

September 9, 2020

Ministry of Justice
Dispute Resolution Office
Attn: Itemobong Umoh, Acting Director
323 - 3085 Albert St
Regina SK S4S 0B1

Lisa Wildman
#56 Suffern Lake Regional Park
Box 324 Marsden SK S0M 1P0

RE: Ongoing Suffern Lake Regional Park Concerns – Request for Mediation

Good day Mr. Umoh,

Suffern Lake cabin owners John Danilak (Joanna Ritchot), and Lisa Wildman (Norm Zigarlick) were self-representing respondents to three 2019 Summary Writ of Possession Queen's Bench actions filed by the Suffern Lake Regional Park Authority. The first of these was dismissed on procedure against plaintiff and counsel. Although heard in September of 2019, decisions on the remaining two actions were not issued until May of 2020. Both were dismissed.

The concerns and considerations that led to our malicious prosecution have not been resolved at, or by, any level of government. It is our understanding that it is within our rights to request mediation through the Saskatchewan Ministry of Justice and, with this letter, do hereby make that formal request.

For the purpose of this mediation request Danilak, Ritchot, Wildman and Zigarlick (DRWZ) have agreed to act as one. We (DRWZ) wish to proceed with mediation aimed at resolving our concerns in the constructive, collaborative, consensual and confidential format that is the objective of a mediation process.

As we have agreed to act as a single entity, it would make sense that the Saskatchewan Government, as parent to or funding agent for all agencies involved in this complex case, should be the representative party to join us at the mediation table.

It is our sincere hope that the Government of Saskatchewan accept our request to join us in good faith to reach an agreement. We understand that, as participants to the process, both parties would refrain from pre-emptive maneuvers and legal proceedings while engaged in the mediation process.

Included is a background document outlining both historic and current circumstances for reference.

Sincerely,



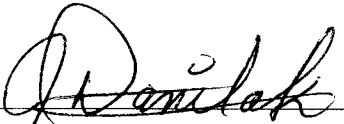
Lisa Wildman

On behalf of Danilak, Ritchot, Wildman and Zigarlick (authorizing signatures attached)

We have a broad range of related issues and unresolved concerns that we request the Saskatchewan Government meet with us to address through a mediation process (*without prejudice to further actions*).

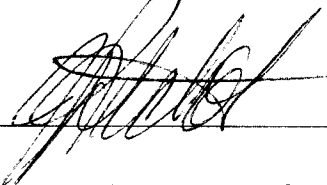
We anticipate your prompt response.

On Behalf Of: **John Danilak**

(Signature) 


(Printed Name) JOHN DANILAK 780.679.3414

On Behalf Of: **Joanna Ritchot**

(Signature) 

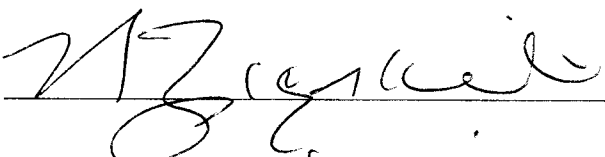
(Printed Name) Joanna Ritchot 780.226.8502

On Behalf Of: **Lisa Wildman**

(Signature) 

(Printed Name) LISA WILDMAN 780.720.6558

On Behalf Of: **Norm Zigarlick**

(Signature) 

(Printed Name) NORM ZIGARLICK 780.720.6558

INTRODUCTION

John Danilak, Joanna Ritchot, Lisa Wildman and Norm Zigarlick were respondents to Saskatchewan QB 174 of 2019 filed by Suffern Lake Regional Park Authority (SLRPA). When this Summary Writ of Possession action was discontinued on procedure by Madam Justice Zerr, SLRPA filed QB 230 of 2019 against John Danilak and Joanna Ritchot (dismissed Justice Zuk May 29, 2020), and QB 231 of 2019 against Lisa Wildman and Norm Zigarlick (dismissed Madam Justice Goebel May 15, 2020). In all actions, we self-represented. **For the purpose of this mediation request Danilak, Ritchot, Wildman and Zigarlick (DRWZ) have agreed to act as one and will *share risk and reward equally*.**

The history related to the noted legal actions is long and troubled. While SLRPA was the official plaintiff in all actions, they **did not act alone** in circumstances leading up to and initiating court proceedings.

