

Query from November 8, 2016 PAC Verbatim <sup>A</sup>					
Context of query, as needed		Response			
<i>Ms Spoule: Who did you interview in relation to that phone call?</i>					
<i>Ms Ferguson: ... it would have been the people that would have been touched with respect to the emails.</i>					
<i>Ms Spoule: <b>Would you be able to provide those names to the committee?</b></i> (p. 84)					
April 2012 unsolicited phone call the GTH Chair/ Minister received from an undisclosed third party	As stated at the November 8, 2016 PAC proceeding, we became aware of the call through our review of emails – the related email thread provided us with evidence that individuals were aware of the call. We did not interview individuals specifically in relation to the call.				
	Date/time of Email	From	To	CC	Subject
	May 25, 2012 6:04AM	Law, John GTH	Wager, Blair GTH	Dedman, Ron GS	Fw: McDougall Gauley
	May 25, 2012 12:27AM	Hischebett, Rick JU	Law, John GTH	Tegart, Gerald JU	McDougall Gauley
<i>Ms. Sproule: — One other question in terms of that note is, in April 2012 you indicated that cabinet had a committee that directed the GTH to proceed. Who was in that committee at the time?</i>					
<i>Ms. Ferguson: — I don't have the names of the . . . It would be a subcommittee of cabinet, and so it would be a subcommittee of the ministers of cabinet. I don't have the names with me at this point.</i>					
<i>Ms. Sproule: — <b>Is that something you could provide to the committee?</b></i> (p. 84)					
	We do not have the names of individuals on cabinet at that time or the names of the individuals on its subcommittees.				
<i>Ms. Sproule: — It's interesting that the minister was concerned how this information [awareness of interest in the community] was made available. What sort of . . . Who did he speak to in GTH about that? What sort of questions did he ask? Who did he ask those questions to? Were you given that information?</i>					
<i>Ms. Ferguson: — I don't have that with me today here. But basically what we saw was the trail of the communication through emails is really, in that case . . . and, you know, it showed lines of inquiry that were pursued.</i>					
<i>Ms. Sproule: — Yes, it's interesting that he was quite concerned that that information was out there. So <b>I'm just wondering if you could provide the committee with a list of officials that the minister spoke to, what communications and concerns he had at the time, and who they were directed to, and also what the reply of those individuals was. Could you provide that to committee?</b></i> (p. 85)					
Queries following the April 2012 unsolicited phone call	We do not have all of the requested information given the scope of the audit. As stated at the November 8, 2016 PAC proceeding, we became aware of the call through our review of emails. The following email threads provided us with evidence that the Minister advised officials of his receipt of an unsolicited phone call, and investigation of the call, including investigating the identity of the company and its owners. We did not interview individuals specifically in relation to the call.				



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	May 25, 2012 12:27AM	Hischebett, Rick JU	Law, John GTH	Tegart, Gerald JU	McDougall Gauley
	August 15, 2012 10:10PM	Wager, Blair GTH	Dekker, Chris GTH	--	GTH and 139 Land Corp
	August 15, 2012 12:54PM	Dekker, Chris GTH	Wager, Blair GTH	--	GTH and 139 Land Corp
	July 20, 2012 3:09PM	Tegart, Gerald JU	Moen, Doug, EC	Hischebett, Rick JU	GTH and 139 Land Corp
<p><i>Ms. Sproule: — All right. Thank you. It was a numbered company:</i></p> <p><i>. . . to buy East Parcels for total price of \$21 million subject to Lieutenant Governor in Council approval (Cabinet) [approval]. The GTH Minister asked condition be removed after 3rd Party C questioned condition given 3rd Party C's understanding that Cabinet had previously approved the purchase.</i></p> <p><i>In this case, first of all I would like to ask you to share with the committee how that information . . . the first part is, how you knew that the minister asked the condition to be removed.</i></p> <p><i>Ms. Ferguson: — As again, you know, it's consistent with the rest of the audit. We did a combination of looking at documentary evidence combined with interviews, so it was the combination of the two pieces.</i></p> <p><i>Ms. Sproule: — Sorry, I was chatting and I missed your answer, Madam Chair. I'll have to look at it on the record.</i></p> <p><i>The third party understanding that the cabinet had approved the purchase, how did that come to your attention?</i></p> <p><i>Ms. Ferguson: — As I just said, our audit consisted of looking at documentary evidence including emails along with interviews, so it was from those sources of information.</i></p> <p><i>Ms. Sproule: — So could you share with the committee which emails you received in relation to that and what other documentation and who they were from and who they were to and on what days they were shared? (p. 87)</i></p>					
Queries related to removal of the "subject to Lieutenant Governor in Council" condition on the December 2013 offer to purchase East Parcels	The following two email threads provided us with evidence of the Minister's request to remove the condition after the 3 <sup>rd</sup> Party C questioned the condition given the 3 <sup>rd</sup> Party's understanding that Cabinet had previously approved the December 2013 purchase. We have attached copies reobtained from GTH.				
	Please note that GTH previously provided the same email threads to PAC (PAC 19-28: pdf pp. 300-302).				
	Time/Date of Email	From	To	CC	Subject
	December 23, 2013 3:21PM	Wager, Blair GTH	Richards, Byran, GTH	--	URGENT – Re: Purchase from

