

ANTHONY J. JASICH, LL.B.

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Tuesday, May 6th, 2008

SUPREME COURT OF CANADA

301 Wellington St.
Ottawa, Ontario, K1A 0J1
Fax: (613) 996-3063

Attn: Registrar Anne Roland

Re: Harold Gaffney and A. Farber & Partners Ltd. File No: 32316

Dear Madame Registrar Ms. Anne Roland,

I am the pro bono lawyer for Mr. Harold Gaffney.

I was called to the bar on May 16, 1957 and I retired as a member in good standing in January 2006. A great part of my practice was property conveyance.

I have read the Summary posted on the Supreme Court of Canada website of the above noted matter — which I understand was available prior to the Leave being denied by the Court. Regarding Mr. Gaffney's legal standing in the bankruptcy proceedings, the facts are as follows:

1. On August 31st, 2006, I was present before Justice Meiklem, together with Mr. Gaffney for whom I act as a pro bono lawyer, Ms. Tina Zanetti, Mr. David Donohoe solicitor for A. Farber & Partners Ltd. and Mr. Keith Oliver solicitor for Ms. Sheila Gaffney, on a motion by Mr. Gaffney to set aside the discharge of the bankruptcy. During the course of the hearing, the motion was orally amended by Ms. Zanetti at my direction and at the direction of Mr. Gaffney to annul the bankruptcy of Mrs. Gaffney, *ab initio*;
2. During the course of the proceedings before Meiklem J. the matter of the validity of the assignment into bankruptcy was in question and as a result Mr. Justice Meiklem after hearing Ms. Zanetti agreed and did not differ from that position that, "***the trustee was well aware that there was no real insolvency issue here. There was no insolvency***". [emphasis added] *Transcript at p. 65 paragraphs 27 to 31.*
3. Mr. Justice Meiklem was also aware and noted in his Reasons for Judgment of November 17, 2006 at page 2 paragraph 3, of which I attach a copy, that, "*On June 16, 2005, the Trustee applied to be registered as owner of the bankrupt's undivided one-half interest in the condominium property jointly owned by the bankrupt with Mr. Gaffney*".

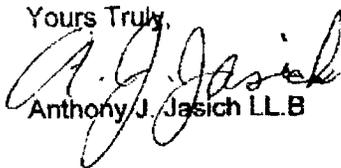
4. It was only after Mrs. Gaffney's assignment into bankruptcy which took place on May 13th, 2005, that Kenneth A. Rowan, the principal of the company, asked Mrs. Gaffney to transfer her interest in the property to A. Farber & Partners Ltd. being the trustee in bankruptcy, thereby deliberately severing the **joint tenancy** where Mr. Gaffney became the owner of an undivided half interest of the real estate and A. Farber & Partners Ltd. became owner of the other half — in trust for purposes of the bankruptcy.
5. This transfer took place at the Land Title Office on June 27th, 2005. At the time of the hearing on August 31, 2006, the undivided half interest was still under the name of A. Farber & Partners Ltd. – in trust for purposes of the bankruptcy. Mr. Rowan had not transferred trustee's half interest to the alleged bankrupt Sheila Gaffney until Nov. 27th, 2006, thereby the aforementioned Summary prepared by a lawyer at the Supreme Court of Canada is plainly false when it states that:
 - a. "Harold Gaffney is the estranged husband of Sheila Gaffney. When Ms. Gaffney filed an assignment in bankruptcy in May 2005, her one-half interest in a piece of property she and Mr. Gaffney owned as **tenants in common** [emphasis added by the writer] was transferred to the trustee."
6. It concerns me that someone seemingly has intercepted the information before the Court and transposed the status of Ms. Gaffney from *joint tenant* with Mr. Gaffney to *tenants in common* with Mr. Gaffney.
 - a. This is an all important change of distinction that must not be overlooked, because the implications of fraud by the bankrupt could flow back to the other joint tenant. Mr. Gaffney reported the fraud immediately that it became known to him that there was a blatant theft from the Federal Treasury.
7. It is to be noted that Mr. Rowan applied for an income tax refund on a credit of a child disability claim going back to 1999. The subject of the claim was made on behalf of Sheila Gaffney for her grandson of 18 years of age, Marché Riley. Mr. Gaffney, who raised Mrs. Gaffney's grandson since the age of one, informed me that Marché Riley was not disabled at any time. A member of the College of Physicians and Surgeons of B.C. also made a factual error in that Mr. Gaffney was named as the father of Marché Riley for the purpose of facilitating the claim.
8. I wrote to the College of Physicians and Surgeons of B.C. asking them to correct their records and like the Supreme Court of Canada to date, they have refused to do so and rather allowed a claim to proceed based on a serious fraud committed on the treasury of this country. The refund amount was of \$12,198.03 which was payable to the trustee in bankruptcy, A. Farber & Partners Ltd. in June of 2006, prior to the proceedings on August 31st, 2006. Mr. Rowan also received a tax refund of \$2,171.06 plus interest of \$75.44 which also was payable to A. Farber & Partners Ltd;
9. The real estate was valued by Mr. Rowan for the bankruptcy at a total of \$134,000, yet on transfer of Mrs. Gaffney's interest the same property was valued by Kenneth A. Rowan on June 27th, 2005 at \$185,000, an increase of \$51,000, within one month.

