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BRUCE LAUGHTON

LEAH TERAJ

Suite 1090 - 1090 West Georgia Street, Vancouver, B.C. V6E 3V7 TEL: (604) 683-6665 FAX: (604) 683-6622

June 15, 2004

Fax: 1-216-566-1814

Office and Professional Employees International Union
616 - 1300 East Ninth Street
Cleveland, Ohio 44114-1503
U.S.A.

Attention: Melvin Schwarzwald, General Counsel

**Re: Office and Professional Employees International Union
v. Office and Professional Employees International
Union Local 15 and others -
British Columbia Supreme Court Vancouver Registry No.
S042975**

We are in receipt of your letter dated June 11, 2004 which we understand from our clients you are anxious to receive a response to. In that letter you raise three issues:

1. Communications with counsel;
2. Statements by Ms. New;
3. The advertisements published by the OPEIU.

Our response to those matters as well as your recent request for documents is set out below.

Communications with Counsel

Communications in connection with the OPEIU's outstanding action are governed by the British Columbia Supreme Court Rules. Mr. Arsenault is counsel of record in that proceeding and his address is the address for delivery under the Rules.

As we understand it you are not a member of the Law Society of British Columbia and are therefore ineligible to be counsel in that proceeding. Further, your address in Ohio is not and cannot be the address for delivery of the OPEIU.

Further, we have some uncertainty as to just what your status is since you appear to be an employee of the OPEIU and write letters on its letterhead. In these circumstances

we will continue communicating with Mr. Arsenault regarding all matters in connection with the Supreme Court action.

Statements by Ms. New

In your letter you assert that it is not possible to respond to the statement that "Ms. New did not knowingly make any false or untrue statements". Given the fact that the OPEIU's President asserted that false statements were made by Ms. New we do not understand your inability to back up his statement and establish the basis by which he characterized those statements as being "false and misleading".

Advertisements

Your response to our inquiries regarding the OPEIU having published advertisements on Saturday June 5 and Sunday June 6 appears to be nothing more than an attempt to avoid responsibility for those publications.

The judgment of Mr. Justice Pitfield was handed down at 5:30 p.m. on June 3, 2004. The OPEIU had from that time until close of business on June 4 to correct its advertisement. In our opinion it deliberately chose to publish an advertisement that was misleading in order to avoid the necessity of communicating its defeat in Court to its members.

Moreover the recent publication which is stated to "clarify the position of OPEIU" does nothing of the sort. It deliberately omits the fact that the Court found the OPEIU failed to make full and frank disclosure in its application for an injunction and that the OPEIU had not even established a *prima facie* case in support of the "interpretation" which had been made by Mr. Goodwin.

We suspect that this portion of the advertisement was drafted by you. Given the fact that you were in the courtroom at the time the judgment was rendered we find your omissions extremely troublesome.

Production of Documents

We understand from our client that you have insisted that they produce documents relevant to the British Columbia Supreme Court action. We are enclosing a copy of our letter to Mr. Arsenault dated June 11, 2004 which deals with this matter. We have received no response to this letter at this date.

If the OPEIU wishes to obtain documents then it must do so in accordance with the Supreme Court Rules.

Yours truly,

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Copy to client