

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- v -

ADAM JAMES EKPAKOHAK

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Transcript of the Reasons for Sentence delivered by the Honourable Justice L. A. Charbonneau, in Yellowknife, in the Northwest Territories, on the 17th day of March, 2014

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APPEARANCES:

Ms. W. Miller: Counsel on behalf of the Crown

Mr. M. Martin: Counsel on behalf of the Accused

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Charge under s. 140(1) (a) Criminal Code of Canada

1 THE COURT: Mr. Ekpakohak pleaded guilty  
2 to a charge of public mischief contrary to  
3 Paragraph 140(1) (a) of the Criminal Code, and I  
4 must now decide what the sentence should be for  
5 that offence.

6 The Crown and defence have presented the  
7 Court with a joint submission as to what the  
8 sentence should be. Sentencing involves the  
9 exercise of considerable discretion on the part  
10 of the sentencing judge. That discretion is not  
11 absolute. It must always be exercised within the  
12 framework of sentencing principles that are set  
13 out in the Criminal Code. The discretion is  
14 narrowed when a joint submission is presented.  
15 Judges are required to give a joint submission  
16 very serious consideration, and they are required  
17 to follow joint submissions unless a judge comes  
18 to the conclusion that the joint submission is  
19 clearly out of the range of sentences for the  
20 type of offence. In other words, it should be  
21 followed unless it is clearly unreasonable.

22 I have considered the joint submission that  
23 was presented to me this morning and the reasons  
24 that were given to me for it. I have come to the  
25 conclusion that it is a reasonable suggestion  
26 under the circumstances, and I have decided to  
27 follow it.

1 I do want to put reasons on the record,  
2 though, as to why I have concluded that this is a  
3 fit sentence for this offence and taking into  
4 account Mr. Ekpakohak's personal circumstances,  
5 and I think it is important also that certain  
6 things be said about the type of offence that  
7 Mr. Ekpakohak has committed.

8 To put my decision in context, I will first  
9 go over briefly the facts that Mr. Ekpakohak has  
10 admitted. The Indictment charges that he caused  
11 the RCMP in Ulukhaktok to enter upon an  
12 investigation by falsely alleging that his  
13 then-spouse tried to murder him.

14 How that came to be was that Mr. Ekpakohak  
15 attended the nursing station in Ulukhaktok in the  
16 early morning hours of August 22nd, 2012. He had  
17 a large injury to his neck going from the front  
18 of his neck to the back, an injury that took 16  
19 sutures to close. Fortunately, the cut was not  
20 deep; it only went as deep as the fat tissue  
21 along the neck. Had the wound been deeper, at  
22 least in the view of the nurse who treated him,  
23 it is the type of injury that could have killed  
24 him.

25 The photos that were filed this morning that  
26 show the injury demonstrate very clearly just how  
27 serious and large a cut this was. These are

1           frightening photographs to look at.

2           The police were called to the health centre,  
3           and Mr. Ekpakohak told them that he and his  
4           spouse had been out in a cabin outside the  
5           community approximately ten kilometres out of  
6           town, that they had been drinking alcohol, that  
7           at some point there was an argument, and that she  
8           got mad at him. He alleged that she started  
9           beating him up and that he defended himself, that  
10          the fight stopped, but the argument resumed  
11          sometime after and at that point he decided he  
12          would just go back to town. So he got on his  
13          quad getting ready to leave. He alleged that she  
14          jumped on him and knocked him off the vehicle and  
15          then took out a steak knife and slashed at his  
16          neck with it.

17          The same day as this accusation was made,  
18          the RCMP arrested his spouse on a charge of  
19          attempted murder. At that point the police had  
20          more than ample, reasonable grounds to believe  
21          that this offence had been committed. She was  
22          brought into custody, and she spent four days in  
23          custody until she was released on terms that  
24          included a requirement that she reside in  
25          Kugluktuk with her mother.

26          During the course of the investigation the  
27          RCMP took a statement from his spouse. She gave

1 a very different account of what took place at  
2 the cabin. She denied being responsible for  
3 Mr. Ekpakohak's injury. On her version of events  
4 there was a fight and there was an argument, but  
5 she was the one who ended up leaving the cabin on  
6 foot, and the last thing she heard Mr. Ekpakohak  
7 say as she was leaving was that he was going to  
8 kill himself.

