

**Transcript of the Public Hearings of the Statutory Review Committee  
on Access to Information and Protection of Privacy**

Date: Wednesday, August 20, 2014 (4:00 p.m. - 5:15 p.m.)

Presenter: Ken Kavanagh  
Private Citizen

**ATIPPA Review Committee Members:**

Clyde K. Wells, Chair  
Doug Letto, Member  
Jennifer Stoddart, Member

August 20, 2014

Ken Kavanagh

C. WELLS:

Okay, Mr. Kavanagh.

K. KAVANAGH:

Good afternoon. Sorry to keep you for a little bit later because I know you've had a hard few days.

C. WELLS:

You don't need to apologize. We've caused the delay and we express appreciation to you for accommodating the delay in the way in which you have. We're grateful for your understanding.

K. KAVANAGH:

Not a problem. Pleasure to do it. Mine will not be a very long presentation but I'm quite prepared to be challenged and edified and educated on some of the issues that I might have raised here. We will just see where things will go.

First of all, I just want to say thank you for this opportunity to appear before you and grateful for the opportunity to make my written submission. And I want to say thank you publicly now at this time to all the people and organizations, including

government, for their submissions. In getting ready for my written submission for here today I had the luxury of actually spending about eight or ten hours either watching previous submissions or actually reading the material that they sent in and found them very thoughtful, very insightful and very informative. And I'm sure you're going to have lots of material and advice in terms of how to make recommendations with respect to improving ATIPPA.

I do want to point out a couple that I thought were absolutely phenomenal and certainly top on my mind was the presentation and the submission by the Office of the Information and Privacy Commissioner. I was so edified and instructed by just reading and listening to their analysis of all the amendments and issues that came out of Bill 29 and the new ATIPPA. I particularly also like the Centre for Law and Democracy's analysis and explanation of some of these issues. Phenomenal. It's great to see the strong civil society that we have in this country and just to see that organization with its focus on law and democracy do the kind of analysis that they did and I quite rather enjoyed the to and fro between this

Panel and Mr. Karanicolas, I think, in terms of his assertions and some of his analysis of what came out of Bill 29. Just phenomenal. The two opposition parties, the Information Commissioner of Canada actually, I think, was the first one to raise an issue that I have in mind, the whole issue of the duty to document and I really appreciated hers. And I don't want to leave the media out. I think some of their submissions really went right to the heart of the matter and issues around Bill 29. So I do want to say thank you to all of them and the others that I will get a chance to read at some point in the next few weeks when I have some time.

I want to say thank you to three of you because I sat in on most of yesterday, which I will come back to in a second, and I just want to congratulate you on the open transparent way that you're doing this and just the probing, challenging and somewhat surgical questions that you asked, particularly of the Minister yesterday. I just think you're doing a great service, so I just want to say thank you to do.

And as a little aside in terms of yesterday, I

just found it amazing, yesterday's session, in terms of the questions you asked the Minister. And to be quite honest as an ordinary citizen, and what's what I am, I think yesterday I saw for the first time in a long while the face of accountability. And I was really amazed at your assertions and your analysis and your conclusions you drew from what came out of Bill 29, which was obviously quite contrary to how government presented their views and intent with respect to Bill 29. So, I just found it a phenomenal day yesterday, to be quite honest with you.

I was quite intrigued by a gentleman, Mr. Noble, who I think was the Assistant Deputy Minister of the Department of Justice when you got into great conversation about solicitor-client privilege. Again, a wonderful to and from. I got a lot of understanding out of that. A little bit disappointed with a response to you, Mr. Wells, when at one point he said his client - government - has a right to use the solicitor-client privilege. I think he missed something - his client is me, because the government based on the principle that they are the repository of information that really belongs to the public,

whereas he may think that his client is government, his client indirectly is really the citizens of this province. So, I was a little bit taken aback by his response to one of your questions.

C. WELLS:

It would be wrong for me to sit and not somewhat come to the defense of Mr. Noble.

K. KAVANAGH:

Sure.

C. WELLS:

I don't think he was really ignoring that.

K. KAVANAGH:

I hope not.

C. WELLS:

He recognizes the split personality of the total people of the province. We are a collective people.

K. KAVANAGH:

Yes.

C. WELLS:

But also, there is an agency that we've put in place to look after our interest and that is the government. So that part of the people, that's what I think, in fairness to him, he was talking about.

