION!!! THIS  
IS PART OF THE SIX SEALS"

**www.wewantout.ca**

we're not crazy. read up on the facts.

Garth Yule  
Communications Coordinator

Simon Fraser Student Society  
MBC 2242, Simon Fraser University  
Burnaby, BC  
V5A 1S6

ph: (778) 782-6565  
fx: (778) 782-5843

CUPE 5396

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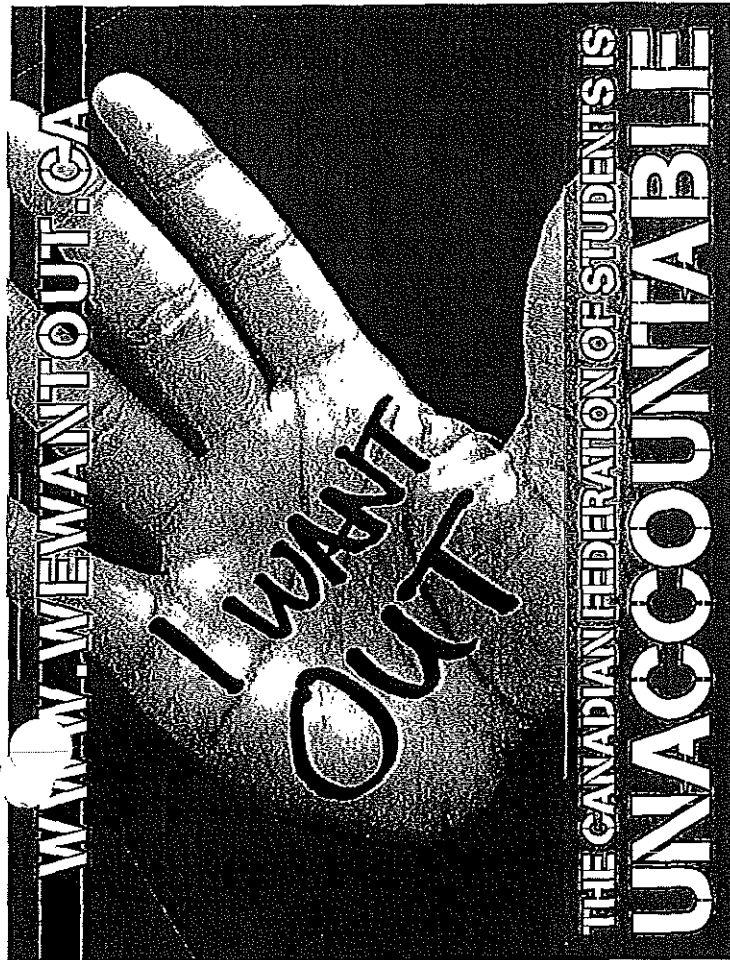
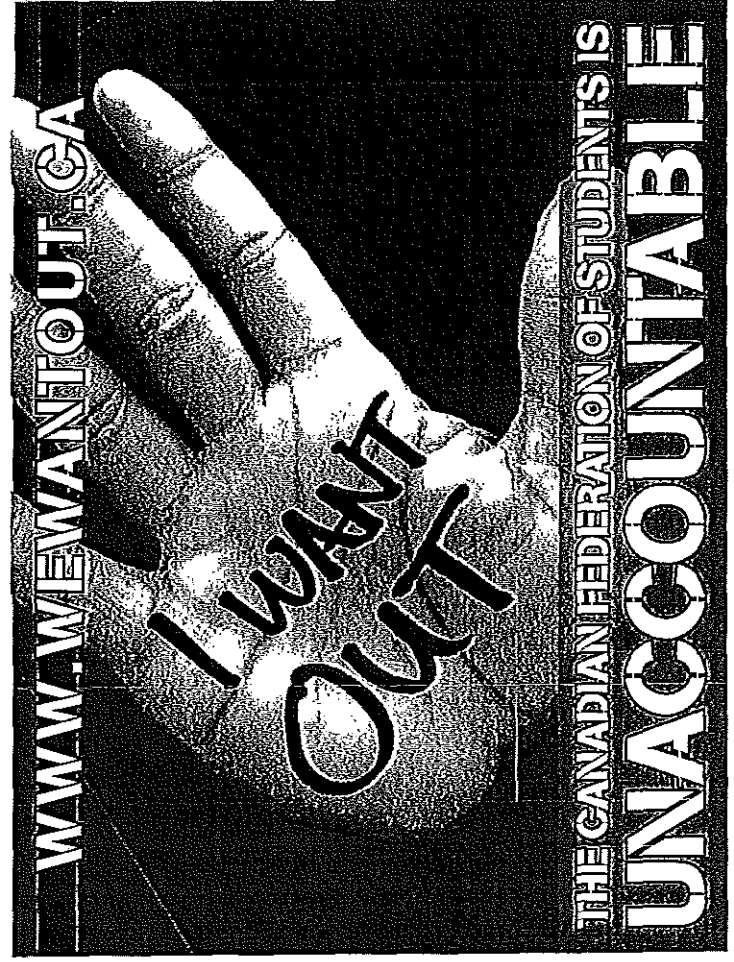
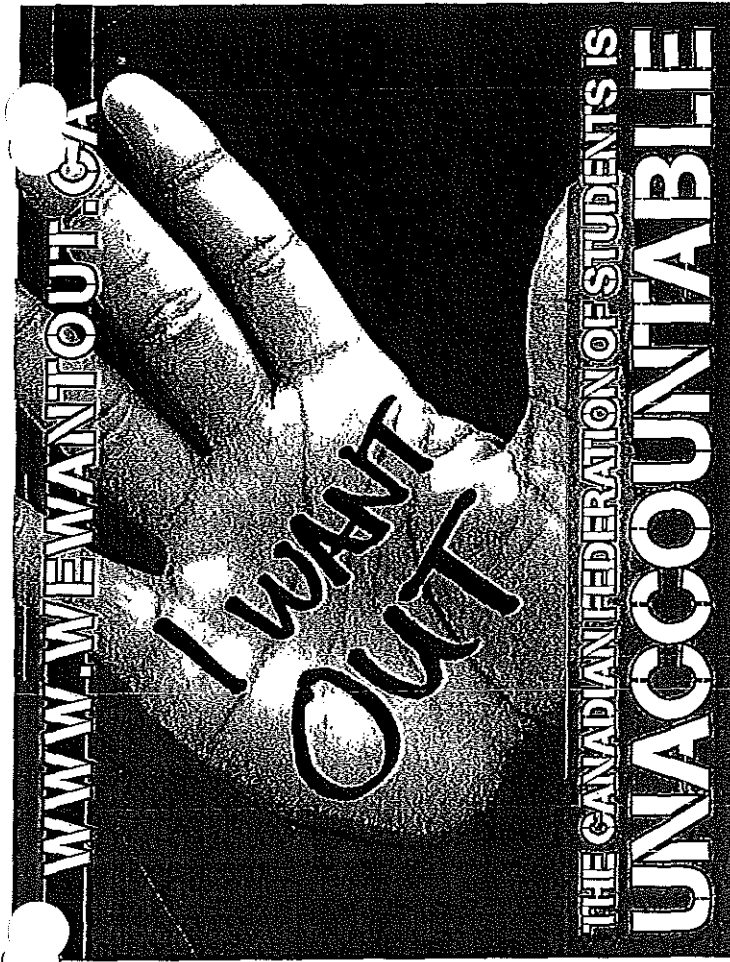
campaign materials for approval

