

J. Jordan #1
Sworn January 16, 2008

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, CHAPTER 349 AS AMENDED

-AND-

IN THE MATTER OF KATHLEEN PALAMAREK, PATIENT

AFFIDAVIT

I, JOHN E. JORDAN, Barrister and Solicitor, of 704-880 Douglas Street, Victoria, British Columbia, MAKE OATH AND SAY THAT:

1. I am a member in good standing of the Law Society of British Columbia. I have personal knowledge of the facts and matters hereinafter deposed to except where expressly stated to be on information and belief and where so stated I verily believe them to be true.
2. I am an associate lawyer at Straith & Company in Victoria. I was called to the bar in 1989. I was formerly an associate lawyer at Stevenson Luchies & Legh ("SSL") in Victoria. I practice as a solicitor in the areas of estate and trust planning and wealth preservation.
3. In July, 2007, while still working at SSL, Ms. Lois Sampson approached me in relation to her mother Kathleen Palamarek. At that time, I had no knowledge of any Petition relating to committeehip. Nor, to my knowledge, did Ms. Sampson, who to my knowledge was not served with the Petition until some time later.
4. Ms. Sampson advised me that Mrs. Palamarek was living in the extended care ward at

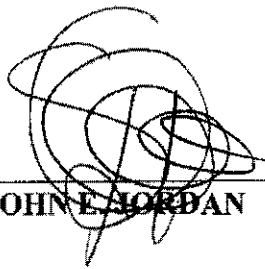
Saanich Peninsula Hospital and had been there for some time. Ms. Sampson expressed her concern to me that she felt this was not an appropriate facility for her mother. She also expressed concern to me that her mother might have been on medications that may have been exacerbating her mother's condition.

5. Ms. Sampson further advised me that one or more of her brothers was in control of her mother's finances and assets. She told me that one brother was living in Mrs. Palamarek's home and she did not know if he was paying rent or if some other arrangement was in place. She expressed concern that her brothers, who I understood were attorneys under a Power of Attorney, had not provided her with any information about their mother's finances and their management of those finances.
6. Ms. Sampson further advised me that she felt her mother's condition and finances should permit her to live in more comfortable surroundings than the extended care ward at Saanich Peninsula Hospital. To obtain further information in this regard, Ms. Sampson wanted to access her mother's medical and financial records. She advised that she did not feel her brothers would voluntarily provide these records to her.
7. Ms. Sampson advised me that she had discussed these issues with her mother and that her mother said she wanted to give Lois access to her medical records and access to her financial records. Lois advised me, however, that she wanted her mother to speak to a lawyer about this first and that if I felt satisfied I could take instructions from Mrs. Palamarek that I should prepare consent forms for Mrs. Palamarek to sign if she so wished.
8. I met with Mrs. Palamarek several times during July and August, 2007. Ultimately, I was satisfied that she understood the issue of consenting to the release of her medical and financial information to her daughter, and I was satisfied she was able to give me this instruction. Accordingly, I drafted two consent forms and witnessed Mrs. Palamarek signing them. The two consent forms are attached hereto and marked as Exhibit "A" to this Affidavit.

9. I do not represent any party in connection with the Petition, and have no ongoing involvement in this case. I understand that John Campbell of Straith and Company filed an Appearance for Ms. Sampson in relation to the Petition. Mr. Campbell is no longer involved in the case.

SWORN BEFORE ME at Victoria,)
British Columbia on this 16th day)
of January, 2008.)
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Karen Henry
A Commissioner for taking
Affidavits for British Columbia


JOHNE JORDAN

Commissioner's Name and/or Seal:

KAREN HENRY
STRAITH & COMPANY
BARRISTER & SOLICITOR
704 - 880 DOUGLAS STREET
Victoria BC V8W 2B7

TO MY HEALTHCARE PROVIDERS:

RE: KATHLEEN PALAMAREK

I KATHLEEN PALAMAREK, currently of the Saanich Peninsula Hospital, 2166 Mt. Newton X Road, Saanichton, British Columbia, V8M 2B2, being of sound and disposing mind, hereby **DIRECT** that any healthcare giver of mine, including any physicians, psychologist, psychiatrist, including geriatric psychiatrists, healthcare worker, nurse or social worker shall provide to my daughter LOIS SAMPSON any and all existing medical information, including any reports respecting my physical and mental health.

Yours truly,


KATHLEEN PALAMAREK

Dated this 8th day of August, 2007.



WITNESSED BY
WILLIAM E. JORDAN
Barrister & Solicitor
Stevenson Luchies & Legh
Suite 300 - 848 Courtney St
Victoria BC V8W 1C4

This is Exhibit " A " referred to in the
affidavit of JOHN E. JORDAN

sworn before me, at VICTORIA, B.C.

KH this 16th day of JANUARY 20 08



A COMMISSIONER FOR TAKING
AFFIDAVITS FOR BRITISH COLUMBIA

TO WHOM IT MAY CONCERN:

RE: FINANCIAL AFFAIRS OF KATHLEEN PALAMAREK

I KATHLEEN PALAMAREK, currently of the Saanich Peninsula Hospital, 2166 Mt. Newton X Road, Saanichton, British Columbia, V8M 2B2, being of sound and disposing mind, hereby **DIRECT** that my daughter LOIS SAMPSON, shall be given full and complete financial disclosure of all my assets, income, income tax information, including all my banking affairs by (1) any person or entity having knowledge or records of my finances, and by (2) my son, RALPH PALAMAREK and my son ERNEST PALAMAREK who are the agents I have appointed under a general Power of Attorney.

I also **DIRECT** my said agents named under the said Power of Attorney, namely, my son, RALPH PALAMAREK and my son ERNEST PALAMAREK or any other person or entity having a true copy of such Power of Attorney to provide my daughter, LOIS SAMPSON with a true copy of the aforesaid Power of Attorney that I have granted to my son, RALPH PALAMAREK and my son ERNEST PALAMAREK.

Yours truly,

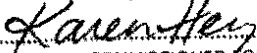

KATHLEEN PALAMAREK

Dated this 8th day of August, 2007.



WITNESS
JOHN E. JORDAN
Barrister & Solicitor
Stevenson Luchies & Legh
Suite 300 - 848 Courtney St
Victoria BC V8W 1C4

This is Exhibit "A" referred to in the affidavit of John E. Jordan sworn before me, at VICTORIA, B.C. this 16th day of JANUARY 2008



A COMMISSIONER FOR TAKING
AFFIDAVITS FOR BRITISH COLUMBIA