Materials and resources used to justify the court actions included those from agencies directly funded by the Saskatchewan Government, under the Ministerial control of the Government and the Government itself.

A substantial amount of information used to support the legal efforts of SLRPA was deliberately misleading and damaging. **QB174 of 2019, QB230 of 2019 and QB231 of 2019 were blatantly malicious and were launched for the purpose of silencing the respondents who had raised and verified a litany of issues that would reflect badly on Saskatchewan Government and its agents.**

Deliberate efforts to discredit us, mislead us, mislead the public and mislead the Courts were not the solitary purview of SLRPA; they were assisted by numerous agents/agencies of Government, as well as the Government itself. The attempts at misdirection met with some success, for while Justice Zuk and Madam Justice Goebel ruled in our favour, their written judgements include statements that discredit us.

Our contentions are not frivolous or without foundation. In her decision, Madam Justice Goebel notes (37) that *“They argue that the decision to terminate the lease on the day that Ms Wildman fell 90 days in arrears was overly harsh and supports the narrative that they were unfairly targeted for **reasons ulterior to the monetary breach**”*, and (38) *“In my view, the latter argument aligns with the Park’s obligations”*. Freedom of Information documents, legislation, written statements from senior administrators, historic internal documents and SLRPA affidavits presented in court (statements in which have been proven false) also support our position that the court actions were politically motivated attempts to silence our questioning of government behaviors.

QB 174, QB 230 and QB 231 of 2019 were all filed as Summary Judgement actions. We can make the case that none of those actions should have been allowed to proceed as summary actions because, in each case, the value of the assets being claimed exceeded normally allowed values. Specific to QB 231, the Plaintiff had in their

possession a signed and witnessed sales document (a form required by SLRPA for lease transfer to a new owner) showing that Wildman's purchase, made six years prior to the court action, exceeded the \$50,000 summary limit.

HISTORIC RESOLUTION CONSIDERATIONS

We have, as representatives of the Suffern Lake Cabin Owners Association, suggested and brokered mediation that was refused by SLRPA, and further, have agreed to take part in Government offered mediation. Most notably, *Hansard* verbatim records of a May 14, 2018, Standing Committee meeting of Intergovernmental Affairs and Justice, document the **Minister of Parks Culture and Sport (PCS) saying that there was an ongoing offer of mediation available through Justice to the parties involved in the Suffern Lake Regional Park disputes.** Minister Makowsky, Premier Moe and other stakeholders were contacted May 31, 2018, advising that we would be happy to accept mediation as a step toward resolution.

The Minister's subsequent reply was that no one could be forced into mediation, implying that SLRPA had turned down the offer. **Unfortunately, a PCS Ministerial response to a freedom of Information request indicates that no correspondence or communications records exist to prove that the mediation, discussed in Committee and accepted by us, had actually been offered to SLRPA by PCS.** Further, moving forward to the Suffern Lake AGM of August 2020, current SLRPA Vice Chair stated publicly that no offers of mediation had been presented to the Park Authority.

Our perception is that when we accepted the mediation offered by Minister Makowsky in Committee, Saskatchewan Government interpreted this as a sign of weakness rather than a willingness to resolve concerns and chose to proceed with further attempts to neutralize our activism and force us to accept the inappropriate actions and behaviours of involved government agencies.

Since former Premier Brad Wall removed former PCS Minister Cheveldayoff from the Suffern Lake file and replaced him with a hand-picked, minor bureaucrat, the apparent goal of the Saskatchewan Government and its agents has been to stifle our voices. No apparent effort has been made to research and resolve our legitimate concerns.

Rejecting mediation is an obvious way to prevent issues from being discussed openly and honestly. "Secrecy is the tool of conspiracy".

Collectively the Saskatchewan Government and its agents have practiced deceit, secrecy, disregard of concerns, marginalizing and discrediting us.

With every concern we brought forward and in every circumstance that arose, we attempted to get government and its agencies to do the right thing, address the issues, enact change to bring about equity and to deal in fairness. Instead we were consistently met with wilful blindness, silence and obstruction that

contributed to our social and financial destruction culminating, but not ending, with the malicious prosecutions of QB174, 230 and 231. We are only a handful of people. No consideration was given to the consequences we faced as a direct result of government action and inaction. Every issue we have raised, ranging from the import of firewood in violation of Federal/Provincial law, financial reporting discrepancies to the punitive manipulation of taxes using property assessment reporting has been proven valid through our own research efforts.