K. KAVANAGH:

That's fine.

C. WELLS:

So I just want to be fair to him.

K. KAVANAGH:

That's fine. That's good, I appreciate that. And last thing I want to say, there was a lot of questions by the Panel yesterday with respect to the whole issue of the oversight power of the Office of the Information and Privacy Commissioner and about the lack of trust. And I just want to say again as an ordinary citizen at the present time I don't have much trust in my government on many issues, particularly as it relates to trusting them to protect my right to information, but I can say, unreservedly and unequivocally, I trust explicitly the Office of the Information and Privacy Commissioner. And I think in Bill 29 a lot of power and responsibility was taken from that office and I think it needs to be returned because I think that's who I think most citizens in this province would clearly trust. But I just want to say that from me personally, I trust the Office of the Information and Privacy Commissioner.

For the most part I am just going to make some brief comments about a few of my sections in my written brief. So, I did refer to why I'm doing this in the first place. In as much as I would like to say, Mr. Wells, I just didn't want to disappoint you because you have expressed some disappointment with the lack of public participation in this process and I am disappointed in it, too. I don't think it is really relative of how people really feel about this. I am hoping you were a bit facetious in a telegram report a few days ago when you said perhaps people in the province think everything is okay. I don't believe they think that.

C. WELLS:

I suspect the reason is most people have confidence in the system and they have confidence in the people who will make the effort to make presentations, and once they've seen the list they have confidence that their concerns will be addressed and feel that it is unnecessary for them to do it. I suspect that's what's really behind it.

K. KAVANAGH:

I think so. I totally agree with you. I think for a lot of ordinary citizens of this province, they are



busy earning a living and living a life and I quite agree with you, I think they would rely on others and on, for instance, the Office of the Information and Privacy Commissioner and civil society organizations and other citizens who may be in a position to look at some this stuff because it can be complicated, as I've witnessed the last couple of days.

C. WELLS:

And have a greater level of knowledge about things.

K. KAVANAGH:

Probably, yes. And would not be intimidated by this kind of a process. Not that you're intimidating, by the way. So I totally agree with you. So I don't think that the fact that there have not been a lot of people come forward or even go online and answer the questionnaire, I don't think it is indicative of a lack of interest or in fact indicative of the fact that people have quite a lot of difficulty with Bill 29 and the resulting ATIPPA that came out of it.

For me, I consider myself as a generally informed and engaged citizen. As someone who is informed and engaged and a former educator and a parent, I got to be honest, I'm really concerned and frustrated and

worried about the state of democracy in my country and in this province. And if we think we got problems here, I don't know if it is not the purpose of this Panel to get into a discussion, what's happening in our country I think is magnified tenfold, but I am concerned about the state of democracy that I live in. And I was really upset with the whole process and substance of Bill 29. Really upset with it. So as soon as, quite surprisingly, this government decided to institute this review panel I had made a commitment that I wanted to participate in it, and that not only meant putting in a written submission but I certainly wanted to appear before you and attend myself and I want to do the whole nine yards, so to speak.

Mine is not a very technical submission. I also want to acknowledge that I really made no reference whatsoever to the matter of privacy, because that's the other half of this Act, and that doesn't mean that I'm not concerned or put a value on privacy, I do. There are other people who are quite competent, including one of your commissioners who quite competent in that area, and so I didn't bother to

talk much about it or make any reference to it at all. It is access to information.

Mine was a 12-paged submission and a full one-third of it was basically to talk about the hypocrisy of this government in terms of what I look at is its purpose and motivation for Bill 29, and even to be quite honest with you, and I say this quite respectfully, in terms of even its intent in setting up this review panel. And it is no way casting aspersions on the Panel or the Commissioners or all those who made submissions. But I am an individual who, when someone says or does something, I always question their motivations and that includes my government. And I just simply really believe that they have been quite hypocritical.

