

Form 49
[Rule 13.19]

Clerk's Stamp:

COURT FILE NUMBER 0501-17830

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF KINGSGATE RESOURCES INC.

DEFENDANTS JOSEPH KINGSLEY ANNAN, AMIR HIRANI, SHIVJIT KENNY SINGH BRAICH, ZAIN EBRAHIM, FRANCIS ACQUAH, KINGSGATE RESOURCES INC., AVO MINING COMPANY LIMITED, ANNAN RESOURCES LIMITED, GOLD COAST RESOURCES, INC., KINGSGATE ENERGY CORPORATION, ROBERT S. MANNOH, BRYANT E. BEHRMANN, PATRICK HANNON, MINETECH INTERNATIONAL LIMITED, TERRY KNIGHT, KEN PHILLIPS, GOWLINGS LAFLEUR HENDERSON LLP and BALLEM MACINNES LLP

DOCUMENT **AFFIDAVIT**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **ERWIN SINGH BRAICH**
33474 Kingsley Terrace
Abbotsford, B.C. V2S 6J6
Telephone: (778) 788-3157
E-mail: erwinbraich@hotmail.com

AFFIDAVIT OF ERWIN SINGH BRAICH

Sworn on October 5th, 2012

I, Erwin Singh Braich, of the City of Abbotsford, in the Province British Columbia, SWEAR AND SAY THAT:

1. I am the Trustee of the Peregrine Trust and as such have personal knowledge of the matters and facts hereinafter deposed to, except where stated to be based upon information and belief, and where so stated I verily believe same to be true.
2. It is with significant care and diligence that I undertook and participated in a variety of actions and deeds whereby a vast amount of evidence was obtained in the past few years. All of which relates to the herein litigation.

3. Detailed notes, many documents including international bank wire receipts, much correspondence, and other material relating to the above referred actions and deeds are situated in a storage space in the state of Arizona.
4. Attached hereto as **Exhibit "A"** is the relevant material, which I believe has restricted my ability to enter the United States of America to retrieve all items as set out in paragraph 3.
5. By not having access to the subject material, I am limited and from my memory alone and can only to a certain degree accurately detail the results and findings of investigations that have been ongoing since 2007. I will be able to rely on the internet and certain websites however.
6. In 2007, I recall commencing discussions with a great number of officers and agents from various American law enforcement agencies. These include, but are not limited to, the Securities and Exchange Commission, Federal Bureau of Investigations, Internal Revenue Service Criminal Investigation Division, the U.S. Department of Justice, several Securities Divisions from multiple states, the Department of Commerce and Regulation, and personnel from the court appointed receiver by the name of The Grassmueck Group.
7. Relying on my memory alone and without the benefit of my detailed notes, I remember the states of North Dakota, Pennsylvania, Illinois, and Idaho. There may well have been other regulatory authorities from other states with which I had discussions.
8. Generally speaking, the investigation stemmed from complaints made by investors relating to the sales of unregistered securities by Mr. Bryant E. Behrmann ("Behrmann"), Larry E. Hunter ("Hunter") and Global Online Direct, Inc. ("Global").
9. The United States District Court for the Northern District of Georgia Atlanta Division, in a civil action, ordered injunctive and other relief against defendants Behrmann, Hunter and Global. From reviewing the website for The Grassmueck Group, I recall that approximately \$45 million U.S. funds was fraudulently taken from more than 10,000 investors in a scheme to generate huge returns. This action was filed in the clerk's office in Atlanta on April 5, 2007.
10. From my recollection, Behrmann and others closely related to him were the directors, officers, and promoters of Gold Coast Resources, Inc., which was formerly known as a Nevada corporation by the name of Aggregate, Inc.

11. As set out in this litigation, the assets which belonged to Kingsgate Resources Inc. were to be vended into publicly Gold Coast Resources, Inc., at a formula as set out in an agreement between the two companies.
12. It is in this transaction wherein the Peregrine Trust was cheated and defrauded by not receiving an appropriate allotment of pro rata capital stock in this public company.
13. In my discussions, it was learned from various investigators, from the agencies previously mentioned, that much of the proceeds from this \$45 million U.S. funds was wired to the companies as set out in this Kingsgate litigation. I refer to those companies, which are registered in Bermuda: and have their home office address as that of the LOM Group
14. The ongoing investigation of the fraudulent scheme has already resulted in Defendants Behrmann and Hunter pleading guilty to criminal activity and accepting six year prison sentences each. This was approved and sanctioned by U.S. District Judge Anna J. Brown.
15. It was clearly made known to me that I should not alert any of the co-defendants in the Kingsgate action while the American agencies and officials were conducting their investigation.
16. My assistance to the American authorities in tracing the funds were very definite steps deliberately taken to advance this litigation before this Honourable Court. Attached as **Exhibit "B"** are some of the relevant documents.
17. Furthermore, my detailed notes and data, which I am not able to travel to Arizona to retrieve, also have a separate and distinct Action Plan, which was deployed by us involving a resident of Coaldale, Alberta. This gentleman is Mr. Daryl Lloyd. In his many meetings, telephone discussions and other due diligence, Mr. Lloyd was able to collect a great deal of information from Patrick Hannon, Joseph Kingsley Annan, R. Derrick Colling, and others.
18. Under the newly formed Luxor Group of Companies, Inc. with the address of 28 Strathridge Gardens SW, Calgary, Alberta, are four member companies. One of these is Kingsgate Forest Products, Inc. Another member company is Luxor Minerals, Inc. In the meetings and correspondence, and from the collection of several thousand pages of maps, projections, and data, Mr. Lloyd and I were able to piece together and reassemble many

of the original mining concessions in Ghana, which originally were the lawful property of Kingsgate Resources, Inc.