mailbox:///C:/Documents%20and%20Settings/Mike/Application%20Dat...

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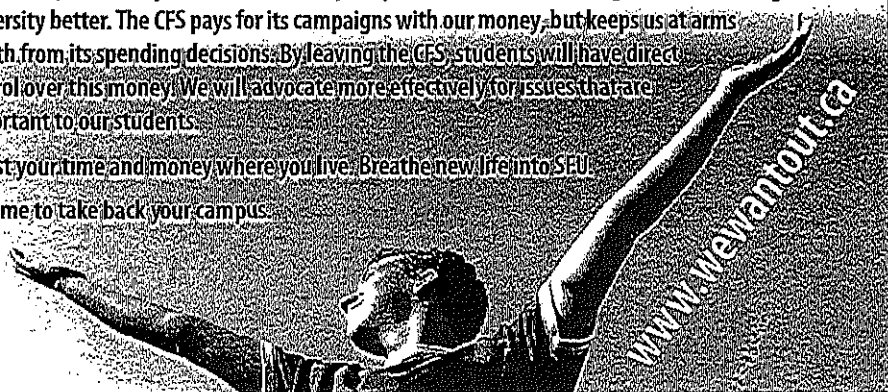




In March 2007, SFU voters said that they want out of the Canadian Federation of Students (CFS). Your SFSS clearly heard your voices and we are working hard to achieve our independence. SFU students currently give the CFS over \$430,000 per year. Leaving the CFS will allow us to create a better campus by improving our services, campaigns, and social events - we will improve student life at SFU. Leaving the CFS will not result in the loss of any services that SFU students currently enjoy - like TravelCuts or the ISIC card.

The SFSS actively lobbies for SFU student issues on campus and in BC by meeting regularly with many administrators, MLAs, MPs, and other key decision makers. We are addressing the issues that are important to you - transit, fees, quality of education, student rights - and making our university better. The CFS pays for its campaigns with our money, but keeps us at arms length from its spending decisions. By leaving the CFS, students will have direct control over this money. We will advocate more effectively for issues that are important to our students.

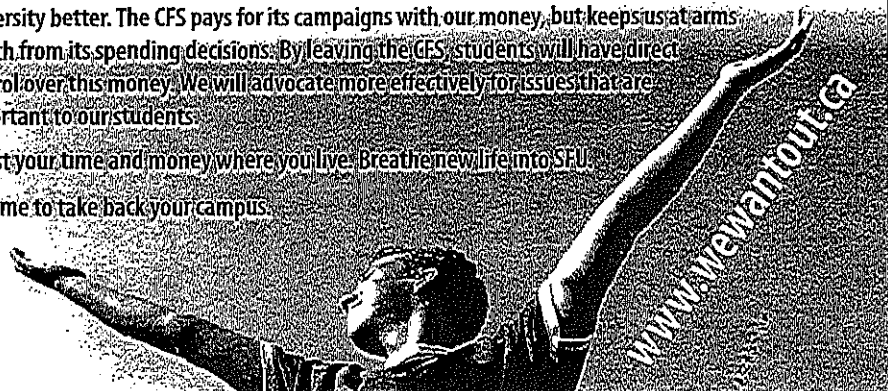
Invest your time and money where you live. Breathe new life into SFU.  
It's time to take back your campus.



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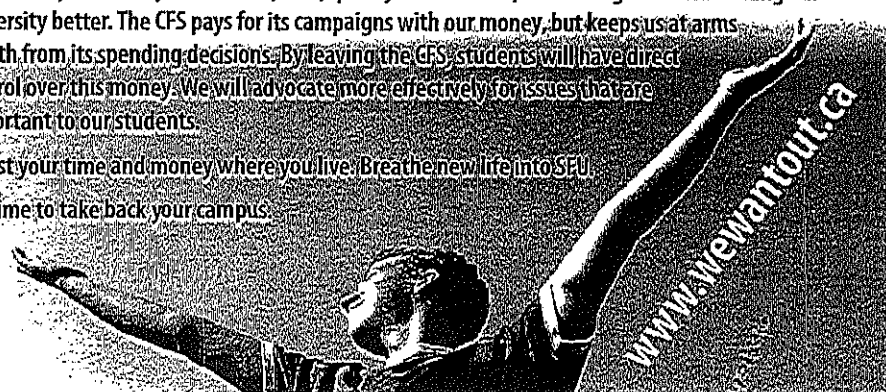
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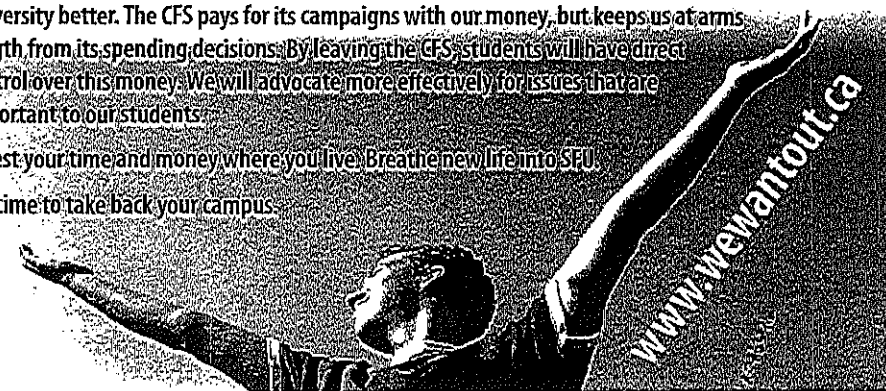
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It's time to take back your campus.



