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October 29, 2021

SENT VIA EMAIL to tnatyshak-qp@ndp.on.ca

Taras Natyshak, MPP
Chair, Standing Committee on Public Accounts
Legislative Building, Queen's Park
Toronto, ON
M7A 1A5

Dear Mr. Natyshak:

Re: Laurentian University of Sudbury – Standing Committee on Public Accounts

My client has forwarded your letter, which was delivered to my client, Laurentian University of Sudbury (“**Laurentian**” or the “**University**”) on October 22, 2021. I also write on behalf of the Chair of the University’s Board of Governors, to whom your letter was also addressed.

Your October 22 letter states, “The Committee’s request is clear and does not require a meeting with Laurentian’s legal counsel.” However, shortly after your letter was received, I had a pre-arranged call with the Clerk of the Committee, Christopher Tyrrell. Mr. Tyrrell offered to arrange a call between me and Parliamentary counsel. I told him that such a call would be helpful.

Later that afternoon, however, Mr. Tyrrell sent me an email stating that “any concerns that you have with the contents of the letters sent by the Committee should be addressed in writing and returned to this email address.”

I take from this email that the Committee has instructed Mr. Tyrrell to put an end to further oral discussions and, specifically, not to arrange a call between me and Parliamentary counsel.

Laurentian understands and respects the Committee’s mandate. Laurentian remains willing to discuss any arrangement under which it could produce documents while respecting court orders, the pending process under the *Companies’ Creditors Arrangement Act*, RSC 1985, c. C-36 (“**CCAA**”), and the rights of third parties.

Accordingly, the only documents the University is at liberty to provide are those that do not contain privileged information and are not subject to confidentiality pursuant to court orders. Gathering

documents to fulfill some of these requests, especially from the October 15 letter, may require a great deal of staff time, and they cannot be fulfilled by the Committee's deadline of November 12, 2021. Full production would take much longer. The University is in the process of determining how to collect and produce these documents and will advise you as soon as we have that information.

That said, many of the Committee's requests correspond to requests already made by the Auditor General of Ontario in her value-for-money audit, and already fulfilled by the University. The University will consent to the Auditor General providing those documents directly to the Committee, as long as the Committee will not disclose or permit the disclosure of any of the documents or their contents.

Because the Committee has demanded information and documents that the University is prohibited by court order from disclosing, and for information and documents that implicate the rights of third parties and the CCAA process, it would appear that an attendance before Chief Justice Morawetz will be necessary.

Again, the University remains willing to discuss this matter, and to try to reach a mutually agreeable solution.

Thank you for considering the contents of this letter. I look forward to hearing from you.

Yours truly,



Brian Gover
BG/

- c. Claude Lacroix, Chair, Board of Governors
Dr. Robert Haché, President and Vice-Chancellor
D. J. Miller, *Thornton Grout Finnigan LLP* (Insolvency counsel to the University)
Sharon Hamilton, *Ernst & Young Inc.* (Court-Appointed Monitor of the University)
Ashley Taylor, *Stikeman Elliott LLP* (Counsel to the Court-Appointed Monitor)
Peter Osborne, *Lenczner Slaght* (Counsel to the Board of Governors of the University)
Richard Dearden, *Gowling WLG (Canada) LLP* (Counsel to the Auditor General)
Fredrick Schumann, *Stockwoods LLP*