I mean it almost reads like a Dickens novel; you know, the whole old thing about the worst of times, the best of times? The worst of Bill 29, the best of Bill 29. Was it a bill of light or a bill of darkness? Is it a bill of wisdom or a bill of foolishness? And clearly, the demarcation lines between those who felt this was just one beautiful

bill with nothing but the best intent out of the public interest, or this was a serious bill that was actually diminishing and reducing people's access to information, the demarcation lines were quite simple. You had two premiers, Premiers Dunderdale and Premier Marshall, you had the cabinet and all the present caucus of this government and some autobots (phonetic) who tend to phone Open Line a lot and tow the party line, who said this was a great bill. No mall intent here. And then you had everybody else. You had the opposition parties, you had the media, you had organizations like the Centre for Law and Democracy who clearly said this is a bad bill. This is a regressive bill. This is a bill that tips the balance between privacy and the disclosure of information. In fact, it is a bill that really is built to reduce the amount of information that goes out to the public. So, again, it is like a Dickens novel. And all of a sudden lo and behold the present premier decides that he's going to have this review panel. And I don't think it was because it was on the road to Damascus enlightenment. Oh yeah, we made a mistake, it is a bad bill. Let's go back and have someone review it and make some suggestions. I think

it was on the road to some low polling numbers and a way to get this out of the public discourse. I think that's the reason why, unfortunately, I think this review was initially established.

Unfortunately, it hasn't taken it out of the public discourse. In fact, I think with these submissions that I've just referred to and your probing questions, I think in fact it is way back in the public's limelight again in terms of Bill 29 and the present access to information framework that we have in this province. So, I just felt I needed to say that here. I said it in my paper. It is not important to your considerations and to your recommendations, I know that. I just felt I needed to say that in the paper and I needed to say it here publicly, because when you do your work and your report goes back to this government it is going back to the same government whose motivations and intent I'm questioning. So I have to be worried as a citizen in terms of, because I have no doubt you're going to come up with some wonderful recommendations that will really make ATIPPA a progressive modern bill that provides proper information to the

citizens. But I wonder what this or another government might do with your report and your recommendations. So I cannot help but think about that.

C. WELLS:

Mr. Kavanagh, you understand if we address your concerns that you express explicitly about the Bill and do not say anything whatsoever about these particular comments, we don't consider that to be part of our mandate and we will not address it. And I hope you'll understand.

K. KAVANAGH:

I know. Oh, I certainly do and that's fine. That's fine. I guess the few other comments I'd make, in terms of the openness, transparency and accountability issue it seems to be all politicians and all political parties seem to always espouse and promise those very laudable values. It's in all the colored books - the blue book, the red book, the orange book or the green book. We all want accountability and transparency. But something happens when a power gets in power. I don't know if it's the DNA that's in power, political power or not, but when they get in there a lot of it goes out the

door and then there seems to be this rush to hiding information. And I remember in all the stuff I've read in the last two or three weeks, somewhere in all the reading there was a comment by someone who said "I don't understand why governments don't want to release information. The sky will not fall." Well, they're not worried about the sky falling, they're worried about polling numbers falling, perhaps even the government falling, if information is given out. So I really think it is almost in their DNA. Yes, we will promise it beforehand but once we get in power it becomes a protectionist kind of system, and I think that's rather unfortunate. I think we need governments that are willing to walk the walk and not just talk the talk. So, in order for that to really happen I think we need three things: we need strong, comprehensive, progressive legislation. And I'm hoping you're going to contribute to that in this province; I think we need a huge change in culture in government. And it's funny, on all the negative publicity that came out of yesterday in terms of this government, one thing that I disagreed with, it seemed to be that the blame is on the civil servants. I mean, people are questioning the minister. Did you

realize that civil servants have been abusing some of the loopholes that have are in ATIPPA? I think this is not on the shoulder of civil servants, I think there is a culture in government and it comes from the top. It comes from the political level of government, create a culture where given the parameters of privacy and other considerations, solicitor-client privilege and Cabinet confidentiality, keeping all those in mind all information should be given to the public. The citizens have a right to it. That culture is not there. So there has to be a change in culture.

And the third thing that we need is we need a strong, independent oversight body and to me that has to be the Office of the Privacy and Information Commissioner. And that's certainly (inaudible) Bill 29.

Anything that I would have wanted to talk about in terms of technicalities has been covered by all the other submissions, and I'm grateful and thankful for that. I didn't have to get any technicalities.



The two issues that I haven't heard much about: one is the whole matter of in a case where a government is negligent, does something wrong, is sued by an outside party, there is an out-of-court settlement that contains a disclosure clause and people want to know information about that. For instance, in the case that if there was an agreement of an award, how much was it, because that's taxpayers' dollars, and the government says sorry, we have an out-of-court settlement and there is a nondisclosure clause in it, we can't tell you what we had to pay in that out-of-court settlement. And I'm not sure if that's within ATIPPA now, so I'm ready to be educated and edified about that.

