



Affidavit #3 of Robert Kenneth Palamarek
Sworn October 30 2008

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, CHAPTER 349 AS AMENDED

-AND-

IN THE MATTER OF KATHLEEN PALAMAREK, PATIENT

AFFIDAVIT

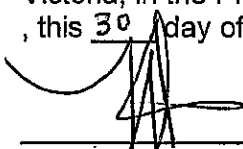
I, ROBERT KENNETH PALAMAREK ("Robert"), Retired, of 27 Greenbrier Crescent, St. Albert, Alberta MAKE OATH AND SAY THAT:

1. I am a son of Kathleen Palamarek ("Mom") and one of the Petitioners in Action No. 07 3415 Victoria Registry and one of the Respondents in Action No. 08 0327 Victoria Registry 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 am a Petitioner in this matter. I am seeking to be named co-committee, jointly, and severally, of the person and property of my Mom.
3. My Mom has resided at the Lodge at Broadmead (the "Lodge") in Victoria, B.C. since August 2007. On October 28, 2008, she was removed from the Lodge by my sister, Lois Sampson and Lois' husband, Gil.
4. I reside in St. Albert, Alberta. I speak with my Mom frequently by telephone, and visit her at least twice a year. I came to Victoria on October 22, 2008 to visit with her. Since arriving, I have seen her on October 23, 24, 25, 26 and 27, 2008.

5. Over the course of the last few months, I have noticed a decline in my Mom's memory and understanding of reality when we talk on the telephone. She does not remember things she said five minutes earlier, and asks me questions which I have just answered. Her behaviour during our recent visits was no different.
6. In my telephone discussions with my Mom, she has expressed delusions regarding her care at the Lodge, that there is a prostitution ring being run, and that she is being sexually assaulted while she sleeps. The delusions have lessened in the last month and a half, since her physician, Dr. Nicoll, prescribed the current anti-psychotic drug which she takes daily.
7. I most recently saw my Mom on October 27, 2008, at the Lodge. I planned to take my Mom for lunch, and she was delighted by the offer. However, after signing out with my Mom, I was confronted by Lois while buckling my Mom into the car. Lois physically pulled my right shoulder out of the car, entered it through the passenger side door, and began to unbuckle my Mom. She stated that she intended to take my Mom to lunch.
8. My Mom objected, and told Lois so. Lois then made a telephone call on her cell phone, and loudly stated in the parking lot that I was stopping my Mom from having lunch with her. Lois stated that this was her time to have lunch with Mom and that if I desired to have lunch with Mom during Lois' time I should have contacted my lawyer to arrange this. Twice more, Mom told Lois that she wanted to have lunch with me.
9. To avoid further upsetting my Mom, she and I agreed to share the picnic lunch which Lois had brought, in the parking lot of the Lodge. During the lunch, Lois was very hostile towards me, which caused Mom further upset.
10. Shortly after 1:00, I signed my Mom back into the Lodge. She was clearly tired and emotionally drained at that time. The sign in book at the desk shows that Lois took Mom out again at 1:20 pm and returned her at 3:25 pm.

11. I know that my brothers Ralph and Ernie and their families try to see Mom on certain days which will not conflict with when Lois wants to see Mom, to avoid confrontations with her. However, to the best of my knowledge, there has never been any schedule agreed upon that specifies Lois having lunch with Mom on Mondays.

SWORN BEFORE ME at the City of)
Victoria, in the Province of British Columbia)
, this 30 day of October, 2008)



A Commissioner for taking Affidavits within)
the Province of)

FIONA HUNTER
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ROBERT KENNETH PALAMAREK