

RE: Josh Alexander Appeals

From james@jsmklaw.ca <james@jsmklaw.ca>

To John Summers <JSummers@bellbaker.com>

CC Jennifer Birrell <jbirrell@ehlaw.ca>, Patrick Twagirayezu <PTwagirayezu@ehlaw.ca>, Nancy Barton <nbarton@bellbaker.com>, Lexis Hagley-LeBlanc <Lhagley-leblanc@ehlaw.ca>, Rachel Dingman <rachel@jsmklaw.ca>

Date Tuesday, December 19th, 2023 at 1:00 PM

Hi John,

To be clear, you are telling me the panel has ordered that their Decision must not be provided to the public?

The Decision contains nothing that implicates the privacy of anyone preciously because the Panel directed at paragraph 10 of the Decision that all references to individuals would be arbitrarily initialized.

A direction to completely seal a decision on the merits in any legal proceeding is extremely exceptional. It is the type of thing reserved for cases involving serious national security concerns. Is it patently unlawful for the Panel to purport to order the Decision be sealed, especially without a request to do so from the Respondent supported with extensive evidence.

Regards,

James S.M. Kitchen

Barrister & Solicitor

203-304 Main St S, Suite 224

Airdrie, AB T4B 3C3

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Email: james@jsmklaw.ca

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On Tuesday, December 19th, 2023 at 11:57 AM, John Summers <JSummers@bellbaker.com> wrote:

James:

The Panel has considered your request. The privacy rights of all participants including the importance of privacy in this process as previously addressed remains and as such all publication bans remain in place which would extend to the Decision as well as Mr. Alexander's Will Say and your written submissions.

John E. Summers

Bell Baker LLP

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From: James S.M. Kitchen <james@jsmklaw.ca>

Sent: Tuesday, December 19, 2023 7:30 AM

To: John Summers <JSummers@bellbaker.com>

Cc: Jennifer Birrell <jbirrell@ehlaw.ca>; Patrick Twagirayezu <PTwagirayezu@ehlaw.ca>; Nancy Barton <nbarton@bellbaker.com>; Lexis Hagley-LeBlanc <Lhagley-leblanc@ehlaw.ca>; Rachel Dingman <rachel@jsmklaw.ca>

Subject: RE: Josh Alexander Appeals

Hi John,

As is my practice in cases where the decision maker has imposed a publican ban, I am providing notice to both the decision-maker and the opposing side that I intend to publish the Decision of the Panel regarding Mr. Alexander's appeals. I expect this publication to occur on Wednesday, December 18. I don't intend to apply any redactions as no individuals other than Mr. Alexander have been identified in the Decision.

Further, I ask the Panel to issue a direction on whether the publication ban on all "documentation" associated with the appeal has now been lifted in light of the Decision being released. Mr. Alexander wishes to publish his written submissions and his Will Say (attached for reference).

Regards,

James S.M. Kitchen

Barrister & Solicitor

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On Monday, December 18th, 2023 at 7:54 AM, John Summers <JSummers@bellbaker.com> wrote:

Good morning.

Please find attached the Decision of the Panel regarding Mr. Alexander's appeals. Would you kindly confirm receipt of this email. Thank you.

John E. Summers

Bell Baker LLP

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