Collateral Damage From The Involuntary Bankruptcy Proceedings of Erwin Singh Braich

19. Ample evidence has previously been filed by others, which support the intertwined nature of my very contentious personal involuntary bankruptcy proceedings in British Columbia, and various involved individuals with parties involved in this Kingsgate/Peregrine litigation. One of these parties is the former Trustee in Bankruptcy, KPMG: who was given a discharge from their duties by the Supreme Court of British Columbia.
20. The intertwined nature and the horrific hostility between the parties involved in both provinces is amplified by what appears to be a sordid conflict of interest between members of the Vancouver office of Fraser Milner Casgrain LLP, due to their role and close affiliation with KPMG. Partners in this firm's Vancouver office have repeatedly given only adverse expert legal opinions to my position, and that of my lawful creditors. The obvious conclusion that leaps out at me is that Mr. Gerald Scott must have had pressure mounted on him by his colleagues in Vancouver. A reasonable person could think no different.
21. This hostility is so great that the Chief Executive Officer and President of Kingsgate Resources Inc., Satinder Paul Singh Dhillon ("Dhillon") was arrested from his residence located in Abbotsford, British Columbia, on Friday, July 2nd, 2010. Approximately 9 police officers showed up with a battering ram at 10:30 am, while Dhillon was asleep. He was awoken by the officers, handcuffed without having been given the chance to change out of his pajamas, brush his teeth, nor eat or drink anything. He was then driven in handcuffs approximately 45 minutes away from where he lived, to the Royal Canadian Mounted Police, (RCMP), detachment in Surrey, British Columbia.
22. After arriving at the detachment, Dhillon was finger printed, asked to remove his shoes, and given grey disposable shoe covers to wear on his feet instead. Dhillon was then left in a cell for over 4 hours, and taken in for an interrogation that lasted over one and a half

hours. The whole time since his arrest earlier that morning Dhillon had not eaten or drank anything, and towards the end of his interrogation Dhillon felt as if he was going to fall off his chair because he was so light headed.

23. Upon conclusion of the interrogation, Dhillon was told by the arresting RCMP officer that he was "just doing his job." Dhillon was then given a local bus pass, (despite the fact that he lived in Abbotsford, and there is no transit service that went from Surrey to Abbotsford), and released from custody at approximately 5:30 p.m. The RCMP officer also gave Dhillon his wallet, cell phone, jeans and a jacket, which were retrieved at Dhillon's request from his home during the arrest.
24. During his interrogation, Dhillon, told RCMP officers that he is owed \$3 million, and is the largest creditor in my involuntary bankruptcy proceedings dating back to 1999. Dhillon believes, as a creditor, KPMG, the world's fourth largest accounting firm, should have been protecting his rights, and that of all the creditors as prescribed by the Bankruptcy and Insolvency Act in Canada.
25. Also, during the interrogation an RCMP officer stated to Dhillon that he was "served on a platter" by KPMG, and the officer went on to state to Dhillon, "you got a target on your back."
26. The interrogation also revealed that according to one of the two RCMP officers that interrogated Dhillon, KPMG is on a mission to "silence" anyone who speaks about this case, and that KPMG has a "serious amount of resources." The officer also stated to Dhillon that "it's quite obvious they're after you." Dhillon responded to being arrested, and learning what the officers were telling him by stating, "next they will put a bullet in my head, because there's \$800 million dollars involved."
27. A transcribed copy of the interrogation is attached hereto as **Exhibit "C"** and also shows that the RCMP acknowledges that, at the time the officers arrested Mr. Dhillon, they were not aware that Dhillon was the largest creditor in my involuntary bankruptcy proceedings. Even though KPMG filed the complaint with the RCMP, and put considerable time and resources to "serve" up Dhillon, KPMG had neglected to inform the RCMP of Dhillon's status as a creditor, and instead referred to him as "evil," an

“annoyance” and a “loser” who “can’t get his money” and that KPMG just wanted him to “go away.”

28. The officer continued on during the interrogation and said to Dhillon that KPMG “just wants to shut you up” and that KPMG “don’t give a shit about you.” Dhillon responded at one point during the interrogation, by asking how come “nobody did anything when the creditors called the RCMP?”
29. At one point the interrogation took a turn for a brief moment, and the officer stated, while referring to KPMG, “lets be honest right, they are accountable, they should be held accountable.” But then soon thereafter says, “they’re gonna laugh at you, you’re gonna go off to jail, and they’re gonna laugh at you, and hey that’s, you know what, the fact.” He also further berates Dhillon, saying, “Don’t go all Malcolm X on me, okay... Don’t get all Ghandi on me.” One of the officers states that he is trying to get both sides of the story, and that KPMG is advocating that Dhillon is evil, and has done something “Horrible and horrendous” and that he “should be thrown away” and get the maximum penalty.” Dhillon finished off the interrogation by stating, “who’d thought that, the accountants in the world could do something like this.”
30. In this particular case, for some odd reason, the Ministry of the Attorney General in B.C. has chosen to prosecute this allegation of posting a blog, and contempt of court against Dhillon under the last exception left under common law in Canada. According to this archaic, and draconian law, Dhillon is to be tried by Judge alone, at taxpayer’s expense, and he does not have the option to have a jury of his peers, despite potentially facing time in prison, and technically the death penalty could be applied.
31. Further to this, the trial Judge in this matter will also be the sentencing Judge, and reserves, solely, the right to stay the charges. The Ministry of the Attorney General is not able to stay the proceedings, as is usually the case.
32. This last remaining common law exception is so old that the death penalty still technically applies, even though Canada abolished the death penalty in 1976, the year before Dhillon was born.
33. Court transcripts also reveal that Mr. Howard Mickelson, of the law firm Gudmundseth Mickelson LLP, a lawyer hired by KPMG, appeared on the accounting firm’s behalf, at a