10. Had the higher value of the property been entered in the Statement of Affairs of Mrs. Gaffney, Mrs. Gaffney would not have had grounds to an assignment into bankruptcy. This appears to be a new version of the old fraud game, called '*bait and switch*'. Further, the debt owed of \$20,000 was jointly held, like the title of the property, which Mr. Gaffney paid off naturally, given that his wife ran up debts and then ducked out so as to not meet her obligations held jointly with her husband. A further version of the classic, '*bait and switch*' tactic.
11. Note that Mrs. Gaffney who left the matrimonial home on April 29, 2005 without cause has not filed for divorce and as a result to date there is no triggering event between Mr. and Mrs. Gaffney in accordance with the *Family Relations Act* of British Columbia, which is required to separate the assets of the spouses.
12. In this case the assets were transferred because the lower courts, knowing that Mr. Gaffney had legal standing by virtue of the **joint tenancy**, silently decided to ignore the joint tenancy facts, and imposed s. 29 of the *BC Court of Appeal Act*, for the **wrongful purpose** of making it appear that my client was being vindictive and/or vexatious in further involving himself with the opposing party on the opposing party leaving the home, in pursuit of a matter that, if my client was a **tenant in common**, there were no implications for him because the alleged bankrupt was, as the Summary claims, a **tenant in common** whereas the truth of it was that the alleged bankrupt was a **joint tenant**, and had loaded up the mortgage with a lot of debt attributed to her alone, and had defrauded others like CRA for about \$13,000. The **joint tenancy** was severed when Kenneth A. Rowan, the principal of Farber & Partners Ltd., knowing that the property was joined, transferred the half interest of the **alleged bankrupt** held jointly, to himself on June 27th, 2005.
13. It is commonly said in legal proceedings, '*One cannot suck and blow at the same time*': Mr. Keith Oliver and his client Mr. Rowan has sucked Mr. Gaffney into a joint tenancy fraud, and now believes he can blow back on title by way of multitudes of frauds including several court proceedings. Mr. Keith Oliver claims the property is entirely his own, allegedly in satisfaction for legal fees that he is owed by both Harold Gaffney and Sheila Gaffney, whereas the truth of it is Mr. Keith Oliver is owed nothing by Harold Gaffney. The last application at the Court of Appeal was on December 17, 2007 before Mr. Justice Tysoe.
14. The lawyer, who prepared the Summary of the case noted above, should have carefully reviewed the Reasons for Judgments and the Orders of the lower courts in particular the transcript before Meiklem J. (the Transcript is included in the Application for Leave to Appeal at pp. 151 to 225). Had the lawyer done his due diligence, he would not have made up a fact to legitimize the sale of the property, which is the subject of another Application for Leave to Appeal under file number 32381. Plain and simple, the lawyer who prepared the aforementioned Summary for the Supreme Court of Canada put a spin on the Application for Leave to Appeal, seemingly for the purpose of posting on the Supreme Court of Canada website that Mr. Gaffney was a vexatious litigant who shall we say, lost his compass, when the truth is that Mr. Gaffney is carefully focused and right on track and is of a firm resolve not to be defrauded of his property.

