



T. Webb #4  
November 5, 2015

No. 15 1867  
Victoria Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

**SHAWNIGAN RESIDENTS ASSOCIATION**

PETITIONER

AND:

**DIRECTOR, *ENVIRONMENTAL MANAGEMENT ACT*,  
COBBLE HILL HOLDINGS LTD. and  
ENVIRONMENTAL APPEAL BOARD**

RESPONDENTS

**AFFIDAVIT**

I, Tiffany Webb, Legal Assistant of 3<sup>rd</sup> Floor, 1005 Langley Street, Victoria, British Columbia, AFFIRM THAT:

1. I am a Legal Assistant employed by the law firm of Farris, Vaughan, Wills & Murphy LLP, counsel to the Petitioner in this proceeding, and as such I have personal knowledge of the facts set out below except where my knowledge is based on information from other sources, in which case I believe the facts to be true.
2. Now produced to me and attached as the numbered exhibits shown below are copies of the following documents which have been produced in this proceeding:

Exhibit No.	Document
1.	Email dated April 1, 2011 from Matt Pye to Marty Block
2.	Draft Joint Venture Agreement dated November 2010

3.	Email chain commencing with September 6, 2011 email from Matt Pye to Marty Block
4.	Draft Joint Venture Agreement dated September 1, 2011
5.	Draft October 2011 Technical Assessment Report cover and index
6.	Email dated January 17, 2012 from Matt Pye to Marty Block and others
7.	Email dated January 20, 2012 from Matt Pye to Marty Block and others
8.	Email dated January 30, 2012 from Michael Achtem to Matt Pye and Jeff Taylor
9.	Email dated July 10, 2012 from Ralston Alexander, Q.C. to Kristin Marrs
10.	Email dated August 19, 2012 from Matt Pye to Marty Block
11.	August 2012 Technical Assessment Report cover and index
12.	September 10, 2012 email from Mike Achtem to others attaching "interim" landfill agreement
13.	September 11, 2012 Certificate of Incorporation for 094811 B.C. Ltd.
14.	September 11, 2012 Certificate of Incorporation for 094812 B.C. Ltd.
15.	Email dated December 18, 2012 from David Mitchell to others
16.	Emails among Jeff Taylor and others dated August 31, 2012, September 1, 2012 and December 6, 2012
17.	Agreement dated February 14, 2013
18.	Letter dated February 15, 2013 from Active Earth Engineering Ltd. to BC Ministry of Environment
19.	Email dated January 26, 2013 from Michael Kelly to Marty Block

	with attached chain and February 7, 2013 email from Matt Pye to Luc LaChance and others
20.	Extract from transcript of testimony of Martin Block at the Environmental Appeal Board on June 5, 2014
21.	Email dated March 14, 2013 from Matt Pye to Marty Block and others
22.	Letter dated April 26, 2013 from Active Earth Engineering Ltd. to BC Ministry of Environment
23.	Email dated June 27, 2013 from David Mitchell to others
24.	Email dated July 24, 2013 from Mike Kelly to others
25.	Email dated August 7, 2013 from Jeff Taylor to others
26.	Letter dated August 8, 2013 from Active Earth Engineering Ltd. to BC Ministry of Environment
27.	Email dated August 12, 2013 from David Mitchell to others
28.	Email dated August 13, 2013 from Jeff Taylor to others
29.	Email dated August 19, 2013 from Hubert Bunce to Marty Block and Mike Kelly with email chain below
30.	Email dated August 20, 2013 from Jeff Taylor to others with attached agenda
31.	Email dated August 26, 2013 from Jeff Taylor to others, email dated August 27, 2013 (10:02 am) from Jeff Taylor to others; email dated August 27, 2013 (2:56 pm) from Jeff Taylor to others; email dated August 28, 2013 from Mike Kelly to others
32.	Email dated August 30, 2013 from Jeff Taylor to others with enclosure
33.	Letter of September 25, 2013 from Active Earth Engineering Ltd. to BC Ministry of Environment
34.	Email dated October 9, 2013 from Jeff Taylor to Cameron Reid

	and email dated October 9, 2013 from Matt Pye to others
35.	Email of October 22, 2013 from Ralston Alexander Q.C. to Kristin Marrs and others with enclosures
36.	Notice of Change of Directors for 0949811 B.C. Ltd. dated October 31, 2013, and November 1, 2013 BC online form
37.	Email dated December 10, 2013 from Active Earth to Luc Lachance
38.	Job Summaries titled "SIR"
39.	Email dated February 5, 2014 from Marty Block to David Kneale and others
40.	Email dated February 14, 2014 from Jeff Taylor to others
41.	Email dated February 28, 2014 from Michael Kelly to others
42.	"Item Actual Revenue Detail" spreadsheets dated February 28, 2014
43.	Email dated April 16, 2014 from Jeff Taylor to others attaching a spreadsheet
44.	Email dated April 23, 2014 from Matt Pye to others
45.	Email chain commencing with an email dated May 14, 2014 from Mike Kelly to others
46.	Extract from testimony of Martin Block on June 4, 2014
47.	Email dated December 18, 2014 from Cameron Reid to Mike Kelly with attachment
48.	Email dated April 28, 2015 from Michael Kelly to Marty Block and Kayvon Shojani
49.	Email dated May 1, 2015 from Nav Parhar to Richard Margetts, Q.C. with attached letters from Mr. Margetts to Mr. Parhar
50.	Email dated May 12, 2015 from Matt Pye to Todd Mizuik and others

51.	Email dated July 6, 2015 from Matt Pye to Mike Kelly and others with enclosed draft agreements
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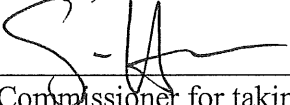
3. Now produced to me and attached as **Exhibit 52** is an extract from the March 20, 2015 decision of the Environmental Appeal Board comprising pages 47-48 and pages 111-115 of the decision.
4. Now produced to me and attached as **Exhibits 53-54** are copies of the following documents which are publicly available on the internet:

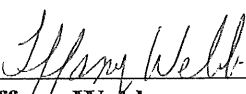
**Exhibit 53**      “Code of Ethics Guidelines” from the website of the Professional Engineers and Geoscientists of British Columbia (<https://www.peg.bc.ca/getmedia/9356c6ab-1545-4949-9c22-52f2b5cbbffe/APEGBC-Code-of-Ethics-Guidelines.pdf.aspx>);

**Exhibit 54**      “Guideline on the Code of Ethics” from the website of the Canadian Engineering Qualifications Board ([https://www.engineerscanada.ca/sites/default/files/guideline\\_code\\_with\\_1.pdf](https://www.engineerscanada.ca/sites/default/files/guideline_code_with_1.pdf));

5. Now produced to me and attached as **Exhibit 55** is a copy of Exhibit 98 from the Environmental Appeal Board hearing.
6. Now produced to me and attached as **Exhibit 56** is a copy of Exhibit 102 from the Environmental Appeal Board hearing.
7. Now shown to me and marked as **Exhibits 57 – 64** are the exhibits to the cross examinations of Mr. Block, Mr. Kelly and Mr. Pye that were conducted in October 2015.

SWORN BEFORE ME at Victoria, British Columbia, on November 5, 2015

  
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 A Commissioner for taking Affidavits for British Columbia.

  
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**Tiffany Webb**

**SEAN HERN**  
*Barrister & Solicitor*  
**FARRIS, VAUGHAN, WILLS & MURPHY LLP**  
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