

ANTHONY J. JASICH, LL.B.

#403 – 567 Lonsdale Avenue
North Vancouver, B.C. V7M 2G6
Telephone (604) 986-0419 Fax (604) 986-0499

Monday, May 7, 2007

FAX & HAND DELIVERY

COLLEGE OF PHYSICIANS & SURGEONS OF B.C.
400-858 Beatty Street, Vancouver, BC

Attention: Elaine Peaston /Deputy Registrar (Legal)

Re: Complaint Regarding Drs. Fasts and V. Kapoor

I am Harold Gaffney's pro bono legal advisor. I am writing to you in response to your letter dated April 26, 2007 attached herein.

The basis of my client's complaint was in respect to a report written by Dr. Fast, who wrote a report for the benefit of Revenue Canada to Dr. Kapoor, wherein my client says the report is not based on facts. One of the issues concerning my client is that Dr. Fast referred to him and his wife as the father and mother of Mr. Marché Riley.

In Mr. Gaffney's complaint letter to the College of Physicians & Surgeons of B.C. he asked to have information of Mr. Marché Riley's medical records and specifically the medical record that was sent to Canada Revenue Agency regarding Mr. Riley's alleged disability.

Accordingly, by virtue of your decision of not directing both of the physicians to correct and amend their medical reports, I ask you on behalf of my client, to deliver the medical records of Mr. Marché Riley to my address of delivery noted above, at your earliest convenience, as soon as possible.

Yours truly,

Anthony J. Jasich LL.B.

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Wednesday, June 13, 2007

COLLEGE OF PHYSICIANS & SURGEONS OF B.C.
400-858 Beatty Street, Vancouver, BC
Fax No: 604.733.3503

FAX DELIVERY

Attention: Elaine Peaston /Deputy Registrar (Legal)

Re: Complaint Regarding Drs. Fast and V. Kapoor /File No. CE 2007-0111

I am in receipt of your dated June 6th, 2007, acknowledging my letter dated May 8th and May 25th, 2007.

In reading your letter, it is apparent you did not personally direct your mind to the letter of Mr. Gaffney dated on January 23rd, 2007 copied to the Registrar of the College of Physicians and Surgeons of British Columbia.

From the information I have from the letter of Dr. Fast dated June 24th, 2005 attached herein, requested by Dr. Kapoor and from the information my client has related to me, the corrections required are as follows:

1. THAT Marché Riley's grandmother, Sheila Gaffney, left the matrimonial home voluntarily on April 29th, 2005. Marché Riley was living with Mrs. Sheila Gaffney and Mr. Harold Gaffney at the time;
2. THAT Marché Riley's parents were never married and they have not lived together;
3. THAT Marché Riley's father, Marvin Dwayne Riley, to the best of our knowledge resides in the Province of Manitoba, and does not have physical contact with his son;
4. Did Marché Riley extend an invitation to his father to attend his graduation?
5. THAT Marché Riley's mother, Ms. Dixie Taylor, would not be looking for financial support to help her son with medication and she would not find her son up reading in the early morning since Marché Riley does not live with his mother;

6. THAT Marché Riley did not require support, as suggested by Dr. Fast, who was either given false information by Sheila Gaffney and by Marché Riley or else she included false information in her written report;

7. THAT Dr. Fast referred Mr. Riley to a book entitled "*The Boys and Girls Book About Divorce*" when Dr. Fast knew that Marché Riley's parents were never married.

Dr. Fast omitted the following facts about Marché Riley when she wrote her report in June 2005:

8. THAT Mr. Marché Riley was almost 18 years of age;

9. THAT Mr. Marché Riley was almost 6 foot two;

10. THAT Mr. Marché Riley was planning and preparing to go to college for computer studies;

11. THAT Mr. Marché Riley did not require supervision and was not monitored more than any other teenagers and he did not have severe and prolonged impairment in mental or physical functions during the years Harold Gaffney was his caretaker.

The circumstance of the relationship -- which was proffered to Canada Revenue Agency ("CRA") by the physicians who filled out Form T2201 *Disability Tax Credit Certificate* was not based on facts, and the physician knew that the information included in form T2201 was a misrepresentation. CRA was deceived for the purpose of getting refunds, which Sheila Gaffney and her Trustee in Bankruptcy are not entitled to.

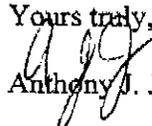
Consequently, Ms. Peaston, I am attaching Bill C-45, *An Act* which amended the *Criminal Code* in 2004. The new section of the Code addresses the responsibility of organizations which the College of Physicians and Surgeons of B.C. falls under. This means that the College and their representatives can be charged for criminal negligence under section 219 (1) of the *Code*. It is important you view the *Act* and answer to the question below at your earliest convenience, as soon as possible.

As the Registrar for the College of Physicians and Surgeons of B.C. do you not believe that it is your duty and responsibility to direct the physicians to correct their report?

Professionals ought to not be drawn into making false claims on CRA when they know the true facts of their patient.

I await your answer.