CURRENT CIRCUMSTANCES

SLRPA has followed the eight-month wait for Summary Judgement decisions with renewed harassment and intimidation. They have continued their community campaigning to disparage, discredit and discomfit us with actions that range from improper invoicing, allegations of drug stashes, vehicle vandalism and open confrontation based on a nonexistent regulation. The failed oversight and continued silence of the Saskatchewan Government supports such behaviours.

At the August AGM, SLRPA claimed we were refusing to pay leases and fees invoiced by the Park. SLRPA skewed the information provided to attendees and failed to communicate that we had requested amended invoices as certain fees and charges were inflated or simply not appropriate. SLRPA counsel, James D Steele, has since responded to our request advising that we have "*no inherent right to lease renewals*" and that SLRPA will make their decision on the January 1, 2021, renewals in due course. **The clear implication being that resisting SLRPA invoices will result in our leases not being renewed and, once again, putting our cabin ownership at risk. This is essentially the same tactic used in the Writs of Possession dispute; create a situation then use it to justify termination/confiscation.**

The deliberate escalation of animosity towards us and the threat of additional attempts to disenfranchise us demands that action be taken soon. Saskatchewan Government has not responded to our recent letters of concern nor do we have any evidence they are doing anything to correct or even defuse the situation.

During our five-year ongoing struggle for fairness, we have sought legal opinion and advice from four attorneys. These contacts ranged from casual discussion on developing circumstances to costly representation planning defenses and litigation.

Recently, we sought advice and direction from a renowned Saskatchewan attorney. He provided his legal perspective upon review of several hundred pages of our research, documentation and judicial decisions. **Following his guidance, we determined to request mediation prior to implementing litigation which, he pointed out, would require mandatory mediation.** Litigation would require several focused actions, involve a number of Saskatchewan Government agencies and dozens of individuals ranging from premiers to part-time employees.

As we have agreed to act as a single entity, it would make sense that the Saskatchewan Government, as the parent to or funding agent for all organizations involved in this complex case, should be the representative party at the mediation table.

This approach may not appeal to Saskatchewan Government as they have long pretended that Suffern Lake issues are only local in nature and will be resolved at the local level.

Suffern Lake Regional Park Authority has never had the financial or administrative capacity to plan and carry out the broad range of efforts undertaken to silence the voicing of our concerns about local operational and managerial tactics nor our further concerns about government actions and inactions. The Saskatchewan Government and its agents over a long period of time and through varied means assisted SLRPA.

Government and its agencies that have participated in efforts to discredit us and diminish our rights are as follows:

- **Minister for Parks Culture and Sport**
- **Minister for Government Relations**
- **Minister for the Environment**
- **Office of the Premier (former and current)**

Other involved organizations that answer to the Ministers noted above are as follows:

Suffern Lake Regional Park Authority (SLRPA)

- SLRPA has been identified by the Provincial Auditor as a form of Local Government. The Ministry for Parks Culture and Sport describes SLRPA as a “public body performing a function of government”. Legislation states the Minister of Parks Culture and Sport is the final authority responsible for a Regional Park Authority.
- **SLRPA justified lease terminations because of non-payment of property taxes.** Taxes were being disputed for their suspected unfairness and were 90 days in arrears. SLRPA holds no tax enforcement jurisdiction. No level of oversight authority intervened to halt SLRPA actions. All levels of oversight were aware of a 5-year tax arrears situation involving the SLRPA Chair’s extended family, in which no enforcement actions were initiated at any point. This nepotism was ignored by all levels of authority prior to court proceedings and by the courts where nepotism was apparently considered irrelevant.
- Our investigations, undertaken after court hearings, have proved that **SLRPA misled assessment authorities by deliberately withholding critical information.** SLRPA thereby skewed property taxes to the benefit of some and the detriment of others. This behaviour went undetected for nearly a decade.
- SLRPA presented an affidavit in QB231 of 2019 that falsely claimed they did not have cabin sales information.