And the other one is a duty to document, and I'm thinking of two things, because I'm sure Mr. Wells and Mr. Letto will be aware of being residents of the province, in the past couple of years cases, when there were changes in cabinet, and all of a sudden out of nowhere there were no more briefing papers because briefing papers could be accessed in terms of access to information requests. And I'm sure you remember some of the media coverage about some

ministers got to read a pile of material and give verbal briefings. So it is almost like a way of evading giving information to the public. So if Cabinet briefings are going to be accessible by the public, let's not have any. To me that falls under the whole area of duty to document. And then that whole recent case of the Trans-Labrador highway paving contract. That was nullified and the bond that went with it. And I remember all the media asking questions, where is the paper trail and the minister saying there is none. So can't that be a way to evade the access to information from the public by simply figuring out ways to avoid having documentation? So, and I know the Information Commissioner of Canada did make some requisite duty to document. I'm just wondering if that's already in ATIPPA or if it is something that you can recommend on but for me that's a concern.

When it comes to the ATIPPA legislation, our whole access to information framework, to my mind there are not too many cases when ordinary citizens would want to access that. I got to be honest, I never once. I'm going to start doing it though because I want to

see what the system is like, to put in an actual request of access to information. So while most citizens don't do it privately, I think there is two groups that citizens depend on, that I depend on. One are the opposition MHAs, and I think they've had difficulties, obviously, with the new ATIPPA and I think that's not fair. If citizens elect opposition MHAs, whether they be NDP or they be Liberal, they have a right to get information. They can't do their job. And that's who most citizens depend on. And the third one is the media, and that's why I was so pleased to see several media make representation here to you. I don't need to tell you the importance of media to a democracy. And I really think we're not being served well when our media are being hamstrung by the way that this government, or any other government, might want to use loopholes in an ATIPPA Act and prevent them from getting legitimate information that the public have a right to know. So those are my two concerns.

I may not want to use ATIPPA an awful lot but I depend on my opposition parties and MHAs to do it and I depend on the media. They're the ones who

represent us and I think are not being well served.

I think that's pretty well as much as I would like to say. Just, I made a reference to Dickens and the contrast between the best of time and the worst of times. My understanding is Tale of Two Cities ends off with a pretty hopeful sentence. That one about it is a far, far better thing you do and it is far, far better place we go. Well, compared to the whole Bill 29 fiasco, seeing this Panel unfold and the submissions and the interactions, that's a far, far better thing that you do, this whole Panel. And based on all the wonderful submissions we've had and I know the analysis and consideration you're going to give to all of that and the expertise that's on this Panel, I'm hoping that we're going to have a far, far better access to information framework that this province has ever had.

So, I look forward to your work. When your work is done that's when the work of people in this province starts because we have to take what you suggest and recommend and we have to be vigilant and we have to make our government enact whatever

recommendations you may have. Thank you very much.

C. WELLS:

Ms. Stoddart has some questions.

J. STODDART:

Yes, thank you very much for your interest, Mr. Kavanagh, and for your presentation. You do raise a novel, it is shown on page 11 at the conclusion of your report and you raise the issue and I don't remember this being raised before, of out-of-court settlements concluded, I guess, by the government or a public body and that are confidential, there is either a publication ban on them or an enforceable nondisclosure clause, I find that very interesting. Did you see that in any of the literature, this issue raised, or is this a personal concern of yours?

K. KAVANAGH:

No, I think there had been a couple of cases and I tried to find a more recent one but there have been a couple of cases in this province and perhaps I didn't keep up with them, but there were a few cases where there were out-of-court settlements and I think all the media wanted to know how much of the taxpayers' dollars was involved. And I understand even in those out-of-court settlements, there may be proprietary

information, I have no difficult with that, but to simply say we have an out-of-court settlement and there is a nondisclosure provision in it, so, therefore, we can't tell you anything. I mean the two things I would want to know in that case: how was the government negligent? What did they do was wrong that caused another party to sue you? And then if you did settle out of court and you paid some of my taxpayers' dollars to have this out-of-court settlement I want to know how much of my taxpayers' dollars went to that. That's all I want to know. I think I have a right to know that. And I just think there have been a couple of cases where that hasn't happened. So I just wondered, is that possible? Is that kind of situation now presently covered under ATIPPA? Is there some recommendation you can make that would address this particular issue?