Yours truly,


Anthony J. Jasich LL.B

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Telephone (604) 986-0419 Fax (604) 986-0499

Tuesday, May 29, 2007

FAX DELIVERY & EMAIL

MINISTER OF INDUSTRY

Attention: The Honourable Maxim Bernier

House of Commons

Ottawa, Ontario K1A 0A6

Fax: (613) 995.0687

Dear Minister of Industry -- The Honourable Maxime Bernier,

**Re: In Reply to The Honourable Maxime Bernier's Email to Ms. Zanetti
Regarding a Formal complaint against the OSB and Kenneth A. Rowan Trustee in
Bankruptcy**

Your email dated Thursday, May 24, 2007 attached herein, was forwarded to me by Ms. Zanetti.

1. I am Mr. Harold Gaffney's pro bono lawyer. I was called to the bar on May 16, 1957. I was first involved with this matter on the 31st day of August 2006, before the Supreme Court of British Columbia and it became apparent to me, as a lawyer in good standing, while I was listening to the lawyer for the Trustee in Bankruptcy, David W. Donohoe and Mr. Gaffney's agent arguing the case that the bankruptcy of Sheila Gaffney was not a valid bankruptcy, I suggested to Mr. Gaffney and his agent Ms. Zanetti to move the court to annul the bankruptcy of Sheila Gaffney on the basis of the material that was before the court.

2. In reading your email, it is apparent you did not personally direct your mind to the documents sent to you by Mr. Gaffney on March 5th, 2007.

3. From the information I have and from the Statement of Affairs sworn by Sheila Gaffney it shows the following breaches under the BIA:

- a) Undervalued the automobile to state the value to be under \$5,000.00;
- b) Undervalued the full value of the matrimonial home at \$134,000.00 when it should have been valued at \$185,000.00, which the Trustee in Bankruptcy did, when he took title to the property;
- c) Transferring Mrs. Gaffney's interest in the matrimonial home to A. Farber & Partners Ltd., the alter ego of Kenneth A. Rowan, the Trustee in Bankruptcy, when no creditors existed;

- d) Exempting the Whole Life Sun Life Insurance Policy as an asset;
- e) Included non-existent debts in an amount in excess of \$10,000.00;
- f) Concealing the amount of her pensions to which she was entitled or about to be entitled to;
- g) Including Sears as a creditor when Sears did not exist as a creditor;
- h) By entering unsecured creditors where none in fact existed;

4. Further, in and around the month of December 2006, I learned about a Child Disability Tax Credit Refund, which I understand was paid to the Trustee in the amount of close to \$13,000.00. This asset was filed with the Vancouver OSB as shown on the enclosed statement, but the said statement does not set the true amount received by the Trustee by Canada Revenue Agency.

5. The circumstances of the relationship ---- which was proffered to Revenue Canada by Sheila Gaffney with the assistance of Kenneth A. Rowan, when she claimed to her physician, who filled out the medical report, for the purpose of the tax refund ---- she claimed to be the mother of Marché Riley and that Harold Gaffney was the father, when in fact Sheila Gaffney is the grandmother of Marché Riley and Harold Gaffney is the step-grandfather and neither one of them are the parents or legal guardian, as Marché Riley has a mother and father. According to my client, Mr. Riley was in his care for almost 18 years because his now estranged wife worked graveyard shift as a nurse and Marché Riley did not have disabilities that prevented him from looking after himself. Marché Riley is attending college and studying computer processing.

6. As a taxpayer, I strongly object to anyone deceiving Canada Revenue Agency for the purpose of getting refunds which they are not entitled too, as Sheila Gaffney has done with the full assistance of Kenneth A. Rowan who filed the refund for Mrs. Gaffney.

7. Consequently, Mr. Bernier, your action or lack thereof in sending the documents of Mr. Gaffney to the Office of the Superintendent of Bankruptcy gives the appearance that:

- a) You are sloughing off your responsibilities and explicit legal duties to the very department of government that should be investigated by your Ministry;
- b) You are directing the OSB to turn a blind-eye to the apparent invalid bankruptcy of Sheila Gaffney and by doing so instead of preventing an illegal Child Disability Tax Credit Refund to spill over to the people of Canada, you are permitting the OSB and others to commit further offences on the Tax Department;
- c) More disconcerting is the fact that this appears from your direct involvement to be precedent setting.

8. As an MP and a Minister appointed by our government of the day, you ought not to rely on the statements made to you by your bureaucrats. You must remember that you are our servant and not the servant of your bureaucrats. Thus you ought to have pointed out to your bureaucrats the provisions of Bill-45 (*Westray Act*) --- an organization doing harm to Mr. Gaffney and to the people of Canada, and undermining the currency of Canada --- and also point out the Supreme Court of Canada decision *Odhavji Estate v. Woodhouse*, 2003 SCC 69.

9. Mr. Bernier, a search was made of your background and no record was available. It has the appearance that someone deliberately erased your biography of your days with Standard Life of Canada. I would presume from the very short bio that I have access to that you generally dealt with bankruptcy legislation prior to your election.

10. I would appreciate you would supply me with details of your background prior to your election as an MP. In particular, I would appreciate you provide me with a copy of the consultant report you provided on the legislation governing this sector of bankruptcy as referred to in your biography.