hearing where Dhillon, through an attorney, approximately 3 months after his arrest, had requested to get back the documents, and computer equipment that the RCMP had seized during the raid on his house.

- 34. This appearance by KPMG’s lawyer is noteworthy due to the fact during a criminal proceeding, a civil lawyer has no standing before the court, and the fact that Mr. Mickelson states in his biography, that he “represents an international chartered accountancy firm defending professional negligence claims involving issues of tax and bankruptcy practice.” Attached as **Exhibit “D”** are documents relating to Mr. Dhillon’s criminal trial. And to date he still has not been returned the materials that were seized during the raid on his house.
- 35. I make this Affidavit to oppose the Applicant’s Application for an Order to dismiss the within Action against the Defendants, Ken Phillips, Terry Knight, Gowling Lafleur Henderson LLP, and Ballem MacInnes LLP for long delay and for no other or improper purpose.

SWORN BEFORE ME at Langley,)
BC, this 5 day of October,)
2012)

D. Van BEEK)
A Notary Public for the Province of)
British Columbia)

Erwin Singh Braich)
ERWIN SINGH BRAICH)

DONNA VAN BEEK
- NOTARY PUBLIC -
201 - 20171 92A AVENUE
LANGLEY, BC V1M 3A5
TEL. (604) 888-6605

(A)

BTZ
BRAUTI THORNING ZIBARRAS
LITIGATORS

Pradeep Chand
Direct: 416.306.2965
Tel: 416.362.4567
Fax: 416.362.8410
Email: pchand@btzlaw.ca

October 1, 2012

Gerald S. Sair
Public Prosecution Service of Canada
900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Via Facsimile

This is Exhibit "A" referred to in
the Affidavit of Erwin Singh Braich
Sworn before me this 5 day of
October, 2012.
D. Van Beek
Notary Public in and for the Province of B.C.

Dear Mr. Sair:

Re: **Erwin Singh Braich**
Court File No. 202705
Agency File No.: RCMC 1-270732

We are assisting Mr. Braich with his legal matters in British Columbia.

Thus far, we have gleaned some conflicting information from a variety of sources, including Mr. Robert Dhanu, a lawyer who was formerly assisting Mr. Braich. It is our present understanding that based on an undated and unsigned information, Mr. Braich was charged with two counts under the *Bankruptcy and Insolvency Act*. It is also our understanding from both Mr. Braich and Mr. Dhanu that there may or may not be an unsworn warrant in existence relating to Mr. Braich. Further, we were informed that the Public Prosecution Service of Canada office in Vancouver sent Mr. Dhanu a copy of what was purportedly the aforementioned warrant, but in fact it was not as it was in someone else's name.

As you can likely gather, there is a great deal of confusion on everyone's part as to where things stand for Mr. Braich. I'm sure you understand that this uncertainty continues to cause Mr. Braich great difficulty.

Accordingly, we are asking that you please advise us as soon as possible as to the following:

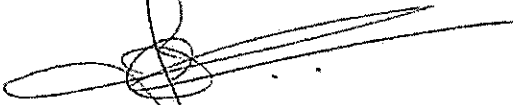
1. The status or existence of any warrant pertaining to Mr. Braich; and
2. Should such a warrant be in existence that, under the circumstances, we ask that the warrant be cancelled or rescinded.

Please feel free to contact me either by e-mail or telephone as soon as possible.

Thank you very much for your assistance in this regard.

Yours truly,

BRAUTI THORNING ZIBARRAS LLP



Per: Pradeep Chand
PC/m

BTZ
BRAUTI THORNING ZIBARRAS
LITIGATORS

FAX COVER

DATE: **October 1, 2012**

SEND TO: **PUBLIC PROSECUTION SERVICE OF CANADA**

ATTENTION: **GERALD S. SAIR**

ADDRESS: **900 - 840 Howe Street
Vancouver, BC
V6Z 2S9**

FAX NO: **1.604 666-1599** Number of Pages (including cover): **3**

PHONE NO:

FROM: **Pradeep Chand**

Re: **Erwin Singh Braich**

URGENT CONFIDENTIAL ORIGINAL TO BE HELD ORIGINAL TO FOLLOW BY MAIL

COMMENTS:

Please see attached.

PLEASE NOTE: The information in this fax transmission is legally privileged and confidential. It is intended only for the use of the addressee named above. If you are not the intended addressee, any disclosure, copying, or distribution of the information, or the taking of action in reliance on it, is strictly prohibited. If you have received this fax in error, please notify the above-named immediately, by collect call or fax transmission to arrange for the return of the faxed information. Thank you for your co-operation.

