

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 3rd 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 |
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| 1. | Email dated April 1, 2011 from Matt Pye to Marty Block |
| 2. | Draft Joint Venture Agreement dated November 2010 |

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| 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 |

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| | 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 |

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| | 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 |

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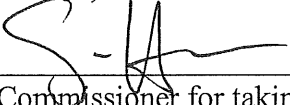
3. Now produced to me and attached as **Exhibit 52** is an extract from the March 20, 2015 decision of the Environmental Appeal Board comprising pages 47-48 and pages 111-115 of the decision.
4. Now produced to me and attached as **Exhibits 53-54** are copies of the following documents which are publicly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

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

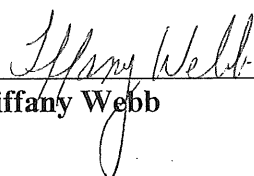
Exhibit 54 “Guideline on the Code of Ethics” from the website of the Canadian Engineering Qualifications Board (https://www.engineerscanada.ca/sites/default/files/guideline_code_with_1.pdf);

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



 A Commissioner for taking Affidavits for British Columbia.



 Tiffany Webb

SEAN HERN
Barrister & Solicitor
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