



Laurentian University
Université Laurentienne

**Office of the Chair of the Board of
Governors**
**Cabinet du Président conseil des
gouverneurs**
Tel/Tél. : 705-673-6567

March 29, 2022

Taras Natyshak, MPP (Essex)
Chair, Standing Committee on Public Accounts
99 Wellesley Street West
Room 1405, Whitney Block, Queen's Park
Toronto, ON M7A 1A2
DELIVERED BY EMAIL TO comm-publicaccounts@ola.org

Dear Mr. Natyshak,

I am writing in reply to your March 14th letter and its attached chart which posed questions about the production of certain documents. The chart below and the numerous attachments to the email accompanying this letter (EY's letter of engagement and all the Stockwoods invoices) respond to some but not all of the items you asked the University to address.

As you will see from the chart, the team has been able to answer some of your inquiries at this time and in respect of others we are actively gathering and confirming the accuracy of additional information. Remaining answers will be transmitted as quickly as possible.

Please direct any further inquiries to me and I will undertake to obtain answers for you and members of the Committee.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jeff Bangs'.

Jeff Bangs
Interim Chair, Laurentian University of Sudbury

PAC request		Details of missing documents	Laurentian response
All Board of Governors and Board of Governors Committee and Ad hoc Committees public and in-camera materials and minutes from January 1, 2010 to present	1	Based on the list of board items identified to OAGO as withheld or redacted for privilege, PAC has not been provided materials related to 30 items. Of these 30 items, 9 are from dates earlier than the January 20,2021 cutoff indicated by Laurentian. See Table 2 below for list of items.	We are gathering information to respond to this item. We believe that many (but not all) of the Committee items you have listed are information items for which there was no document presented to the Board (i.e., there was a verbal update only).
Emails for Blaine Nicholls, Martin Bayer, Maxim Jean-Louis, and Stan Pawlowicz	74, 42, 43, and 60	No documentation provided to PAC; OAGO understands that board members are generally not provided with Laurentian emails. [Name] is a former board member. Please confirm if no such documentation exists.	While Board members are provided with Laurentian email accounts, they are generally not used. Laurentian IT has confirmed that these four email accounts are empty.
Documentation and correspondence related to all Laurentian University land purchases, sales and other transactions from January 1, 2010 to present	100	PAC was provided with land agreements and leases, but it does not seem that all documentation and correspondence was provided. Completeness of information unclear.	We have followed up with Laurentian personnel and they have checked again. In their opinion, all documentation in Laurentian's possession has been provided. However, if there is a specific transaction or area in which the Committee is concerned that it has not received all documents, please let us know and we will ask for another review.
All documentation related to "Laurentian 2.0" prepared for or by the In Camera Ad Hoc Committee on Contingency Planning and the Contingency	101	No folder or documents provided to PAC identified to be related to this request. In Laurentian's January 28, 2022 letter to the Committee,	Documentation pertaining to "Laurentian 2.0" may implicate the confidential mediation process or sealed

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Planning and Sustainability Measures Report		this request item is listed as “document-by-document review will probably be necessary”. OAGO has identified at least 3 board items potentially related to this request that have not been provided to the committee (see * in Table 2).	documents. We have routed the gathered documentation to the review process. As that process continues, any documents in this category that are not restricted from disclosure by the mediation order, or sealing order will be produced to the Committee.
All business case, justification or other analysis used to inform the creation of new senior administrator positions (Assistant/Associate Vice Presidents and higher) from January 1, 2010 to present	112	No folder or documents provided to PAC related to this request. Based on OAGO’s discussions with Laurentian staff, it is unclear if such business cases, analysis or related documentation exists; however, no information or explanation on this request has been provided to PAC.	The University has not had a defined procedure or process for developing business cases for the creation of new senior administrator positions. Historically, positions were created at the discretion of the President who, along with Human Resources and the Vice Presidents, assessed the University’s needs and reorganized or created new positions accordingly.
All legal engagement letters and invoices from January 1, 2010 to present	113	PAC has been provided with a number of retainers and invoices for legal services. However, the following has been identified as missing: • PAC has not been provided with most of Stockwoods’ invoices for 2016-Oct 2021. PAC has only received Stockwood’s 2016 and 2021 retainer agreements, and one invoice from 2016/17. However,	In 2016, Laurentian retained Stockwoods lawyer Luisa Ritacca to act as independent legal counsel for hearings before its Committee of Inquiry (regarding student misconduct). Stockwoods issued one account dated November 30, 2016, in the total amount of \$11,783.74 (including HST).