**IF YOU EXPERIENCE ANY PROBLEMS IN RECEIVING THIS MESSAGE,
PLEASE CALL DOUGLAS CLARIDGE - 416.362.4567**

BRAUTI THORNING ZIBARRAS LLP
151 YORK ST. SUITE 1800 TORONTO ON M5C 2W7
TEL: (416) 362-4567 FAX: (416) 592-6410 WWW.BTZLAW.COM

*** FAX TX REPORT ***

TRANSMISSION OK

JOB NO.	3091
DESTINATION ADDRESS	916046661599p69
SUBADDRESS	
DESTINATION ID	
ST. TIME	10/01 11:52
TX/RX TIME	00' 28
PGS.	3
RESULT	OK



BRAUTI THORNING ZIBARRAS

FAX COVER

DATE: **October 1, 2012**

SEND TO: **PUBLIC PROSECUTION SERVICE OF CANADA**

ATTENTION: **GERALD S. SAIR**

ADDRESS: **900 - 840 Howe Street
Vancouver, BC
V6Z 2S9**

FAX NO: **1.604 666-1599** Number of Pages (including cover): **3**

PHONE NO:

FROM: **Pradeep Chand**

Re: **Erwin Singh Braich**

URGENT CONFIDENTIAL ORIGINAL TO BE HELD ORIGINAL TO FOLLOW BY MAIL

COMMENTS:

Please see attached.

FW: Draft letter to Mr. Sair

From: **Pradeep Chand** (pchand@btzlaw.ca)
Sent: October-04-12 11:12:17 AM
To: gerrysair@justice.gc.ca
Cc: Doug Claridge (dclaridge@btzlaw.ca)
1 attachment
121001 - Ltr to Crown Gerry Sair v2.pdf (114.9 KB)

Mr. Sair,

Further to my attached correspondence dated October 1, 2012, may I please have a response to the same at your earliest opportunity.

Thank you in advance.

Regards,

Pradeep Chand
Brauti Thorning Zibarras LLP
151 Yonge Street, Suite 1800
Toronto, Ontario, Canada M5C 2W7
Direct: 416.306.2965
Fax: 416.304.7005

Cell: 416.953.9771

Toll Free: 1.877.727.1443

Email: pchand@btzlaw.ca

Web: www.btzlaw.ca

Personal website [click here](#)

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Public Prosecution Service
of Canada

Service des poursuites
pénales du Canada

FACSIMILE TRANSMISSION TRANSMISSION PAR TÉLÉCOPIEUR

SEND TO / ENVOYER À		FROM / DE	
Name / Nom: ROB DHANU		Name / Nom: NANCY NYESTE FEDERAL PROSECUTIONS	
Address / Adresse:		Address / Adresse: Public Prosecution Service of Canada 3rd Floor - 222 Main Street Vancouver, British Columbia V6A 2S8	
Fax # / No du télécopieur: 1-604-746-3331	Tel. No. / No du Tél:	Fax # / No du télécopieur: 604-666-1727	Tel. No. / No du Tél: 604-666-1726
Comments / Commentaires: CAN'T PRINT OFF WARRANT AS IT WAS CANCELLED ON JAN. 18/12.			
TRANSMISSION			
Number of Pages / Nombre de page: 2	Date / La date: 24-AUG-12	Time / Heure:	
ORIGINAL WILL NOT FOLLOW BY MAIL			
SECURITY INSTRUCTIONS / INSTRUCTIONS SÉCURITÉ			
Unclassified documents only VIA clear transmission. Protected information permitted within Justice secure FAX network. Documents non cotés à transmettre sans protection. Renseignements protégés par le réseau des télécopieurs protégés de la Justice.			
Protected document / Document protégés?			NO

NOTICE:

This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you have received this communication in error, please notify us immediately by telephone. Thank you.

Cette communication est exclusivement destinée à qui elle est adressée. Elle peut contenir de l'information privilégiée, confidentielle et ne pouvant être divulguée selon la loi applicable à l'espace. Si vous avez reçu cette communication par erreur, veuillez nous en aviser immédiatement par téléphone. Merci.

In the event of transmission problems, kindly contact / Si cette liaison n'est pas claire, communiquer
Name / Nom: at / au:

To: []

RCMP (Burnaby)
by fax:
604-294-7707
OR
after 4 pm (1600 hours) 604-570-3652

VPD (Warrant Squad)
312 Main Street, Vancouver, BC

Date 01/20/2012

Court File No. 207705-28

Police File No. 401:09-109568

Warrant Cancellation

Please cancel the outstanding warrant as indicated below.

Name RACHEL GONZALEZ ATKINSON B.D.: 01/8/1980

Charge FAILURE TO COMPLY WITH PROBATION SEC. 733.1(1) CC.

Date warrant issued 01/18/2012

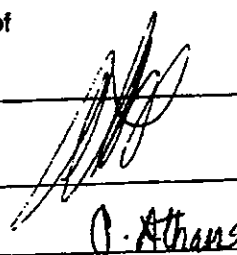
Reason for cancellation

- Warrant vacated
- Warrant executed
- Case disposed of
- Fine Paid

Original Bail Reinstated

Other _____

Signature



Print Name

Registry Use:

Notified _____ by phone at _____ M.
Person spoken to

on _____ to cancel the above warrant.