9 The police continued to investigate and, to  
10 get further clarifications from Mr. Ekpakohak,  
11 spoke to him the next day on August 23rd. He was  
12 reluctant to speak them. Eventually he said he  
13 had a blackout and did not remember what  
14 happened. He also said on that date that it was  
15 not his spouse who had inflicted the injuries to  
16 his neck. The RCMP continued to investigate and  
17 tried to get more information from him, but he  
18 refused to cooperate and refused to discuss the  
19 matter further when they approached him sometime  
20 later.

21 Eventually on the 14th of November, the  
22 police spoke to Mr. Ekpakohak again, this time  
23 advising him he was being investigated for public  
24 mischief. He was cautioned and advised of his  
25 rights, and then he provided a warned statement  
26 where he confirmed that his spouse did not attack  
27 him with a knife but that, in fact, he had

1           inflicted the injury upon himself because he was  
2           angry and disappointed about how the evening with  
3           her had turned out.

4           About a week later the Crown stayed the  
5           proceedings against Mr. Ekpakohak's spouse.  
6           Counsel have advised that she now lives in Inuvik  
7           and that the spousal relationship between she and  
8           Mr. Ekpakohak is over. I also heard that she was  
9           advised of her right to provide a victim impact  
10          statement, but there is none on the file. I have  
11          to assume that she chose not to prepare one.

12          Mr. Ekpakohak's counsel told me about  
13          Mr. Ekpakohak's personal circumstances this  
14          morning. I do not propose to repeat everything  
15          that was said, but I do want to refer to some of  
16          the things I was told.

17          I heard that he grew up in an environment  
18          where his parents, who are both residential  
19          school survivors who suffered abuse when they  
20          were at Grolier Hall, drank to excess.

21          I heard he had an older brother that he  
22          respected and admired a lot who looked after him  
23          during those years and that he was very close to  
24          this brother. Tragically, this brother committed  
25          suicide when Mr. Ekpakohak was a teenager and it  
26          has affected him deeply, and it continues to  
27          affect him. I was able to observe that myself,

1 as it was fairly obvious even this morning as his  
2 counsel was talking about this topic during his  
3 submissions.

4 I also heard that Mr. Ekpakohak has been  
5 able to be gainfully employed at various times  
6 doing various jobs. He has worked as a labourer,  
7 as a gas service person, he has done some work in  
8 carpentry, and in addition to that he is a  
9 carver. So he is someone who can work and he  
10 definitely has some skills.

11 I heard as well that he started using  
12 alcohol and drugs when he was 17 and that he  
13 recognizes that this is something that  
14 contributes to him getting into trouble with the  
15 law. That is very obvious from his criminal  
16 record which is a lengthy record and includes a  
17 variety of convictions for all sorts of  
18 different offences between 2004 and 2013. There  
19 are driving offences, property offences, drug  
20 offences. There are assaults, and there are  
21 breaches of various court orders. It is clear  
22 that Mr. Ekpakohak has been regularly in trouble  
23 with the law although he has never been sentenced  
24 to very long jail terms.

25 The types of losses and tragedies and  
26 difficulties that Mr. Ekpakohak faced growing up  
27 are, sadly, not uncommon in small communities in

1           this jurisdiction. There is very little doubt  
2           that those circumstances contributed to  
3           Mr. Ekpakohak coming to abuse alcohol and have  
4           contributed to some of the struggles he has had  
5           living a crime-free life. I have taken those  
6           circumstances into account in deciding that the  
7           proposed sentence is a fit one under the  
8           circumstances.

9           But I have to add, and I am sure I am not  
10          the first person to say this, Mr. Ekpakohak must  
11          realize that as much as this Court and others can  
12          have compassion for the circumstances that he  
13          faced as a child and as a young adult, nothing  
14          can be done to change the past. But he does have  
15          control over how he will behave from this point  
16          on.

17          He has young children, and it is up to him  
18          if he wants them to have a father who abuses  
19          alcohol and is in and out of jail and is not  
20          there for them or whether they will have a father  
21          who will be positive and a strong figure in their  
22          eyes.

23          It sounds as though maybe Mr. Ekpakohak did  
24          not have that when he was child, and it is up to  
25          him to decide whether his children will be in the  
26          same position he was or whether he will make the  
27          change happen for them, and the Court really



1 hopes that he will do so.