J. STODDART:

Okay. Now I think it is very interesting. I think we will have to look into it. My understanding is that the disbursements the government would make in these settlements has to be accounted for in the presenting a budget somewhere. So I'm not sure to what extent it's really impossible to find out but

they may be aggregated such a way that the information is not accurate.

K. KAVANAGH:

Sure. That's fine, okay.

C. WELLS:

Just speaking as a lawyer, these nondisclosure undertakings and settlement agreements, they are usually designed to protect the interest of the party having to pay out the money. That's the party that usually doesn't want it disclosed. And if the other party wants it and in order to get what is seen as a reasonable settlement and not have prolonged costly legal actions and perhaps end up paying even more in the end, the government genuinely settles. I suppose there could be circumstances in which the receiving party might not want the amount disclosed, but I can't really imagine very many. Most likely, most commonly it's the paying party. So for somebody who wants to find out what was paid out by government, if you know the other party, you could go to the other party and ask for their consent of the disclosure.

K. KAVANAGH:

Oh, okay.

C. WELLS:

With their consent to the disclosure, you shouldn't have any trouble finding out how much was paid out.

K. KAVANAGH:

Okay, interesting.

C. WELLS:

That's just an observation. That's one way of doing it.

K. KAVANAGH:

Appreciate that.

C. WELLS:

Sometime there is genuine reason for entering into these nondisclosure agreements and then genuine benefit to the public interest perhaps, but I don't know of many cases where it's beneficial to the public interest to insist upon it.

K. KAVANAGH:

Okay. And if it's in the public interest then I'm fine as long, as there is some oversight to make sure that it is not being used as a loophole to prevent information from getting out. As I said, the two things would be is if a government was negligent then we as citizens have a right to know, how were you negligent. And if there were taxpayers involved,



despite the fact, Mr. Wells, with all due respect that, yeah, it may be in their best interest not to say the amount but I think as citizens I think we have a right to know that our taxpayers' dollars were used to pay this out-of-court settlement. And but I do appreciate your explanation of how the nondisclosure, because I got to be honest I hadn't been aware of which party would demand.

C. WELLS:

It is usually the party that pays it out that doesn't want the amount disclosed. Usually. But I can imagine circumstances where it might be the receiving party.

K. KAVANAGH:

Okay, appreciate that.

J. STODDART:

Another factor that has been brought to my attention is that governments usually do not insure themselves, and so that, like anybody else, accidents happen, things that are unforeseen, people misbehave and so on, and then they may be responsible and want to settle it and so on. So that's something that's kind of different from the rest of us. Most of us have insurance and governments usually don't because

nobody would insure them. So I think it would cost too much. So they take the risk and then I think perhaps confidentiality is part of it. We will look into it. Thank you for bringing it to our attention.

K. KAVANAGH:

Okay, I appreciate your responses to it.

C. WELLS:

Mr. Kavanagh, thank you very much.

D. LETTO:

I have a question.

C. WELLS:

Oh sorry, I thought you didn't. I apologize.

D. LETTO:

No, I've been listening with rapt attention to this but. We've heard a lot in the last few weeks about open government and the proactive disclosure of everything from reports to studies and so on. And obviously the people who contemplate this see it existing side by side with access to information. What's the value of access to information in that world? What's your thought about it that? You've heard this discussion.

K. KAVANAGH:

In terms of, yes, proactive disclosure and open

government, I mean that's what access to information is all about. But it's got to be real. It can't be lip service. It can't be just the talk. I know this government, again, I think because of low polling numbers, decided to all of a sudden have an Office of Public Engagement but then on that website there is a whole lot of information but it is about five years' old. I mean I don't think that's sincere. That's not public engagement. That's not proactive disclosure. I can look at the, I know it is not the purpose of this Panel, the federal government. I mean the amount of money they spend on communications and the big communications apparatus, they would like to brag that they are giving information. It is propaganda and spin. It is not real information. So if you're going to be embarking on an Open Government Initiative and you're going to do proactive disclosure of information, let's give us the real stuff. Let's give us the up-to-date stuff. Let's keep away from spin and propaganda. Give us the factual information and make it pertinent and make it contemporary. Make it as close to realtime information as possible. I'm all for it.