1-POLICE 2-FILE (Make additional copy for Bail Supervisor if necessary)

Ministry of
Attorney General

Court Services

Provincial Court
of British Columbia

Vancouver District
222 Main Street
Vancouver, B.C. V6A 2S8
Telephone: (604) 680-4200

INFORMATION/DÉNONCIATION

Court Identifier: 2040 - P - R - A
Court File Number: 202705
Type Reference:
Info. Seq. Number: 1
Agency File Number: RCMC:1-270732
DNA: <input type="checkbox"/>
K File: <input type="checkbox"/>
SOR: <input type="checkbox"/>

CANADA:
PROVINCE OF BRITISH COLUMBIA
PROVINCE DE LA COLOMBIE-BRITANNIQUE

Page 1 of 1

"BY INDICTMENT"

This is the information of / Les présentes constituent la dénonciation de _____, a
(the "informant" / le "dénonciateur") of / de _____.

The informant says that the informant has reasonable and probable grounds to believe and does believe that / Le
dénonciateur déclare qu'il a des motifs raisonnables et probables et croit effectivement que _____

Count 1

Erwin Singh Braich, being a bankrupt, between August 20, 2008 and April 15, 2010, at or near the City of Vancouver, and elsewhere, in the Province of British Columbia, did fail to comply with his duties as a bankrupt under section 158(b) of the Bankruptcy and Insolvency Act, to wit: by failing to deliver to the trustee all books, records, documents, writings and papers including copies thereof in any way relating to his property or affairs, and did thereby commit an offence contrary to section 198(2) of the Bankruptcy and Insolvency Act.

Count 2

Erwin Singh Braich, being a bankrupt, between August 20, 2008 and April 15, 2010, at or near the City of Vancouver, and elsewhere, in the Province of British Columbia, did fail to comply with his duties as a bankrupt under section 158(j) of the Bankruptcy and Insolvency Act, to wit: by failing to submit or attend to an examination under oath concerning his financial affairs, dealings or property as ordered by Chief Justice Brenner of the Supreme Court of British Columbia on August 20, 2008, and did thereby commit an offence contrary to section 198(2) of the Bankruptcy and Insolvency Act.

SWORN BEFORE ME / ASSERMENTÉ DEVANT MOI

ON / CE _____ DAY OF / JOUR DE _____

AT / À Vancouver,

BRITISH COLUMBIA / COLOMBIE-BRITANNIQUE

(SIGNATURE OF INFORMANT)
(SIGNATURE DU DÉNONCIATEUR)

PROCESS CONFIRMED / ACTE DE PROCEDURE
CONFIRMÉ

A JUSTICE OF THE PEACE IN AND FOR THE
PROVINCE OF BRITISH COLUMBIA
JUGE DE PAIX DANS ET POUR LA PROVINCE DE
LA COLOMBIE-BRITANNIQUE

A JUSTICE OF THE PEACE IN AND FOR THE
PROVINCE OF BRITISH COLUMBIA
JUGE DE PAIX DANS ET POUR LA PROVINCE DE
LA COLOMBIE-BRITANNIQUE

FW: Fax from Public Prosecution Office/ Court File N o. 202705

From: **Satinder Dhillon** (satinderdhillon1@hotmail.com)
Sent: October-05-12 2:30:32 AM
To: Satinder Dhillon (satinderdhillon1@hotmail.com)

On Wed, Sep 19, 2012 at 12:45 PM, Erwin Braich <erwingsinghbraich@yahoo.com> wrote:

Hi Rob:

Below is an excerpt that I have sent to some interested parties including, my long time friend and former counsel, the retired Mr. Tom Braidwood.

"Attached is the document that was faxed to Rob's office, stating the Warrant was cancelled on January 18th, 2012 . We were told it was cancelled via text message on August 24th, and only learned on September 7th, 2012 at approximately 4 pm, that it was not in fact cancelled at all. Further to this the name on the attached document from the Public Prosecution Service of Canada, has no resemblance to Erwin Singh Braich whatsoever. If this were any other file one could chalk it up to a mistake.....but too much has gone awry in 13+ years to think this was just an oversight, and it must be investigated."

I have forwarded other material to certain law firms as one of the will be preparing, filing, and properly serving a lawsuit immediately against those individuals involved in this obvious harassment, among other improper conduct.

My first question is: Have you already received from Crown Counsel; an endorsed and dated copy of the document stating the 2 counts between August 20, 2008 and April 15, 2010?

My second question is: Why did you not immediately contact me, as is your fiduciary duty, upon learning of this now "on" again Warrant which your law firm previously was informed as "cancelled/quashed"? Rather, you waited until someone (Mr. Satinder Dhillon) strolled in to your office late in the afternoon on September 7, 2012, before mentioning this heinous and baseless matter.

The additional counsel that I have decided to seek services from are simply appalled at the actions and comments of Crown Counsel in view of the quite clearly evidenced facts surrounding the "failing to submit or attend to an examination.....as ordered by Chief Justice Brenner".

Rob.....You obviously are not aware of more than a few facts!

To wit: This matter was thoroughly vetted by the everyone involved, including opposing counsel, and, in particular, Chief Justice Brenner. Voluminous Affidavit material from associates and partners at the Vancouver office of Heenan Blaikie

LLP was filed.