**Subject:** Re: more campaign materials for approval (fwd)  
**From:** "Kyll Glennie" <keg3@sfu.ca>  
**Date:** Tue, 4 Mar 2008 17:31:55 -0800  
**To:** "Michael Letourneau" <mletourn@cs.sfu.ca>  
**CC:** organiser@cfs-fcee.ca, "Ben Lewis" <treasurer@cfs-fcee.ca>

I vote yes for the materials.

On Tue, Mar 4, 2008 at 5:01 PM, Michael Letourneau <mletourn@cs.sfu.ca> wrote:

Hi folks.

We did commit to a decision as of 5:00 PM, next business day. That's pretty much right now.

If there's anything you can sign off on now, it might not hurt to do that.

- Mike

On Tue, 4 Mar 2008, organiser@cfs-fcee.ca wrote:

> There are a couple of materials that I would like to discuss at a meeting. I  
> will review them once more and identify those that I don't want to discuss  
> (and therefore approve).

>

> Lucy

>

> Quoting Michael Letourneau <mletourn@cs.sfu.ca>:

>

>>

>> I've reviewed the materials, and can't see any substantial reason to  
>> withhold approval.

>>

>> My vote is yes.

>>

>> - Mike

>>

>>

>>

>> ----- Forwarded message -----

>> Date: Tue, 4 Mar 2008 09:29:16 -0800 (PST)

>> From: Michael Letourneau <mletourn@cs.sfu.ca>

>> To: Michael Letourneau <mletourn@cs.sfu.ca>

>> Subject: more campaign materials for approval (fwd)

>>

>>

>>

>> ----- Forwarded message -----

>> Date: Tue, 4 Mar 2008 09:14:08 -0800

This is Exhibit "K" referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 29th day of SEPTEMBER 2008  
[Signature]  
A Commissioner for taking Oaths in the  
Province of British Columbia

>> From: Garth Yule <[communications@sfss.ca](mailto:communications@sfss.ca)>  
>> To: [cfs.sfss.roc@gmail.com](mailto:cfs.sfss.roc@gmail.com), [elections@sfss.ca](mailto:elections@sfss.ca)  
>> Subject: more campaign materials for approval  
>>  
>> Here is another round of flyers. More still to come.  
>>  
>> i\_l¼i\_l¼i\_l¼  
>>  
>> Garth Yule  
>> Communications Coordinator  
>>  
>> Simon Fraser Student Society  
>> MBC 2242, Simon Fraser University  
>> Burnaby, BC  
>> V5A 1S6  
>>  
>> ph: (778) 782-6565  
>> fx: (778) 782-5843  
>>  
>> CUPE 5396  
>  
>  
>

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Kyall Glennie  
M.A. Candidate  
Dept of Political Science  
Simon Fraser University  
Phone: 778.847.8324  
E-mail: [keg3@sfu.ca](mailto:keg3@sfu.ca)