15. Plain and simple, Mr. Gaffney would be demented to have done what the lawyer who wrote the aforementioned Summary would have the public believe that he has done and to that extent it is slanderous to him.
16. This is a very serious matter and as the duly appointed Registrar of the Supreme Court of Canada, it behooves you to put the matter before your superior, the Chief Judge of the Supreme Court of Canada, and give the careful attention to this matter that Mr. Gaffney deserves.
17. At present I understand that the Registrar has not accepted Mr. Gaffney's request for a reconsideration of his Application for Leave to Appeal which was dismissed on the basis of the factual error, and as such the Registrar sent back the original and five copies of the application for reconsideration. Note that Mr. Gaffney has refused the material and sent it back to the SCC.
18. It would be a travesty of justice to not correct a factual error on the record when such fact would have made a difference in the application for leave to appeal regarding the bankruptcy standing and it would have made a difference with file number 32381 wherein Mr. Justice Ian Binnie would not have been so quick at dismissing the application for a Stay of Execution regarding the property of my client being ordered sold without the knowledge and proof as to whether the alleged purchasers of my client's property had raised the funds.
19. The highest court of the land cannot allow itself to be positioned as it has to assist any party in committing fraud. In this case a fraudulent misrepresentation of the facts has occurred by the lawyer who prepared the Summary.
20. I reasonably request that the SCC correct the factual error made by the lawyer who prepared the Summary for file number 32316 and reset the matter as it was before the interception of the communication occurred.

Please acknowledge receipt of this correspondence.

Yours Truly,


Anthony J. Jasich LL.B

Encls. Extract from Transcript of August 31, 06, p.65 paras. 27 to 31. (Leave of Application at p. 217)
Reasons for Judgment of Nov. 17, 06, p. 2 para. 3 (Leave of Application at p. 83 para. 3)

c.c. Client Harold Gaffney

Supreme Court
of CanadaCour suprême
du Canada

June 2, 2008

Harold C. Gaffney
312 - 450 Bromley Street
Coquitlam, British Columbia
V3K 6S5

Dear Mr. Gaffney,

RE: *Harold C. Gaffney v. In the Matter of the Bankruptcy of Sheila
Frances Gaffney, et al.*
File No.: 32316*Harold C. Gaffney v. Sheila Frances Gaffney*
File No.: 32381

I wish to acknowledge receipt of your material dated April 30th, 2008, May 30th, 2008 and June 2, 2008, and I also wish to acknowledge receipt of your motion for reconsideration received once again on May 9, 2008 in File No. 32316.

In respect of the letter received on May 07, 2008, from Anthony J. Jasich LL.B., Mr. Jasich was not identified as counsel of record and therefore, his letter was properly returned to him. If you wish Mr Jasich to be added as counsel of record on File No. 32381, please confirm this to us in writing.

As to your reconsideration in File No. 32316,, I have already told you that your motion will not be reviewed by this Court and therefore will not be included in File No. 32381. I am, therefore, returning this material to you once again.

Yours truly,

Anne Roland
Registrar

cc. Anthony J. Jasich, LL.B.

HAROLD C. GAFFNEY

312-450 Bromley Street
Coquitlam, B.C. V3K 6S5
Telephone number: 604. 685.6518
FAX: 604.685.6518
Harold_gaffney1@hotmail.com

Friday, June 06, 2008

SUPREME COURT OF CANADA ("SCC")

301 Wellington St.
Ottawa, Ontario K1A 0J1

FAX DELIVERY

Attn: The Court Registrar Anne Roland

RE: *Gaffney vs. Gaffney* Court File No. 32381

**RE: *Harold C. Gaffney v. In the Matter of the Bankruptcy of
Sheila Frances Gaffney, et al.* Court File No. 32316**

I am in receipt of your letter dated June 2, 2008, faxed to me on Friday, June 6, 2008.