2 The last sentence that Mr. Ekpakohak  
3 received according to the information that I have  
4 been given was in October 2013, and he received a  
5 global sentence of eight months' imprisonment at  
6 the time. I heard that his release date would  
7 have been February 28th, 2014, so the time he has  
8 spent in custody since then has been by consent  
9 on this charge.

10 I have talked about the offence and I have  
11 talked about the circumstances of Mr. Ekpakohak,  
12 but now I want to speak more generally about this  
13 type of offence.

14 Public mischief can cover a wide range of  
15 conduct which, in turn, can have a wide range of  
16 consequences. When it involves falsely accusing  
17 someone of a serious offence such as in this  
18 case, that can be very serious. The offence in  
19 this case falls at the high end of seriousness of  
20 what this type of charge can relate to. Falsely  
21 accusing someone of attempted murder is a serious  
22 matter.

23 As the Crown noted, some resources were  
24 expended to investigate this matter thoroughly,  
25 as all serious charges should be. While they  
26 were busy doing that the two police officers  
27 stationed in Ulukhaktok, which is a very isolated

1 community, were not able to deal with other  
2 investigations and attend to other matters that  
3 needed their attention. Police officers are busy  
4 enough as it is investigating the offences that  
5 have actually been committed. It is a terrible  
6 waste of their resources to have to investigate  
7 something that did not happen.

8 Even more significantly, Mr. Ekpakohak's  
9 actions resulted in an innocent person being  
10 charged in her community of a horrendous offence.  
11 The impact of that, especially in a small  
12 community like Ulukhaktok, with which the Court  
13 is familiar, is huge. I have no doubt that news  
14 of the type of injury that Mr. Ekpakohak suffered  
15 must have travelled very quickly in the community  
16 of Ulukhaktok that morning. And because he was  
17 seriously injured and there was no question about  
18 that, it may well be that many people thought  
19 that his spouse was, in fact, guilty of this  
20 terrible crime. People may well have found it  
21 quite unbelievable that there would be any other  
22 explanation for his serious injury. In fact, the  
23 truth in this case, the fact that he inflicted  
24 this injury upon himself, is incredible. By many  
25 standards it would be considered an unbelievable  
26 story. So I have no doubt that in the community  
27 from the time that this matter was reported and

1 in the following days, there may well have been a  
2 lot of people who thought that this particular  
3 woman, Mr. Ekpakohak's spouse, had actually tried  
4 to slice his throat.

5 Beyond that effect, she spent four days in  
6 custody in the cells of the small detachment, and  
7 then she was released on terms that required her  
8 to leave the community where she lived for many  
9 years. Fortunately, the prosecution against her  
10 did come to an end before it had time to move  
11 along too far in the process, but the charge was  
12 still pending for a number of months. And  
13 really, until today, until the day where  
14 Mr. Ekpakohak actually pleaded guilty to this  
15 charge and admitted publicly that he lied about  
16 what she had done, there may well have remained  
17 some lingering doubts about whether she had  
18 actually hurt him or not.

19 Domestic violence is a very prevalent crime  
20 in this jurisdiction. Many complaints are made,  
21 and many charges are laid in conjunction with  
22 this type of offence involving violence between  
23 spouses. And violence between spouses is a very  
24 serious social problem. The authorities are  
25 expected to take those types of complaints very  
26 seriously. Any time the system is abused in the  
27 way that it was in this case, when a person

1 knowingly makes a false complaint whether it is  
2 out of spite, revenge, desperation, or whatever  
3 drove Mr. Ekpakohak's actions that day, it  
4 compromises the whole system. It trivializes the  
5 cases of real spousal violence and the  
6 devastating consequences that they have.

7 Not so long ago the Territorial Court had  
8 occasion to comment on this, dealing with someone  
9 who had made a false complaint to police in a  
10 different context but had followed through with  
11 an application for an Emergency Protection Order.  
12 It was later found and established that it was a  
13 false complaint. This was the case of  
14 R. v. Simmonds [2011] N.W.T.R. No. 8. At  
15 paragraph 23 of that decision, the Territorial  
16 Court said:

17 "I will start from the premise that family  
18 violence is a notorious problem in our  
19 jurisdiction, as it may well be throughout the  
20 country. We as a community struggle to deal with  
21 the many pervasive, long-lasting, harmful effects  
22 of family violence. Resources are scarce and the  
23 problem is many-faceted and it is complex. The  
24 Protection Against Family Violence Act is but one  
25 attempt or one tool to try to address the problem  
26 and to assist the victims. The legislation is  
27 preventive as opposed to reactionary, which the  
criminal law is. The legislation was enacted to  
give applicants another tool besides the criminal  
law to address family violence. Ms. Simmonds  
abused this legislation. She abused the system  
for her own end, and, by that, she has harmed the  
administration of justice, she has tarnished a  
route provided by the legislation that has  
laudable goals. She has brought unwarranted  
criticism to the legislation which might have,  
still may have, the result of making that  
legislation less effective for those who truly do

1 need protection. And if for no other reason, in  
2 a jurisdiction where family violence sometimes  
3 seems an insurmountable problem with too few  
4 resources for the victims of it and it sometimes  
5 seems even fewer solutions to deal with it, for  
6 that reason Ms. Simmonds' actions have to be  
7 denounced."

8           These comments were made in the specific  
9 context of the misuse of the Protection Against  
10 Family Violence Act, which is legislation that  
11 allows people to seek the protection of the Court  
12 without necessarily making a criminal complaint.  
13 But those comments are equally applicable to  
14 people who misuse police resources and other  
15 resources by making a false accusation  
16 of domestic violence. That type of abuse raises  
17 similar concerns and justifies a denunciatory  
18 sentence and one that will hopefully achieve  
19 deterrence.

20           The seriousness of making false accusations  
21 was also underscored by this Court in  
22 *R. v. Fraser*, 2007 NWTSC 13. In that case the  
23 accused had falsely accused police officers of  
24 having sexually assaulted his girlfriend while  
25 she was in custody after having been arrested on  
26 a drug charge. At paragraph 6 of that decision  
27 the Court said:

28           "Although the Criminal Code terms this  
29 offence "public mischief", that is really a  
30 misnomer, because the word "mischief" in the  
31 English language has the connotation of something  
32 minor, or wrongdoing that is merely annoying or  
33 irritating. It may be that some crimes of public

1 mischief are minor, but this one is not. It is a  
2 serious offence against the administration of  
3 justice. As stated by the Alberta Court in the  
4 Ambrose case, the sting of this kind of crime is  
5 not so much causing the police to waste their  
6 time and resources, but, rather, the real harm  
7 done is the danger that innocent persons might be  
8 prosecuted and lose their reputations, their  
9 jobs, their livelihoods."

6 The facts in Fraser were obviously quite  
7 different from what they are here, but the point  
8 remains the same about just how serious it is to  
9 falsely accuse someone of committing a serious  
10 crime.

11 In Fraser the Court was sentencing the  
12 accused for the public mischief charge as well as  
13 for a drug offence, but in giving his reasons for  
14 sentence the sentencing judge said that if he was  
15 sentencing the accused only for the public  
16 mischief charge, he would have given him  
17 18 months' imprisonment. At the same time there  
18 is no question that the range of sentences  
19 imposed for this serious type of offence can be  
20 quite broad. In Simmonds, which I referred to  
21 earlier, the ultimate sentence was a conditional  
22 sentence of three months' imprisonment.

23 In other cases the Court has refrained from  
24 imposing jail at all; for example, in  
25 R. v. Tesar [1991] N.W.T.R. No. 159, the  
26 Territorial Court judge who was sentencing  
27 someone for causing another person to be arrested

1           improperly said that ordinarily, jail should be  
2           imposed for this type of crime, but in that case  
3           the Court did not. And similarly in the case  
4           that was filed by counsel here, R. v. Lapoleon,  
5           2008, B.C. PC 80, in the cases cited in that  
6           decision all show that there is a broad range of  
7           sentences which can be imposed for this type of  
8           crime.

9           It is mitigating that Mr. Ekpakohak has  
10          pleaded guilty. I would not consider this a plea  
11          at an early opportunity considering that the  
12          matter did get to the point of being set for  
13          trial. At the same time, I recognize that as a  
14          result of his waiver of the preliminary hearing,  
15          the complainant never had to testify on this  
16          matter. That makes a big, big difference as far  
17          as a mitigating effect on the guilty plea. I  
18          also accept that because this trial was set to  
19          proceed in Yellowknife there were considerable  
20          resources that were saved as a result of a guilty  
21          plea. Finally, when he was given a chance to  
22          speak directly to the Court this morning,  
23          Mr. Ekpakohak's words were words of apology to  
24          his spouse, to the police, and to his community;  
25          and I accept that it was a sincere apology, and I  
26          accept that he is truly remorseful for what he  
27          has done.