A plethora of correspondence between many parties including Ms. Sue Smolen from the Vancouver Registry, the lawyers from Gudmundseth Mickelson LLP, and others, was immediately sent and/or hand-delivered by various witnesses to this series of events which transpired on that subject date.

My attendance before Master Tokarek and court filings the same day, and my very long list of alternate dates supplied in writing to Mr. Tweedale (again on the very same day), will also be quite compelling and persuasive.

The letters from certain of my lawful creditors discussing my reason for my being late..... as I was in the courthouse at 800 Smythe in Vancouver before Madam Justice Smith on another related and important item is of great value, as well. Absolutely no reply was forthcoming in that week, month, or to this very day.

These facts were at all times known by Mr. Howard Mickelson and others at his firm including his receptionists! As a matter of fact both H. Mickelson and J. Tweedale were in the other courtroom presided over by Madam Justice Smith, observing the proceedings!

I await your reply by email and not text and not by telephone. Some very serious actions are being contemplated and planned and we (myself and counsel across Canada, certain Members of Parliament, Members of the Legislative Assembly in British Columbia, among others) need your immediate response.

I have taken the liberty to forward this email to Mr. Roger Cutler so he may kindly forward it to any appropriate individual(s); including but not limited to the gentleman (Mr. Saylor (sic?)) that you have communicated with in the office of the Crown Counsel.

I do request that you forward this email in its entirety to the appropriate Crown Counsel.

The personnel and officials in Surrey, B.C. and in Mission's Royal Canadian Mounted Police detachment will be copied with the appropriate Statement of Claim, subpoenas, interrogatories, or other legal documents, eventually, by my counsel.

Thanking you in advance.

Respectfully,

Erwin S. Braich

FW: Fax from Public Prosecution Office/ Court File N o. 202705

From: **Satinder Dhillon** (satinderdhillon1@hotmail.com)
Sent: October-05-12 2:34:40 AM
To: Satinder Dhillon (satinderdhillon1@hotmail.com)

From: erwinbraich@hotmail.com
To: satinderdhillon1@hotmail.com
CC: emmetpierce88@hotmail.com
Subject: FW: Fax from Public Prosecution Office/ Court File N o. 202705
Date: Wed, 26 Sep 2012 02:32:36 -0700

FYI

Date: Tue, 25 Sep 2012 19:16:25 -0700
Subject: Re: Fax from Public Prosecution Office/ Court File N o. 202705
From: robdhanu@gmail.com
To: erwinbraich@hotmail.com

Hi Erwin,

I think there seems to be some level of miscommunication or misunderstanding between us. I am not saying that the Crown's position is logical. I would not have supported Satinder in the manner that I did if I did not believe in his case or what he has gone through.

I had a conversation with Mr. Sair late on Friday afternoon. He indicated that he had not reviewed your file in quite some time and, after a quick review of the file, could only find an unsworn copy of the information. He indicated that the following week he would be in trial somewhere in the Okanagan and would not be available until the following Thursday. He stated that he would attempt to locate the sworn copy of the information upon his return. You indicated that you would likely be in touch with me on the following Monday but I did not hear from you until your previous e-mail. I did not have any further contact with Mr. Sair as he never called me back and I never heard back from you until the time of your e-mail so I did not pursue the matter any further. To date, I have not received a copy of the sworn version of the warrant so that will have to be obtained directly from Crown.

I am not sure why you advised various agencies that you had retained my services when this was never the case. I do not know what you were expecting me to respond to nor what agencies you expected material that I am not aware of to be forwarded to. Perhaps I am missing something here.

Mr. Sair had no difficulty providing me with information about your warrant because I informed him that I was assisting you with determining whether a warrant was outstanding or not. I don't believe he was doing anything improper in this regard.

Unless I missed an e-mail or other correspondence of some sort, I am not aware of any written offer to retain my services. I do recall you asking in our personal meeting how much money, \$10,000 or \$15,000,

I required for a retainer. As I was looking into the warrant issue for free for you due to my relationship with Satinder, I did not feel that I required any type of retainer to determine for you whether a warrant was outstanding or not. Perhaps if I had better business sense I would have seized upon your offer but my offer to assist you was genuine.

I would have informed you directly or via Satinder on September 7, 2012 as to the mistake PPSC had made regardless of whether Satinder was visiting me or not. It just happened that he visited my office on the same day that I had a chance to review the Warrant Cancellation document so I told him in person. I believe, although my recollection could be mistaken, that I also informed him via telephone before he came to my office. I am not sure why you believe that I would have withheld this information from you when I was sincerely attempting to assist you.

I would once again suggest that you only contact Crown through your counsel in order to protect your own interests. I have again not cc'ed Crown so as not to prejudice you in any way.

If you have any further questions or concerns I am going to suggest a face to face meeting to iron out any issues. I find that these e-mail conversations raise more questions than they answer and I remain at a loss as to how you have come to view me as acting contrary to your interests rather than having attempted to assist you.

Kind regards,

Rob

On Tue, Sep 25, 2012 at 4:05 PM, Erwin Braich <erwinbraich@hotmail.com> wrote:

Hi Rob,

I appreciate that you are wishing me the best.

My email was not intended to defame you; but merely to ask some questions. Furthermore, my email was intended also to point out the illogical reasoning of the position suggested by Crown counsel as relayed to me by you.