With respect, you have not addressed the matter of the summary wherein the lawyer you have assigned to my file of number 32316 to prepare the summary of my case, has deliberately made a factual error. (Attach is the letter from my pro bono lawyer Anthony J. Jasich which gives the facts of the case and the deliberate error made by a lawyer at the SCC)

I want you to respond to the serious concern of the summary that you posted on the site of the Supreme Court of Canada, of which I attach a copy, and which is also posted, as you know, on the Supreme Court Law website of lawyer Mr. Eugene Meehan Q.C. You know that the summary is false and in the ordinary reading of the summary is it also defamatory to me.

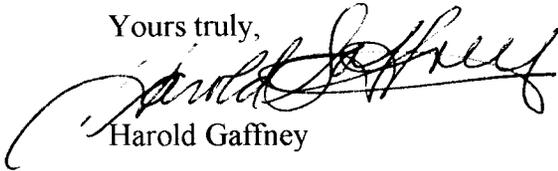
The questions Registrar Me. Roland is:

1. Why did you post the summary of file number 32316 on the SCC website and allowing lawyer Mr. Eugene Meehan who was apprised of the summary prior to its release, post the summary on his website, knowing the summary to be false?
2. And why are you unwilling to reconsider and change the factual error of the summary especially after being apprised of the facts from myself and also from my pro bono lawyer Mr. Anthony Jasich?

I am copying this letter to parliament asking the elected government officials to direct you to make the necessary correction and advised me as to why you have refused to correct a blatant falsehood which is very pertinent to my application for leave to appeal.

I am requesting parliament to direct you because it is evident to any ordinary and reasonable person that the SCC registry, under your direction, is obstructing the course of justice, in particular when the party is a self represented litigant that has been defrauded of his property by members of the bar.

Yours truly,

A handwritten signature in cursive script, appearing to read "Harold Gaffney". The signature is written in black ink and is positioned above the printed name.

Harold Gaffney

c.c. Anthony J. Jasich LL.B
Parliament of Canada

HAROLD C. GAFFNEY

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Friday, June 13, 2008

SUPREME COURT OF CANADA ("SCC")

301 Wellington St.
Ottawa, Ontario K1A 0J1

FAX DELIVERY

Attn: The Court Registrar Anne Roland

**RE: *Harold C. Gaffney v. In the Matter of the Bankruptcy of
Sheila Frances Gaffney, et al.*** Court File No. 32316

RE: *Gaffney vs. Gaffney* Court File No. 32381

One of my assistant phoned the registry this morning and she spoke with Pascal Leblanc. She asked Mr. Leblanc when were the documents and letter of June 2, 2008 mailed to me and whether the SCC used Canada Post to deliver the letter and the documents to me.

My assistant informed Mr. Pascal Leblanc that Mr. Jobidon had stated to me, after the SCC had attempted to send me a package by Purolator in the month of April, 2008, regarding a notice pursuant to rule 64 that no documents are sent by Purolator from the SCC and he claimed that the SCC only uses Canada Post to do business, as it should however my assistant was advised today that you have allegedly sent the documents of June 2, 2008, to me by Purolator on June 2, 2008.

After my assistant hung up the phone she called back to ask the clerk for a confirmation number of the Purolator package and the person at the SCC did not want to give my assistant the confirmation number. Thus I called the SCC soon thereafter at 9:00 a.m. pacific time, and spoke with Sarah, who did not want to provide me with her last name, and I asked her for the Purolator confirmation number and Sarah refused to give it to me, leading me and any reasonable person to conclude that you Me. Roland are playing games with me by using tactics that is unbecoming to a registrar of the court. I am aware Me. Roland of the games clerks play to assist lawyers in their malfeasance, and the games don't start when the clerks leave the courthouse.

Please refer to my letters faxed to you on April 11 and April 15, 2008, regarding the practice the clerks, under your authority, are using regarding delivering mail to me. As per my letters faxed to you in the month of April 2008, you are aware Me. Roland that any documents delivered to me by any other companies other than Canada Post won't be properly delivered.