Rural Municipality of Senlac (RM 411)

- RM 411 is legislated as the first level of oversight and taxation authority for Suffern Lake Regional Park.
- RM 411 was aware of the 5-year tax arrears situation involving a SLRPA family member. Despite appointing two RM 411 representatives to SLRPA (one of whom has served as Reeve for the past four years) and approving all other SLRPA representative appointments, RM 411 took no action to intervene in SLRPA's usurpation of tax authority as related to the Writs of Possession.
- RM 411's Administrator did not fulfill the mandate of an appointed tax assessor which requires them to provide accurate, up-to-date reporting of property transactions nor did they question or correct the decade-long failure in reporting from SLRPA. RM 411 was aware these transactions occurred and made appropriate tax billing changes for the approximately 20 cabin/lot sales but failed to collect and report associated transaction values. These failures led to misleading superior levels of taxation authority.
- RM 411 attempted to obstruct timely provision of FOIPed materials regarding tax arrears requested for use in QB230 of 2019 and QB231 of 2019. The requested information proved statements made in SLRPA affidavits to be false. The information was only made available to the respondents through the intervention of the Privacy Commissioner's Office.
- RM 411 Administrator regularly showed disdain for our efforts. Questions went ignored or meaningless answers were provided, FOIP responses were often late even when the content was no more than "no records could be found". This refrain continues even in the wake of an OIPC review which recommended the RM hold records of SLRPA as their legislated involvement makes Park business RM business. NB: The RM wrote accepting the recommendations but apparently still is unable to provide audited SLRPA financial statements.

SASKATCHEWAN REGIONAL PARKS ASSOCIATION (SRPA)

- SRPA receives a large amount of annual funding from Saskatchewan Government. They use the monies to fund Association operations and to allocate to Regional Parks across the Province. In 2015 when we initially became involved in disputes with the local Park Authority, SRPA was receiving in excess of \$1 million per year in direct government funding. More recently that amount was reduced by about half.
- In 2015, SRPA President was John Froese, a long-time friend of former Premier Brad Wall. Executive Director was Darlene Friesen, also with direct ties to Brad Wall.
- SLRPA Secretary, David Kiefer, often referred to directions given by Ms. Friesen when justifying unusual steps taken by the local Park Authority (ie: to not communicate with the Suffern Lake Cabin Owners Association of which we were charter members).
- Prior to lease terminations implemented by SLRPA, **Ms. Friesen appears to have been the sponsor (SRPA Seminar 2017) for a presentation on "how to get rid of troublesome tenants"**. The presenters of *Eviction of Tenants and*

Other Lease Issues were Kim Anderson and James D Steele, both lawyers with Robertson Stromberg.

- July 25, 2018, we received notice that SLRPA **intended** to file Writs of Possession on our Suffern Lake properties. Notice was given by Kim Anderson. Shortly thereafter, the file was taken over by James D Steele.
- Ms. Friesen died July 26, 2018. We are not familiar with the circumstances of her death. Obviously, there was no opportunity to ask about the workshops on troublesome tenants that Ms. Friesen initiated and if they played a role in the subsequent orchestrated series of events used to justify terminations and initiate the related court actions.
- SLRPA court actions were filed by James D Steele of Robertson Stromberg. Mr. Steele's briefs of argument and SLRPA affidavits include the statements that we are not wanted in the Park as tenants.
- Early in his career, Mr. Steele appears to have been an office colleague of Madam Justice Goebel who presided over QB 231 with Mr. Steele as counsel for the plaintiff, SLRPA.
- Interconnections between Saskatchewan Government, SRPA, SLRPA and Robertson Stromberg justify us including SRPA as integral to our issues.

Saskatchewan Liquor and Gaming Authority (SLGA).

- After an investigation was initiated as a result of DRWZ inquiries, SLGA supplied false, harmful documents and verbal information related to SLRPA regulatory violations. Those deliberate actions empowered SLRPA to defame us within our community. SLGA was made aware of the defamation and knowingly let it continue over a long period of time by not correcting their own blatantly false statements and those SLRPA was making in public forums and in list-serve documents. Despite FOIP information confirming our claims of long-term regulatory violations, SLGA has yet to acknowledge they provided false information.
- The false information provided was not a simple clerical error by a frontline worker. The most junior person in the line of deceit was a Senior Licensing Manager. The organization's Director for Integrity compounded the deceit by providing an empathetic letter wishing us well in our community. This was done in concert with another formal letter containing blatant lies regarding SLRPA license information and applications. The licensing manager involved is another person with significant social ties to Premier Brad Wall and probable social ties to Dominique Clincke, the minor bureaucrat Mr. Wall put in charge of the SLRPA file through instructions to PCS Minister Cheveldayoff. The administrators indicated above have not been removed from their positions after the deceit was confirmed. This strongly suggests they did not act on their own.
- CEO of SLGA at the time was Cam Swan, current Deputy Minister to the Premier (Moe). Minister responsible for SLGA was Jeremy Harrison.
- For a period of two years, SLRPA Secretary David Kiefer claimed SLGA had given him permission to disregard conflict of interest guidelines. FOIP searches showed that no such permission was requested or offered.