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					101225232 SK Ltd.
	December 23, 2013 3:17PM	Richards, Byran, GTH	Wager, Blair GTH	--	URGENT – Re: Purchase from 101225232 SK Ltd.
	December 23, 2013 11:11AM	Wager, Blair GTH	Richards, Byran, GTH	--	URGENT – Re: Purchase from 101225232 SK Ltd.
	December 23, 2013 2:23PM	Bishop, David J.	Wager, Blair GTH	--	Re: Purchase from 101225232 SK Ltd.
	December 23, 2013 2:21PM	Wager, Blair GTH	Bishop, David J.	Malach, Pam GTH	Re: Purchase from 101225232 SK Ltd.
	December 23, 2013 1:21PM	Bishop, David J.	Wager, Blair GTH	Malach, Pam GTH	Re: Purchase from 101225232 SK Ltd.
<p><i>Ms. Sproule: — In terms of the cabinet meeting documentation that you were provided, <b>could you share with the committee how many cabinet meetings you were provided notes for and the dates of those cabinet meetings?</b> (pp. 88-89)</i></p>					
<p><i>Ms. Sproule: — At one point you indicated that the GTH minister gave cabinet an overview of the land assembly for east parcels. <b>Can you highlight what was included in the overview or provide us with a copy of the overview? And was this information gained from emails or was it an actual report that the minister gave cabinet?</b> (p. 89)</i></p>					
	<p>Our Office was supplied cabinet information in confidence. Government officials, who supplied us with access to cabinet and cabinet committee agendas, minutes, and supporting documents, did so with our mutual understanding of the confidentiality of this information, the reasons for which our Office required access to it (i.e., the objectives of the audits), and how the Office planned to use the information.</p> <p>These government officials were fully aware of the following. That <i>The Provincial Auditor Act</i> (PA Act) gives the Office access to government information to enable us to do our work properly. The PA Act imposes on us an obligation to preserve secrecy with respect to matters that come to our Office's attention in the course of carrying out our duties. Furthermore, they were aware the PA Act places constraints on our communication of confidential information.</p> <p>They gave us access to confidential cabinet information based on this understanding. We did not take copies of this information, and our notations form part of our working papers.</p>				



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	Our Office understands that PAC may make this response public (e.g., post this response on its website). Our Office remains concerned that <u>public</u> release of confidential cabinet information to PAC would be viewed as a breach of convention of cabinet confidentiality and the PA Act's confidentiality requirements. As such, our Office is not prepared to make this information public.

**Schroeder, Matt GTH**

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**From:** Wagar, Blair GTH  
**Sent:** Monday, December 23, 2013 3:21 PM  
**To:** Richards, Bryan GTH  
**Subject:** Re: URGENT - Re: Purchase from 101225232 SK Ltd.

Thanks Bryan.

Blair Wagar

From Wireless Handheld

**From:** Richards, Bryan GTH  
**Sent:** Monday, December 23, 2013 03:17 PM  
**To:** Wagar, Blair GTH  
**Subject:** Re: URGENT - Re: Purchase from 101225232 SK Ltd.

17(1)(a)(b)(i)

Bryan

**From:** Wagar, Blair GTH  
**Sent:** Monday, December 23, 2013 11:11 AM  
**To:** Richards, Bryan GTH  
**Subject:** URGENT - Re: Purchase from 101225232 SK Ltd.

Bryan,

17(1)(b)(i)

Blair Wagar

From Wireless Handheld



**From:** David J. Bishop [<mailto:d.bishop@mckercher.ca>]  
**Sent:** Monday, December 23, 2013 02:23 PM  
**To:** Wagar, Blair GTH  
**Subject:** RE: Purchase from 101225232 SK Ltd.

I can

**David J. Bishop** — Barrister & Solicitor  
**McKercher LLP**  
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**From:** Wagar, Blair GTH [<mailto:blair.wagar@theqth.com>]  
**Sent:** December 23, 2013 2:21 PM  
**To:** David J. Bishop  
**Cc:** Malach, Pam GTH  
**Subject:** Re: Purchase from 101225232 SK Ltd.

David,

22(a)(b)

Blair Wagar

From Wireless Handheld

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**From:** David J. Bishop [<mailto:d.bishop@mckercher.ca>]  
**Sent:** Monday, December 23, 2013 01:21 PM  
**To:** Wagar, Blair GTH  
**Cc:** Malach, Pam GTH  
**Subject:** Purchase from 101225232 SK Ltd.

22(a)(b)





22(a)(b)

David Bishop

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