You are a foreign French National and a member of the Law Society of Québec, hired by the Canadian government in good faith to be the registrar of the SCC and you are now aiding and abetting fraudsters in a real estate fraud.

I am aware that as a foreign French National you Me. Roland don't have an appreciation for our Canadian laws however it is not too late for you to come clean and stop the game playing that you have engaged in with Keith Oliver et al.

I say this because, inter alia, you continue to refuse answering to my pro bono lawyer's letter and although you are deliberately trying to obfuscate the issue of the factual error made by the lawyer who prepared the summary for file number 32316, you know that you made a false written statement in the summary of file number 32316 with the intent that it should be relied on by the judges of the SCC for the purpose of defrauding me of my property and for the purpose of incurring more egregious costs against me, contrary to s. 362 of the *Criminal Code*.

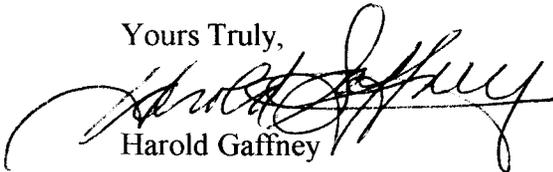
Me. Roland, while you feel all very powerful due to the people behind you, you must know that you can not carry on playing the games you have been playing since you have been hired. It is most likely that you will yield to the same faith as others, like, inter alia, Maxime Bernier, who like you, ended up putting the country at risk due to his negligence.

Know that Stéphane Sirois, former Hells Angels and former husband of Julie Couillard former girl friend of Maxime Bernier, said to the Globe and Mail in an interview that, the scheme he did in real estate was first finding someone who agreed to sign an offer for a home for tens of thousands of dollars under its value; and second the person would then buy the property at an inflated price with a bank loan, pay off the first offer and pocket the difference. It begs the question as to whether you know what you are trying to cover up Me. Roland for your colleague Keith Oliver or whether you have been covering up these sort of crimes for lawyers and their respective organizations for years.

Please, any and all documents delivered to me from the SCC should be delivered by Canada Post either regular or Express Post without the requirement of a signature.

In the meantime, please answer to my letter and email of June 6th, 2008 and please answer to my pro bono lawyer's letter and stop assisting members of organized crime, such as and not limited to, Keith Oliver.

Yours Truly,



Harold Gaffney

c.c. Anthony Jasich LL.B

Encls.

Supreme Court
of CanadaCour suprême
du Canada

June 13, 2008

Harold C. Gaffney
312 - 450 Bromley Street
Coquitlam, British Columbia
V3K 6S5

Dear Mr. Gaffney,

Re: Harold C. Gaffney c. In the Matter of the Bankruptcy of Sheila
Frances Gaffney, et al.
File No.: 32316

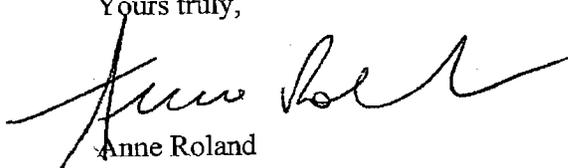
Harold C. Gaffney v. Sheila Frances Gaffney
File No.: 32381

I wish to acknowledge receipt of your e-mail dated June 6, 2008, relating to the error that appeared in the case summary of your leave application in File No. 32316 and to representation by Mr. Anthony J. Jasich, LL.B. in File No. 32381.

First, I wish to inform you that the case summary in File No. 32316 has been corrected. In any event, however, the error in the case summary had no effect on the panel's decision since case summaries are not sent to the Judges.

Second, the *Rules of the Supreme Court of Canada* permit a self-represented litigant to be represented by counsel. Under Rule 17(3), you must file a notice to that effect.

Yours truly,


Anne Roland
Registrar

encl.

HAROLD C. GAFFNEY

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FAX: 604.685.6518

Tuesday, June 24, 2008

SUPREME COURT OF CANADA ("SCC")

FAX DELIVERY

Attn: The Court Registrar Anne Roland

RE: **Harold C. Gaffney v. In the Matter of the Bankruptcy of Sheila Frances Gaffney, et al.** Court File No. 32316

Gaffney vs. Gaffney File No. 32381

I am in receipt of your fax sent on this day by Mr. Pascal Leblanc.