- In an affidavit Mr. Kiefer claims that prior to **each** event requiring SLGA license approvals, he asked if guidelines could be set aside and each time the answer was yes.
- We questioned SLGA about a four-year period where raffle incomes reported to SLGA were \$17,250 greater than those reported to stakeholders by SLRPA. The response was that oversight of financial reporting to other parties was not within the purview of SLGA.
- However, the Minister responsible for SLGA is also the Minister responsible for SLRPA. On two occasions, exactly six months apart, we made FOIP requests to Parks Culture and Sport asking for financial reports on SLRPA. In both cases the Minister's office responded by saying they did not have that information. Even though we identified discrepancies, the Ministry did not feel the need to request SLRPA financial documents.

Saskatchewan Assets Management Agency (SAMA)

- SAMA collects financial and physical information pertinent to establishing property values across Saskatchewan. No intentional harm has been demonstrated by SAMA.
- The Regional Director did provide SLRPA an affidavit in which the assessment process was clarified, and it was confirmed that none of us had contested our assessments.
- Unfortunately, this created the impression that our concerns about retaliatory taxation manipulation were baseless and appears to have led to Madam Justice Goebel (QB 231 (65)) to a determination that our taxation "*theory*" had been "*debunked*".
- Information from the affidavit appears to also have influenced Justice Zuk (QB 230) into saying in hearing that, "*the Board (SLRPA) had nothing to do with assessments*" and writing (QB 230 (36)) that "*The tenants were knocking on the wrong door. The Park does not conduct property assessments. That is the function of SAMA*". **In fact, SLRPA is the foundational source of information upon which local assessments in the Park are based.**
- In an email from SLRPA Secretary David Kiefer to PCS Minister Makowsky on July 4, 2018, Mr. Kiefer **states, "*perhaps their assessments should go up to what they think it is worth*"**, implying that the true value of the cabins was **distorted**. This information initially came into our possession through exhibits attached to Mr. Kiefer's affidavit for QB 231. The significance of the content was not addressed by Madam Justice Goebel. Mr. Kiefer included the Minister's response in which he is thanked for his cooperative approach. **Interestingly, when PCS was FOIPed for correspondence regarding Suffern Lake taxation concerns, PCS Deputy Minister, Twyla MacDougall had to be prompted to supply Mr. Kiefer's letter of July 4. When she did provide it, point #9 containing the comments implying skewed assessments was redacted.**
- SAMA has noted that we have "*highlighted a weakness in the current system*" and advised that they would work with the appropriate Ministries to take steps to correct the problem.

CONCLUSION

Over a period of time measured in years the Government of Saskatchewan and its agents have used a great deal of manpower, financial resources and deceit to protect a small body of government. As the reach of issues grew exponentially, more manpower, more financial resources, more deceit and ultimately the court system were actioned to intimidate and punish those who, validly, questioned government.

Who were these enemies of Government? A group of everyday citizens who believed in democratic government and the idea that government would correct wrongdoings that were brought to their attention. **It would have been difficult to be more wrong in that belief.** We were forced to defend ourselves against the unlimited resources and ill intentions of multiple agencies and levels of government.

Retirement funds were spent, retirement years were wasted, home renovations were stopped (no one sinks money into their home when ownership is at threat), we endured the circulation of a defamatory petition in which community signators "*urge the court to have these non-abiding cabin owners removed*" for non-payment of taxes, we have been referred to in public meetings as "backstabbers" and accused of costing the Park thousands in lost lottery income, and when appearing in court we faced judges that came with built in bias and apparent disdain for self representing respondents.

If SLRPA is not going to renew cabin owner leases, notice must be given by the end of October 2020. We are requesting an expedited decision regarding acceptance of mediation.