"As a consultant, he provided advice on the legislation on financial institutions and development of the regulations governing this sector."

11. In closing, your office has been given full knowledge of your subordinates' misconduct and thus far you have not taken reasonable steps to prevent or stop the apparent invalid bankruptcy of Sheila Gaffney, which spilled over unto Canada Revenue Agency.

12. I ask that you consider having an impartial third party, if one can be found, investigate the processing of the bankruptcy of Sheila Gaffney and the claim made to Canada Revenue Agency which the Trustee collected in the amount close to \$13,000.00.

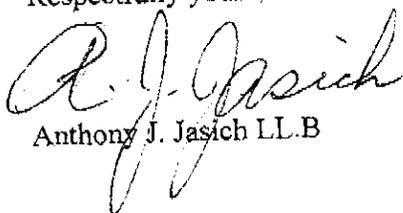
13. Please advise if you have any relationship -- through blood or marriage --- with Mr. Jean-Pierre Bernier, who appeared before the Senate committee on money-laundering.

14. Although I haven't studied the conflict of interest guidelines, and point to something in particular, it has the appearance that you may be in conflict as you are now regulating the industry that by your very words you were instrumental in setting the standards for. It has the appearance that you still claim to have successfully lobbied the regulator to put in standard to serve that industry --- that you now regulate --- when in fact your duty now is to regulate the industry in the public interest.

15. I respectfully ask that you follow the duties of your mandate, and also sincerely answer the questions that have been put to you in the interest of my client, Mr. Gaffney.

Mr. Gaffney is a simple trainman conductor with a lifetime in railroading background: He believes you weren't thinking of him when you were *consulting to the regulators and lobbying for the industry* before you were elected and now that you are supposed to be looking after his interests and you are not, he wonders if you have been able to make the transition that your oath of office requires.

Respectfully yours,



Anthony J. Jasich LL.B

c.c. Auditor General
The Right Honourable Prime Minister Stephen Harper
The Honourable Minister of Justice Rob Nicholson
The Honourable Minister of Finance

Enclosures: Email from Maxime Bernier dated Thursday may 24, 2007
Trustee's final statement FORM 13

tina zanetti

From: Correspondence Minister/Correspondance Ministre: OCS [CorrespondenceMinister@ic.gc.ca]

Sent: Thursday, May 24, 2007 6:25 AM

To: tinaz@shaw.ca

Dear Ms. Zanetti:

Thank you for your e-mail of April 3, 2007, regarding the documents sent by Mr. Harold Gaffney on March 5, 2007.

These documents were forwarded to the Office of the Superintendent of Bankruptcy for consideration. As noted in my previous correspondence of March 30, 2007, the Superintendent of Bankruptcy is the chief government official responsible for supervising the administration of all bankruptcy estates and for maintaining the integrity of Canada's insolvency system. In keeping with this mandate, the Superintendent is responsible for investigating the conduct of trustees in bankruptcy and individual bankrupts. All complaints, especially allegations of fraudulent activities, are taken very seriously.

I understand the Superintendent of Bankruptcy responded to Mr. Gaffney's correspondence on March 26, 2007, and confirmed that the issues Mr. Gaffney raised have been reviewed and investigated. I understand the Superintendent of Bankruptcy determined there has been no incidence of wrongdoing in this matter, and now consider the matter to be closed.

Once again, thank you for your interest in Canada's insolvency system.

Sincerely,

Maxime Bernier

5/24/2007

District of **British Columbia**
 Division No. **3 - VANCOUVER**
 Court No. **B052161**
 Estate No. **11-795533**

FORM 13
Trustee's Final Statement of Receipts and Disbursements
(Sections 152, 155 of the Act; Rule 62)

Final

In the matter of the bankruptcy of
Sheila Frances GAFFNEY, Pensioner, of Burnaby, in the province of British Columbia,
of Burnaby, British Columbia..

SUMMARY ADMINISTRATION

RECEIPTS:

MISCELLANEOUS

Payment by debtor	\$1,800.00
Income Tax Refund - Prior	\$12,198.03
Pre-Bankruptcy Tax Return Refund	\$1,623.04
Post-Bankruptcy Tax Return Refund	\$2,171.06
Interest	\$75.44

Less payments made to secured creditors / property claims:
 Less necessary disbursements relating
 directly to realization:

TOTAL RECEIPTS: \$17,867.57

DISBURSEMENTS:

1. Fees paid:		
(a) To official receiver	\$150.00	
(b) To the court	\$50.00	\$200.00
2. Counselling fees:		\$170.00
Counselling taxes:		
GST, G.S.T. on counselling fees		\$11.90
3. Other Disbursements:		
Returned to Debtor		\$11,718.04
4. Administrative Disbursement:	\$100.00	
5. Trustee's Fees:		
100% of \$975.00	\$975.00	
35% of \$1,025.00	\$358.75	
50% of \$8,000.00	\$4,000.00	
Total Remuneration	\$5,433.75	
GST, GST/HST	\$333.88	
Total Remuneration And Taxes:		\$5,767.63