In your June 13, 2008 letter you claim that you have corrected the factual error in the summary prepared by a lawyer however the summary of which I attach a copy, still states the factual error and therefore there is no visual correction made regarding the summary, since you have not even faxed me the correction you claim was made.

The factual error that has not been corrected is as follows:

"When Ms. Gaffney filed an assignment in bankruptcy in May 2005, her one-half interest in a piece of property she and Mr. Gaffney owned as **tenants in common** was transferred to the trustee".

What should be corrected and should be posted on the SCC and on the website of lawyer Eugene Meehan Q.C. is as follows:

"When Ms. Gaffney filed an assignment in bankruptcy in May 2005, her one-half interest in a piece of property she and Mr. Gaffney owned as **joint tenants** was transferred to the trustee".

I respectfully ask you Registrar Me. Roland, when you make the correction, to not use further deceit by either erasing the entire phrase or make up something else, in order to cover up the crimes of your colleagues, Mr. Kenneth A. Rowan, Mr. Keith Oliver, William Cadman and Mr. David Donohoe.

You further claim that, "In any event, however, the error in the case of summary had no effect on the panel's decision since case summaries are not sent to the judges".

1. First Registrar Me. Roland, the correction, which clearly has not been corrected on the SCC website and on the website of lawyer Eugene Meehan Q.C. is defamatory to me, because upon reading the summary on the websites, the statement published is false. You have the public and legal profession believe that I am demented for proceeding with my claim against the respondent, when the truth is, Mrs. Gaffney and myself were **joint tenants** up until when the trustee in bankruptcy deliberately severed

the joint tenancy for the purpose of stealing my property. Thus, I had legal standing in the court of first instance and as such the judges made an egregious error in law.

2. Further, you claim that the summaries prepared by lawyers do not go before the judges, when in fact in 2005, in an email to a party, who was questioning the legitimacy of the summary, you have advised them that the summaries go before the panel judges. Thus the SCC registry was either lying then or else you are lying now. Logically there would be no purpose to prepare summaries, if the summaries would not go before the panel of judges, as the SCC registry advised that the summaries is what the panel relies on and also the judges have access to the SCC website to read the summaries.

Thus Registrar Me. Roland, when are you going to stop using deceit and correct the factual error on the websites which is defamatory to me, and which was made deliberately by a lawyer under your direction and authority, for the purpose of defrauding me of my property?

You have a duty to publish the truth for the legal profession, public and the panel of judges to know the truth and not what you want the legal profession, public and the panel of judges to believe it to be true.

About the rules for lawyers representing a party; Mr. Anthony Jasich explained his position to you very carefully and you deliberately continue to ignore his letter of May 6th, 2008, which ought to have been put before the panel of judges for file number 32381.

Finally, if the panel of judges are prepared to cover up for your deceit and crime in the name of protecting lawyers who are clearly engaged in real estate and mortgage fraud, than please forward this letter to Madam Chief Justice McLaughlin, as it is evident that she is not running a court of justice but rather the SCC is simply an administrative body and therefore she should resign forthwith without government pay.

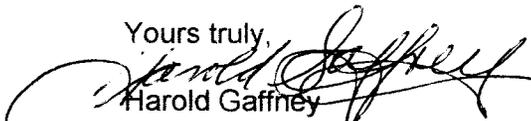
I expect under your authority that you direct the lawyer that you have assigned for the summary of file number 32316 to correct his factual error and replace it with the truth and subsequently post the summary with its correction on the websites of the SCC and of lawyer Mr. Meehan.

I also expect from you and the lawyer who prepared the summary, an apology for having misstated facts in the summary, in order to make the sale of my property appear legitimate and in order to deny me leave for file number 32381.

I also expect that the summary that will soon be corrected showing that Mrs. Gaffney and myself were **joint tenants** up until the trustee severed the joint tenancy by fraudulent means, be also sent to the panel of judges without any further delays.

The onus is on you Me. Roland to do the correction and to send me the correction by fax immediately and make the correction on the websites.