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		according to Laurentian's financial systems, Stockwoods has invoiced Laurentian and been paid 12 times from 2017 to Jan 2022 (including retainer).	Ms. Ritacca opened two other similar files for Laurentian, both in 2019. However, there is no information suggesting that any substantial work was done, since no accounts were ever issued. On January 20, 2021, Laurentian retained Stockwoods lawyers Brian Gover and Fredrick Schumann to assist it as regulatory counsel in connection its CCAA insolvency. January 20, 2021 is the Separation Date for this item, so Stockwoods' invoices were not produced on Drive 1. However, they have now been reviewed and do not contain any information covered by the Mediation Order or the Sealing Order. Accordingly, we are producing them now.
All legal engagement letters and invoices from January 1, 2010 to present	113	PAC has not been provided Thornton Grout Finnigan LLP's retainer.	Thornton Grout Finnigan LLP does not have a written retainer agreement with Laurentian. There were two matters on which Laurentian retained TGF: 1. #1898-001: opened in 2018 (non-insolvency) with a limited mandate relating to amending the payment

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			structure between Laurentian and the Federated Universities and considering a draft Letter of Intent with Huntington University. 2. #1898-002: opened in March, 2020 (insolvency advice) relating to the financial position of the university and insolvency advice in connection with a potential CCAA filing.
Any and all correspondence with Lenczner Slaght LLP, Stockwoods LLP Barristers, Thornton Grout Finnigan LLP and related personnel (including but not limited to all documents, engagement letters, retainer agreements, terms and conditions, invoices, recordings, reports, legal opinions) from January 1, 2010 to present	114	PAC has received email files for the firms listed, but it is unclear as to the completeness of information provided, notably with Stockwoods' emails. For example, the users provided do not include senior administrators, such as the President. Comparatively, emails between Lenczner Slaght LLP and Thornton Grout Finnigan LLP and the President have been provided.	On January 20, 2021, Laurentian retained Stockwoods lawyers Brian Gover and Fredrick Schumann to advise it as regulatory counsel in connection its CCAA insolvency. January 20, 2021 is the Separation Date for this item, so the results of the search for emails between Stockwoods and Laurentian were placed on Drive 2 and are going through the review process.
All information and internal communications regarding actual or potential conflict of interest situations between January 1, 2010 and present	118	Only two documents related to this request have been provided to PAC: • one email from June 2020 between Sara Kunto, internal legal counsel, and Claude Lacroix, former Board Chair; and • a PDF Board orientation manual.	All conflicts that Mr. Lacroix declared because of his wife's position would be noted in the Board's minutes. If there are other documents that the PAC would like, please let us know.

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		The email was between legal counsel and the former board chair related to a conflict of interest on a board item related to Laurentian University Administrative and Professional Staff (LUAPS). It is a conflict for Claude Lacroix, a former Board member who served as Chair and Vice-Chair of the Board and on multiple committees, to be present for, discuss or vote on any matters that directly impacted his spouse, Julie Lacroix, Manager, Staff Relations, Department of Human Resources & Organizational Development). However, the OAGO audit work indicates there were many more instances of this occurring.	
All documentation provided by Laurentian University to Ernst & Young (EY) as financial advisor and subsequently monitor, and documentation provided by E&Y to Laurentian University from January 1, 2010 to present, not limited to: - Letters(s) of engagement, statements of work, and terms of reference - Documentation and correspondence for the period of engagement prior to the date of the CCAA filing and after the CCAA filing - Reports and draft reports	123	Emails with EY and a number of Laurentian users have been provided. However, PAC has not received: - Letters(s) of engagement, statements of work, and terms of reference; or - Reports and draft reports While some of this material may be embedded in emails, it has not been provided to the Committee directly, and no explanation on these missing items have been provided to PAC.	Because the Monitor is a court-appointed officer who participated in the confidential mediation, we have routed these documents to the document review process. As they are reviewed, any documents that are not covered by the Mediation Order or the sealing order will be produced to the Committee. That said, EY's letter of engagement is attached. The Monitor's reports are all publicly available on its website.

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Meeting minutes			EY did not issue any reports in the pre-filing period. Its work was focused on helping LU prepare for a CCAA filing, chiefly by understanding LU's cash flow forecasts and obtaining background information.
All documentation pertaining to union grievances from January 1, 2010 to present	124	No folder or documents specifically identified by Laurentian as being provided for this item. Some union grievance materials received under folder #113 Legal Engagements, but not comprehensive documentation.	All outstanding labour grievances were resolved in the confidential mediation process. Laurentian organizes its grievance files by the year the grievance was <i>commenced</i> , not by when or how the grievance was <i>resolved</i> . Accordingly, all grievance files have been routed into the document review process. All documents that are not covered by the Mediation Order will be produced to the Committee.
All international travel expenses related to international student recruitment from January 1, 2010 to present		No folder or documents provided to PAC related to this request. Based on our understanding of the way expenses are tracked at Laurentian, the University may not have documentation on this, but no information or explanation has been provided to the Committee.	Through an oversight, for which we apologize, we omitted this item from our original list. We understand that Laurentian may not separate records relating to expenses of international recruitment travel from records relating to other expenses, so it may be time-consuming to locate the requested records.

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			Laurentian is looking into this request and will update the Committee as soon as possible.