1           It is deeply disturbing to think that  
2           Mr. Ekpakohak, in a state of intoxication,  
3           actually cut his own neck. It suggests a level  
4           of despair that is hard to imagine. He has been  
5           in and out of court for many years. Change is  
6           needed, but he is the only one who can effect  
7           that change.

8           Given the number of breaches on his criminal  
9           record, I would normally be quite reluctant to  
10          place him on probation because that sentencing  
11          tool has not been helpful to him in the past. It  
12          has actually led to more charges and more  
13          sentences and more jail for him. But given the  
14          unusual facts of this case and the fact that  
15          Mr. Ekpakohak will need help to deal with his  
16          issues, and also to give his former spouse some  
17          level of comfort that he cannot contact her  
18          whenever he wants, I have decided that probation  
19          is a useful thing to include as part of this  
20          sentence.

21          Public mischief is a secondary designated  
22          offence. The Crown has asked me to make a DNA  
23          order having regard to the seriousness of the  
24          offence and to Mr. Ekpakohak's record. Defence  
25          does not oppose that request, and I am satisfied  
26          that this is a proper case for making that type  
27          of an order.



1           So, Mr. Clerk, a DNA order will be issued.

2           I have discretion to waive the victim of  
3           crime surcharge because these events occurred  
4           before there was a change in the law that removes  
5           the Court's discretion to waive the surcharge.  
6           Given that Mr. Ekpakohak has been in jail for  
7           some time and will be in jail for some time yet,  
8           I will exercise my discretion and will not  
9           require him to pay the surcharge.

10           I have heard from his counsel that  
11           Mr. Ekpakohak's detention conditions have been  
12           more difficult than might otherwise be the case,  
13           that he has had problems with other inmates.  
14           More specifically I have heard that there have  
15           been two recent altercations, very recent  
16           alterations where he was injured and that for his  
17           own protection he is being held in segregation.

18           Defence counsel asks me to take this into  
19           account in two respects; first, in the  
20           calculation of how much credit Mr. Ekpakohak  
21           should receive for the time he has spent in  
22           remand; and secondly, in endorsing the warrant of  
23           committal with the recommendation that  
24           Mr. Ekpakohak be transferred to another facility.  
25           It is a little bit difficult for me to assess  
26           these arguments and how these incidents should  
27           impact on the credit that I give Mr. Ekpakohak

1 for remand time.

2 I certainly accept that these altercations  
3 took place, but I know very little about the  
4 circumstances or the reasons why they occurred,  
5 whether there is any shared responsibility on  
6 Mr. Ekpakohak's part for some of these incidents.  
7 I am not saying he is responsible for them. I am  
8 just saying that I do not know, and it is  
9 difficult to gauge them with the information I  
10 have. I do accept that whatever the cause, as a  
11 result of these incidents he has been injured,  
12 and I do accept that whatever the cause, it has  
13 resulted in him being held in segregation, and  
14 that has prevented him from having access to some  
15 of the things that inmates in the general  
16 population have access to.

17 But at the same time I also heard that while  
18 he has been in custody, he has taken the  
19 opportunity to take counselling and take part in  
20 healing circles. I do not know how much of that  
21 took place before or after February 28th, but he  
22 has had access to some things while in custody.

23 So I am satisfied that some enhanced credit  
24 is appropriate, but I do not think it is  
25 appropriate for me to give him the maximum ratio  
26 as suggested by counsel. For the 17 days  
27 Mr. Ekpakohak has spent in remand, I will give

1 him credit for 21 days and reduce his sentence  
2 accordingly.

3 As for the second request, the  
4 recommendation that he be transferred to another  
5 institution to alleviate some of the issues,  
6 again, I do not feel I have enough information to  
7 be comfortable making a specific recommendation.  
8 I do not have all the information about various  
9 facilities and the types of programs that are  
10 available in those facilities and which ones  
11 might be more best suited to assist Mr. Ekpakohak  
12 for the rest of the time he will spend in  
13 custody.