Yours truly,


Harold Gaffney

c.c. Anthony J. Jasich Members of Parliament



Supreme Court
of Canada

Cour suprême
du Canada

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Summary

32316

Harold C. Gaffney v. In the Matter of the Bankruptcy of Sheila Frances Gaffney, et al.

(B.C.) (Civil) (By Leave)

Keywords

Procedural Law.

Summary

Case summaries are prepared by the Office of the Registrar of the Supreme Court of Canada (Law Branch) for information purposes only.

Judgments and orders - Appeal - Extension of time - Motion to vary denial of extension of time - Applicant applied to annul discharge of bankruptcy - Applicant found to be without standing to make application - Applicant sought to appeal that decision outside the prescribed time - Extension of time denied - Motion to vary decision on extension of time denied - Whether Court of Appeal erred in denying motion to vary.

Harold Gaffney is the estranged husband of Sheila Gaffney. When Ms. Gaffney filed an assignment in bankruptcy in May 2005, her one-half interest in a piece of property she and Mr. Gaffney owned as tenants in common was transferred to the trustee. No proofs of claim were filed in the bankruptcy; in particular, Mr. Gaffney made no claim. In May 2006, the Registrar of the Supreme Court of BC granted Ms. Gaffney a discharge. Mr. Gaffney attended the Registrar's hearing, but did not raise any objection to the discharge. The trustee then transferred Ms. Gaffney's interest in the property back to her.

Mr. Gaffney then applied before a judge to have the discharge annulled and for ancillary relief. The application was later broadened to an application for an order declaring the bankruptcy annulled. The trustee applied for a declaration that Mr. Gaffney had no legal standing to ask for an order annulling the order for discharge of the bankruptcy, or, in the alternative, an amendment of Mr. Gaffney's. Mr. Gaffney was found to be without standing and his application was struck out and dismissed. Mr. Gaffney sought to appeal that decision, but did so outside the prescribed time. A motion for an extension of time was denied by a single judge of the Court of Appeal. A panel of the Court of Appeal then denied a motion to vary that decision.

HAROLD C. GAFFNEY

312-450 Bromley Street
Coquitlam, B.C. V3K 6S5
Telephone number: 604. 685.6518
FAX: 604.685.6518

Wednesday, June 25, 2008

SUPREME COURT OF CANADA ("SCC")

FAX DELIVERY

Attn: The Court Registrar Anne Roland

RE: *Harold C. Gaffney v. In the Matter of the Bankruptcy of Sheila Frances Gaffney, et al.* Court File No. 32316

Gaffney vs. Gaffney File No. 32381

Hello Registrar Me. Roland;

I note that you have made the correction of the summary of file number 32316, since it was posted on the SCC website on this day. Please see attached summary without the correction, wherein the lawyer claimed that Mrs. Gaffney and myself were tenants in common and please see the attached summary with the correction showing that Mrs. Gaffney and myself were joint tenants prior to the trustee transferring the title to his name.

I note that lawyer Mr. Eugene Meehan, who had been apprised of the summary prior to the posting, did not make the corrections on his website. Please direct Mr. Meehan to correct the error without any further delays and please confirm in writing that the correction was made on the SCC website and that you have directed Mr. Meehan to correct his website as well.

Further please forward the summary of file number 32316, with the correction, to the panel of judges, namely, The Hon. Chief Justice Beverley McLachlin of Canada, The Hon. Mr. Justice Ian Binnie, The Hon. Mr. Justice Louis Lebel, The Hon. Marie Deschamps without any further delays and please confirm in writing that the summary with the correction was forwarded to the panel of judges that dismissed my application for leave to appeal, based on the previous summary that was before the panel and for which they relied on to make their decision.

Further please confirm as to whether the case of ***American Bullion Minerals Ltd.*** (Re), 2008 BCSC 639 was forwarded to the panel of judges, of which I attach a copy, since the two minority shareholders did not file a proof of claim and were not required to file a proof of claim, and Mr. Justice Pitfield of the court of first instance, gave them both legal standing and subsequently based on the allegations of fraud, Justice Pitfield, annulled the bankruptcy of ***American Bullion Minerals Ltd.*** due to the fact that the bankruptcy proceeding was used for improper purposes. Given that I was a ***joint tenant*** with Mrs. Gaffney, and that I am still married to her under the law of British Columbia, in law I had legal standing in the bankruptcy court.