And public engagement is, again, another nice term to use. Public engagement is more than just simply putting information on a website. And I remember a few years ago doing some research on the national Australian government who actually set up a ministry of public engagement and it's way beyond what this government refers to as public engagement. It is about how to engage the public and new and different ways. I mean this is engagement of the public. So it is more than just simply a one-sided putting information on a website. It is looking for new ways to engage the public in giving their opinion about topics of the day and important issues of the day and on matters of public policy interest. That's real public engagement.

D. LETTO:

As one of your keys points that you left with us is that the idea of the need to change culture within government.

K. KAVANAGH:

Yes.

D. LETTO:

What do you think are the fundamental parts that need to happen in order for that to take place and what do

you see is the effect of it, if it does happen?

K. KAVANAGH:

Oh gosh, that's a good question but that's a difficult one. I think there has to be a change in the way that politicians think of their role. I mean a party system is one such that when an individual gets elected and is part of a party one has to simply just fall in line, and especially if that party becomes government there seems to be more of a pressure for individuals, even obviously ministers, to protect information and hold it back so that the party stays in the good graces of the population, because it happens at the political level. Unless we get politicians, ministers, in particular, of departments, who need to take the lead and to be examples to the civil servants who work under them to say that this department is a repository of a lot of information on behalf of the public. And if it doesn't go outside of breaking Cabinet confidence, if it doesn't go outside of issues around privacy and those sorts of things, solicitor-client, it doesn't go outside of that, then I want it to go. Whether it is good or bad, it has to go out there. And so it's got to be a change in the culture of politicians and

we need to get back as well to where civil servants are what they used to be years ago, they were civil servants. They served the public, not the government that's in power. And I will leave with just a quick anecdote. A years ago on behalf of an organization one gentleman a gentleman, a civil service, arranged a meeting with a deputy minister. So we had a meeting for about 30 minutes and we kind of settled whatever the issue was. When it was all over and I was shaking the hand of the deputy minister, he said to me, with reference to the other civil servant, the lower civil servant, I wonder sometimes if so and so works for the government or for you guys. And his response was, Mr. Deputy minister, I work for the public. I work for the citizens. And I think our civil service has become too politicized. I don't blame civil servants for what's happened as a result of Bill 29. Some of them are shouldering the blame and it is not fear in terms of what we talked about the last couple of days, that whole issue the 15 requests that were withheld because of solicitor-client, and when they were finally in the hands of the Commissioner he told you, quite blankly, that 12 of them were nothing to do at all with the

whole matter of solicitor-client privilege and were saying so the civil servants were abusing that. It wasn't the civil servants. They were only doing what their political masters tell them, either directly or indirectly. So I think it's got to happen at the political level. And I don't know the answer to that, how you get politicians to change the way that they operate.

D. LETTO:

You talked about, as well, that a strong and independent commissioner is something that we need.

K. KAVANAGH:

Critical.

D. LETTO:

If you have the strength in the Commissioner's role that you're thinking of, what impact do you think that has then on access to information and how people see their responsibility and duty to apply the Act?

K. KAVANAGH:

Well I think it would put a lot of pressure on ministers and on the government. They better follow the spirit and intent of the access to information Act. And not simply use any loopholes that might be in it. So I think it put more pressure on them and I

certainly think you would see more compliance in spirit and intent of the Act itself. But there has got to be more power put back in the hands of the Commission in order for that to happen. As I said before, that's who I trust. And I don't care who the government is. They do some things quite natural because they are government and they are in power. So that's the oversight body but it has got to have proper powers to be the real oversight body.

D. LETTO:

Just as a last point. I take it from you said a minute ago, that even though you are highly in favor of maximum disclosure you do accept there are certain things that need to be without a doubt withheld.

K. KAVANAGH:

Without a doubt. I mean I looked at the principles of various legislation around access to information and they talk about maximum disclosure, minimum, well-defined exemptions. And that's easily achievable and I have no doubt that this Panel is going to make some good recommendations so that we get more closer to that whole value of maximum disclosure with minimum bone fide, well-fined exemptions.



D. LETTO:

Thank you.

K. KAVANAGH:

Thank you very much. And good luck with your work.

J. STODDART:

Thank you.

C. WELLS:

Mr. Kavanagh, thank you again for making the effort and for being here to make the presentation and to answer our questions. We really do appreciate it.

K. KAVANAGH:

Thank you very much. Okay, have a good evening.

MR. LETTO:

Thank you.

C. WELLS:

You too. We are adjourned until 9:30 tomorrow morning.

**(Off the Record)**

C E R T I F I C A T E

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