



**Affidavit #4
of Robert Palamarek
Sworn October 4, 2010**

**Action No. 08-0327
Action No. 07-3415
Victoria Registry**

IN THE SUPREME COURT OF BRITISH COLUMBIA

**IN THE MATTER OF THE *PATIENTS PROPERTY ACT*
R.S.B.C. 1996, c. 3249 AND AMENDMENTS THERTO**

- AND -

IN THE MATTER OF KATHLEEN PALAMAREK, PATIENT

AFFIDAVIT

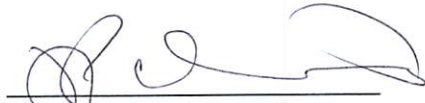
I, Robert Kenneth Palamarek ("Robert"), Retired, of 27 Greenbrier Crescent, St. Albert, Alberta **MAKE OATH AND SAY THAT:**

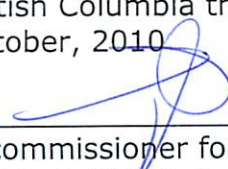
1. I am the eldest son of Kathleen Palamarek ("Mom") and as such have personal knowledge of the matters hereinafter deposed to except where the same are said to be on information and belief, in which case I verily believe the same to be true.
2. I love my mother very much and only want what is best for her and to continue to maintain her wishes as stated to me and set out in her will when she was capable. That is why my brother Ralph Palamarek and I are continuing with our application to become Mom's committee of her person and financial affairs.
3. I continue to keep in contact with my Mom regularly. My visits have become more frequent, about once a month since this litigation has been continuing.
4. I continue to oppose my sister, Lois Sampson ("Lois") to be appointed Mom's committee. I oppose Lois' application because I do not believe she is an appropriate person to make decisions on behalf of Mom.
5. Lois adds little about me in her affidavit #8 sworn September 17, 2010.

6. I do not dispute the fact stated in paragraph 4 of Lois' Affidavit #8. Had I known then what I now know of Lois, however, I would not have appointed her as godmother to my child.
7. Lois statement in paragraph 15 of her affidavit #8 is not true. I might well have expressed a desire that my parents' could get back together but I would never have suggested that Mom simply go back to live with Dad if she was at any risk of abuse from Dad. Lois' implication is simply an attempt to twist what I said.
8. Lois has stated in her proposed health care plan for Mom, which is included as Exhibit "AB" to her affidavit #8, that she will remove Mom from the Lodge at Broadmead and have her at Lois' home (see page 128). She will change Mom's physicians (page 128). In my opinion this would not be good for Mom.
9. Mom has settled into the Lodge and has now lived there for over 3 years. She is, in my opinion receiving the best of care including good medical care and nutrition and is encouraged to remain in contact with people her age and participate in various activities. Her environment is safe and clean.
10. Moving Mom from the Lodge will disrupt the care she has been receiving.
11. Moving Mom from the Lodge will remove her from activities at the Lodge in which she participated and enjoys including entertainment and social gatherings that the Lodge provides.
12. I am also concerned about the medical care Mom will receive if she is removed from the Lodge and taken to live with Lois and Gil. Lois' care plan is replete with criticism of Mom's existing health care including the medications prescribed by her physicians and the diet provided for her at the Lodge. Lois does not provide any factual basis for this criticism. She cannot and does not point to any deterioration in Mom's health above the natural decline that one would expect in a person of Mom's age. Her criticism is based on general theories and opinions she holds.
13. If Lois is appointed committee of Mom, she will put Mom under her control in her premises, and will limit and control family visits. I will not feel comfortable visiting with Mom in Lois' home. An order appointing Lois as committee permitting her to remove Mom from the Lodge would effectively cut my mother off from me. I do not believe Mom would be better off because of this and that she and I would both suffer as a result.
14. Lois has created such a rift in the family over the past three years that it would be virtually impossible to rebuild any trust for her and Gil.

15. I make this affidavit in support of a final order appointing me and my brother Ralph as Committee of my mother's person and her estate and in opposition to the application of my sister, Lois Sampson.

Sworn before me at the City of)
Victoria, in the Province of)
British Columbia this 4th day of)
October, 2010)


Robert Kenneth Palamarek


A commissioner for taking affidavits
within British Columbia

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