Due to the serious factual error that was made by the lawyer who prepared the summary of file number 32316, I would now expect that my reconsideration application along with the summary being corrected be put before the panel judges, along with the case of **American Bullion Minerals Ltd.** and that I be given leave for both applications of file number 32316 and 32381. In short Registrar Me. Roland, the decision of file number 32316 must be reversed forthwith in order to keep the integrity in the judicial system and allow the appeal.

The factual error that was made by the lawyer who prepared the summary and later relied on by the panel of judges, costs me my property and subsequently I find myself homeless at 76 years of age, due to lawyers who are engaged in real estate and mortgage fraud and due to the SCC registry aiding and abetting Keith Oliver is his scheme that is affecting me directly and all the citizens of this country. Note that I continue to service my mortgage with CIBC every month, even though CIBC is also part of the scam.

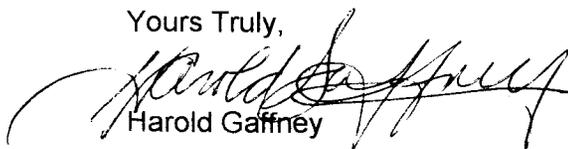
I do not believe that self-represented litigants who file applications for leave to appeal at the SCC are aware that the SCC Registry find ways to damage a case in order to deny them their right to due process. Albeit you have claimed in your letter that the summaries do not go before the judges, I remind you that I have evidence that shows otherwise.

Failing to confirm in writing my requests herein, shows that you continue to aid and abet the lawyers involved in the scam and as such it is my contention that in the event you chose to continue to aid and abet the lawyers involved in the property scam, you should step down from your post as a registrar forthwith. Any less in failing comply with my request, will bring the entire system into disrepute.

I reasonably expect your written confirmations without any further delays.

Please govern yourself accordingly,

Yours Truly,


Harold Gaffney



Supreme Court
of Canada

Cour suprême
du Canada

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Summary

32316

Harold C. Gaffney v. In the Matter of the Bankruptcy of Sheila Frances Gaffney, et al.

(B.C.) (Civil) (By Leave)

Keywords

Procedural Law.

Summary

Case summaries are prepared by the Office of the Registrar of the Supreme Court of Canada (Law Branch) for information purposes only.

Judgments and orders - Appeal - Extension of time - Motion to vary denial of extension of time - Applicant applied to annul discharge of bankruptcy - Applicant found to be without standing to make application - Applicant sought to appeal that decision outside the prescribed time - Extension of time denied - Motion to vary decision on extension of time denied - Whether Court of Appeal erred in denying motion to vary.

Harold Gaffney is the estranged husband of Sheila Gaffney. When Ms. Gaffney filed an assignment in bankruptcy in May 2005, her one-half interest in a piece of property she and Mr. Gaffney owned as joint tenants was transferred to the trustee. No proofs of claim were filed in the bankruptcy; in particular, Mr. Gaffney made no claim. In May 2006, the Registrar of the Supreme Court of BC granted Ms. Gaffney a discharge. Mr. Gaffney attended the Registrar's hearing, but did not raise any? objection to the discharge. The trustee then transferred Ms. Gaffney's interest in the property back to her.

Mr. Gaffney then applied before a judge to have the discharge annulled and for ancillary relief. The application was later broadened to an application for an order declaring the bankruptcy annulled. The trustee applied for a declaration that Mr. Gaffney had no legal standing to ask for an order annulling the order for discharge of the bankruptcy, or, in the alternative, an amendment of Mr. Gaffney's. Mr. Gaffney was found to be without standing and his application was struck out and dismissed. Mr. Gaffney sought to appeal that decision, but did so outside the prescribed time. A motion for an extension of time was denied by a single judge of the Court of Appeal. A panel of the Court of Appeal then denied a motion to vary that decision.