14 I would note that according to what I heard,  
15 these altercations that occurred recently  
16 resulted in injuries to him; they were not minor  
17 incidents. I also take it from what counsel has  
18 said that the correctional authorities are in the  
19 process of reviewing his placement in light of  
20 these recent events, more specifically, the  
21 altercations of March 4th and March 7th. I will  
22 say this much: The Court is relieved to hear  
23 that these are being looked into and that the  
24 correctional authorities are considering how best  
25 to approach this as far as whether a different  
26 placement is appropriate. I think it is best to  
27 allow them to carry out their assessment, and I

1 will not make any recommendations about placement  
2 in the absence of clearer information about what  
3 has happened.

4 Mr. Ekpakohak can you stand up, please.

5 Mr. Ekpakohak, you heard what I said. I hope  
6 that you really are able to get the help that you  
7 need and not be in and out of jail for the next  
8 10, 15 years while your kids are growing up.  
9 There are a lot of things you can do with your  
10 time other than drinking, and I really hope that  
11 when you are finished serving your sentence you  
12 will be able to go back to your community and use  
13 those skills in the right way and remember the  
14 terrible things that happened, including what you  
15 did to yourself that night, and just find a way  
16 to stay away from alcohol. It does not sound  
17 like it is something that has ever been good for  
18 you, and I just hope that this time will be the  
19 last time I see you in court.

20 For all those reasons I have been talking  
21 about, I am going along with the suggestion that  
22 the two lawyers made. For the crime of public  
23 mischief that you pleaded guilty to, I will  
24 sentence you to a term of eight months in jail as  
25 was suggested. I will give you credit for  
26 21 days for the time you already spent  
27 in custody. So there will be a further jail term

1 of seven months and one week.

2 In addition to that you will be on probation  
3 for one year. You heard what I said. You have  
4 breached many court orders before. Probation is  
5 not there to punish you; probation is there to  
6 give you a little bit of help, perhaps, after  
7 your release. So you can take counselling as  
8 directed and report to the probation officer so  
9 that they can help you.

10 I am also going to put conditions in there  
11 about contact with C., and that is for her  
12 protection, for both of your protection, because  
13 it appears that it is best for the two of you not  
14 to be together. The first term of probation is  
15 you are to report to a probation officer when and  
16 as directed and within 48 hours of returning to  
17 your community. 48 hours after your release,  
18 basically, you have to report.

19 The second term is that you will take  
20 counselling when and as directed. That is  
21 something that your probation officer and  
22 yourself can talk about, whether it can help you.  
23 If there is A.A. in Ulukhaktok, and there  
24 probably is, you probably should go, but I will  
25 leave the details to you and your probation  
26 officer to work out.

27 The third condition is you are to have no

1 contact with C.K. unless she initiates it. You  
2 are not allowed to contact her. But I will put a  
3 fourth term in recognizing that you have children  
4 together, and that term will be if you have a  
5 need to communicate with C.K. regarding the  
6 children, then you have to contact her through a  
7 third party.

8 THE ACCUSED: Okay.

9 THE COURT: The reason I am breaking it up  
10 in two like that is that I do not want you  
11 contacting her in general unless she initiates  
12 it, but if something comes up with the children,  
13 then you should be able to contact her because  
14 that is important, but again, not directly. You  
15 have to do it through a third party.

16 THE ACCUSED: Okay.

17 THE COURT: Do you understand all that?

18 THE ACCUSED: Yeah.

19 THE COURT: All right. You can sit down.

20 There will be an order for the destruction  
21 of any exhibits I have received in this matter  
22 once the appeal period has expired.

23 Ms. Miller, is there anything that I have  
24 overlooked?

25 MS. MILLER: No. Thank you, Your Honour.

26 THE COURT: Mr. Martin, is there anything  
27 I have overlooked?

1 MR. MARTIN: No. Thank you, Your Honour.

2 THE COURT: Well, I want to thank you  
3 both, counsel, for your submissions on this, and  
4 I want to commend you for your work in resolving  
5 this case.

6 We will close court.

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8 PROCEEDINGS ADJOURNED ACCORDINGLY

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1 CERTIFICATE OF TRANSCRIPT

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5 I, the undersigned, hereby certify that  
6 the foregoing pages are a complete and accurate  
7 transcript of the proceedings taken down by me in  
8 shorthand and transcribed from my shorthand notes to  
9 the best of my skill and ability.

10 Dated at the City of Edmonton, Province  
11 of Alberta, this 17th day of March, 2014.

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Tiffany Low

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Court Reporter

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