It is my firm belief that, an experienced and competent prosecutor such as, Mr. Gerry Sair would be quick to learn the true fact pattern, with some research, and suggest to the appropriate person(s) that this Warrant for arrest be quashed permanently. Certainly for these two Counts under section 198 (2) of the Bankruptcy and Insolvency Act which have no chance to succeed if prosecuted. This is a given due to the conduct of the involved parties respectively and vast plethora of evidence which exists.

I should add that most of this occurred in front of, or was placed and argued before the late Honourable Chief Justice Brenner of the *Supreme Court of British Columbia*. All material facts were raised not only by myself but a great many lawful creditors. Counsel for KPMG Inc. was present and active throughout each hearing. The only *ex parte* applications were "secretly" heard by former (now deceased) Honourable Chief Justice Brenner or current Honourable Chief Justice Bauman.

By the way, I still await the dated, sworn, duly endorsed, and properly confirmed true copy of the form labelled "INFORMATION" and "BY INDICTMENT".

Your clear and chronological explanation is quite interesting. However it is completely devoid of any mention of some critical and self explanatory emails sent to you. I will forward these emails to you should you require them to jog your memory. Perhaps you have never received all of the subject emails? Perhaps not even one reached your inbox? If this is the case; please advise.

My many emails, either directly to you or cc'd are coherent and straight-forward. Included in my emails is abundant pertinent information and detail but, from my memory alone, the main points include the following;

- I advised many different officials at the Surrey offices and Mission detachment of the Royal Canadian Mounted Police that you were, in fact, "retained". This was not in a blanket fashion but to individual addresses. Much detail of allegations (from others) of despicable conduct and events was included in the correspondence from me. **You did not respond whatsoever. Not by telephone, text or email.**

- I also requested that appropriate parties be forwarded a copy of my email. Now that we know the identity of the person handling the file - my hope is that, by today's date, Crown Counsel Mr. Gerry Sair has received a copy. Out of an abundance of caution, and in the interests of transparency, I will now send this entire string of emails directly to Mr. Sair and his assistant - Ms. Faye Tolentino.

- If Mr. Sair did not think you were retained then I find it very peculiar that he spoke to you or informed your office of anything.

- I asked you, in writing, whether \$5,000 or \$10,000 would be deemed an appropriate and acceptable retainer? **Again no response whatsoever from you or your staff.**

- In your third paragraph you state "*I told Satinder right away....*". **This statement is false.....Rob.....from my point of view.** You only told (your now former client) Mr. Satinder Dhillon when he appeared at your office uninvited; and on a late afternoon Friday, September 7, 2012. Had he not stepped in your office.....When, if ever, were you going to inform me of the further mix-ups and confusion of identities relating to the now very, very old Warrant?

Furthermore, congratulations are in order for your successful withdrawal as Satinder's counsel and the wise adjournment granted by the Court in order for Mr. Dhillon's two Ontario based lawyers and his one London, England based barrister to assess matters.

I hold no ill will towards you or your firm. We barely know one another. I think I have met your wife - Jan - just once.

I do agree with you that the heinous conduct of certain over zealous persons occupying fiduciary roles, over thirteen years, has made this debacle an easy case to "alter one's universe" as you recently stated.

Regards,

Erwin

Date: Mon, 24 Sep 2012 19:51:00 -0700
From: erwingsinghbraich@yahoo.com
Subject: Fw: Fw: Fax from Public Prosecution Office/ Court File N o. 202705
To: erwinbraich@hotmail.com

----- Forwarded Message -----

From: Rob Dhanu <robdhanu@gmail.com>
To: Erwin Braich <erwingsinghbraich@yahoo.com>
Sent: Monday, September 24, 2012 7:51:11 AM
Subject: Re: Fw: Fax from Public Prosecution Office/ Court File N o. 202705

Hi Erwin,

I agreed to look into the warrant issue without any type of retainer whatsoever as a personal and professional courtesy to you due to my relationship with Satinder and because you came to my office looking for some type of assistance due to what you felt was continued harassment by the authorities. As well, you're a member of my community and, quite frankly, this was just the way that I was raised.

Just so you better understand the timeline of events, I left for my vacation to California in the early morning hours of August 24, 2012. My office received a fax from the Public Prosecution Service of Canada (the "PPSC") later that same day comprised of a fax cover sheet and accompanying "Warrant Cancellation" form. The fax cover sheet indicated that the warrant could not be printed off as it was cancelled on January 18, 2012. My office took this at face value and informed me via e-mail in California that the warrant had been cancelled. I then informed Satinder of this on that same date via text message from my vacation in California. Unfortunately, we later learned that the warrant cancellation form sent by the PPSC was for an individual other than yourself.

I returned from California on September 3, 2012. I immediately entered into a 3 day Supreme Court Trial scheduled September 4-6, 2012. I began to check the paperwork that had accumulated in my inbox over the course of my vacation on September 7, 2012. I reviewed the Warrant Cancellation document on that date and noticed that it was in someone else's name. I told Satinder right away that I uncovered the error that the PPSC had made. I then contacted the Crown who has conduct of your file, Mr. Gerry Sair. He informed me that the warrant was in fact still active. I had him fax me the 2 count Information related to your outstanding warrant. I provided all of this information to you via telephone on September 7, 2012 and advised that you should take steps to render yourself to the authorities and arrange for a cash or surety type bail. You informed me that you would probably be in contact with me on the following Monday. However, I did not hear from you until the time of this e-mail.