e: Materials

>> against the spirit of the policies that the ROC has set out.  
 >>  
 >> thoughts?  
 >> kg  
 >>  
 >> On Tue, Mar 4, 2008 at 9:34 PM, <[organiser@cfs-fcee.ca](mailto:organiser@cfs-fcee.ca)> wrote:  
 >>  
 >>> I have no objection to the following materials:  
 >>>  
 >>> -Button: "We want out" (bold print, no image)  
 >>> -Button: "Ask Me Why I Want Out of the CFS"  
 >>>  
 >>> Was a translation provided of button #5? If not, we should request one  
 >>> unless one of you can provide a translation.  
 >>>  
 >>> I wish to discuss the other materials at our next Oversight Committee  
 >>> meeting.  
 >>>  
 >>> Finally, what is our protocol for providing a response to campaign  
 >>> teams about their materials? Should we draft a standard letter that  
 >>> can be customised on a case-by-case basis?  
 >>>  
 >>> Thanks,  
 >>>  
 >>> Lucy  
 >>>  
 >>>  
 >>>  
 >>>  
 >> -----  
 >> Kyall Glennie  
 >> M.A. Candidate  
 >> Dept of Political Science  
 >> Simon Fraser University  
 >> Phone: 778.847.8324  
 >> E-mail: [keg3@sfu.ca](mailto:keg3@sfu.ca)  
 >>

This is Exhibit L "referred to in  
 the affidavit of MICHAEL LETOURNEAU  
 sworn before me at VANCOUVER  
 this 2nd day of SEPTEMBER 2008  
[Signature]  
 A Commissioner for taking Oaths in the  
 Province of British Columbia

-----  
 Kyall Glennie  
 M.A. Candidate  
 Dept of Political Science  
 Simon Fraser University  
 Phone: 778.847.8324  
 E-mail: [keg3@sfu.ca](mailto:keg3@sfu.ca)

Re: Materials

**Subject:** Re: Materials

**From:** "Kyll Glennie" <keg3@sfu.ca>

**Date:** Wed, 5 Mar 2008 16:56:04 -0800

**To:** organiser@cfs-fcee.ca

**CC:** "Michael Letourneau" <mletourn@cs.sfu.ca>, treasurer@cfs-fcee.ca

Can't do mid-morning; teaching and an important meeting with my advisor. Shall we leave it until next Monday or what?

kg

On Wed, Mar 5, 2008 at 2:03 PM, <organiser@cfs-fcee.ca> wrote:

I too should be free Friday. I would prefer mid-morning but can probably accommodate other times.

Lucy

Quoting Michael Letourneau <mletourn@cs.sfu.ca>:

>

> I should be free to meet on Friday. Can someone suggest some times?

>

> - Mike

>

>

> On Tue, 4 Mar 2008, Kyll Glennie wrote:

>

>> I think we need to discuss at our meeting how we go about making approvals  
>> of materials. So far we haven't had that discussion, other than we  
>> committed to a certain number of hours after receipt of materials to let  
>> campaigns know. We have so far let that time period elapse and have not  
>> made a collective decision.

>>

>> Obviously we cannot commit to meet every day. I for one am still working on  
>> homework (and checking and replying to student emails, yes, even at this  
>> hour) and can't commit my evenings to meet. However, I think we need a  
>> process re: how we approve things that are going to keep coming.

>>

>> My preference is to have a discussion about this at our earliest  
>> convenience, which for me is this Friday, as we don't seem to be able to  
>> meet during the next two days.

>>

>> Any thoughts?

>>

>> As for Lucy's question re: providing a response, I think we should submit a  
>> simple generic response something along the lines of:

>>

>> The following materials have received approval of the ROC:

>> (list the materials)

>> the Following materials have not received approval of the ROC:

>> (list the materials, if any)

>> Please be advised the use of any of the materials not approved by the ROC is

This is Exhibit "M" referred to in  
the affidavit of MICHAEL LETOURNEAU  
sworn before me at VANCOUVER  
this 27th day of SEPTEMBER 2008  
[Signature]  
A Commissioner for taking Oaths in the  
Province of British Columbia

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>>  
>> thoughts?  
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>>>  
>>> Thanks,  
>>>  
>>> Lucy  
>>>  
>>  
>>  
>>  
>> --  
>> -----  
>> Kyal Glennie  
>> M.A. Candidate  
>> Dept of Political Science  
>> Simon Fraser University  
>> Phone: 778.847.8324  
>> E-mail: [keg3@sfu.ca](mailto:keg3@sfu.ca)  
>>

--  
-----  
Kyal Glennie  
M.A. Candidate  
Dept of Political Science  
Simon Fraser University  
Phone: 778.847.8324  
E-mail: [keg3@sfu.ca](mailto:keg3@sfu.ca)