I did all of this free of charge and in the best of faith for the reasons outlined

above. I have a professional obligation to make it clear to you that, other than the assistance I provided to you free of charge as laid out above, I have not been retained by you and I am not your lawyer at this time. Now that you have retained counsel you should definitely be pursuing this issue through them. I would suggest that you not send e-mails to Crown directly, only do so through counsel, and you will notice that I have not cc'ed Crown in this e-mail in order to protect your own interests. This is despite the somewhat defamatory nature of your message. I value my professional reputation and it saddens me when my sincere attempt to assist someone results in this type of reply. In any event, I hope this clears up matters for you and I wish you the best.

Kind regards,

Rob

On Wed, Sep 19, 2012 at 12:45 PM, Erwin Braich
<erwingsinghbraich@yahoo.com> wrote:

Hi Rob:

Below is an excerpt that I have sent to some interested parties including, my long time friend and former counsel, the retired Mr. Tom Braidwood.

"Attached is the document that was faxed to Rob's office, stating the Warrant was cancelled on January 18th, 2012 . We were told it was cancelled via text message on August 24th, and only learned on September 7th, 2012 at approximately 4 pm, that it was not in fact cancelled at all. Further to this the name on the attached document from the Public Prosecution Service of Canada, has no resemblance to Erwin Singh Braich whatsoever. If this were any other file one could chalk it up to a mistake.....but too much has gone awry in 13 + years to think this was just an oversight, and it must be investigated."

I have forwarded other material to certain law firms as one of the will be preparing, filing, and properly serving a lawsuit immediately against those individuals involved in this obvious harassment, among other improper conduct.

My first question is: Have you already received from Crown Counsel; an endorsed and dated copy of the document stating the 2 counts between August 20, 2008 and April 15, 2010?

My second question is: Why did you not immediately contact me, as is your fiduciary duty, upon learning of this now "on" again Warrant which your law firm previously was informed as "cancelled/quashed"? Rather, you waited until someone (Mr. Satinder Dhillon) strolled in to your office late in the afternoon on September 7, 2012, before mentioning this heinous and baseless

matter.

The additional counsel that I have decided to seek services from are simply appalled at the actions and comments of Crown Counsel in view of the quite clearly evidenced facts surrounding the "failing to submit or attend to an examination.....as ordered by Chief Justice Brenner".

Rob.....You obviously are not aware of more than a few facts!

To wit: This matter was thoroughly vetted by the everyone involved, including opposing counsel, and, in particular, Chief Justice Brenner. Voluminous Affidavit material from associates and partners at the Vancouver office of Heenan Blaikie LLP was filed.

A plethora of correspondence between many parties including Ms. Sue Smolen from the Vancouver Registry, the lawyers from Gudmundseth Mickelson LLP, and others, was immediately sent and/or hand-delivered by various witnesses to this series of events which transpired on that subject date.

My attendance before Master Tokarek and court filings the same day, and my very long list of alternate dates supplied in writing to Mr. Tweedale (again on the very same day), will also be quite compelling and persuasive.

The letters from certain of my lawful creditors discussing my reason for my being late..... as I was in the courthouse at 800 Smythe in Vancouver before Madam Justice Smith on another related and important item is of great value, as well. Absolutely no reply was forthcoming in that week, month, or to this very day.

These facts were at all times known by Mr. Howard Mickelson and others at his firm including his receptionists! As a matter of fact both H. Mickelson and J. Tweedale were in the other courtroom presided over by Madam Justice Smith, observing the proceedings!

I await your reply by email and not text and not by telephone. Some very serious actions are being contemplated and planned and we (myself and counsel across Canada, certain Members of Parliament, Members of the Legislative Assembly in British Columbia, among others) need your immediate response.

I have taken the liberty to forward this email to Mr. Roger Cutler so he may kindly forward it to any appropriate individual(s); including but not limited to the gentleman (Mr. Saylor (sic?)) that you have communicated with in the office of the Crown Counsel.

I do request that you forward this email in its entirety to the appropriate Crown Counsel.

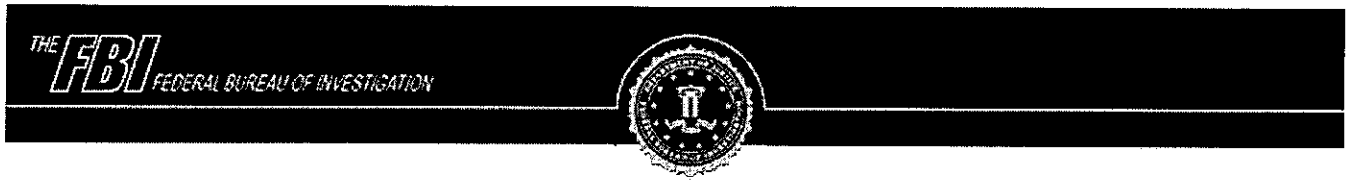
The personnel and officials in Surrey, B.C. and in Mission's Royal Canadian Mounted Police detachment will be copied with the appropriate Statement of Claim, subpoenas, interrogatories, or other legal documents, eventually, by my counsel.

Thanking you in advance.

Respectfully,

Erwin S. Braich

(B)



Portland Division

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Directors of Company in La Grande Plead Guilty to Federal Money Laundering Charges Thousands of North American Investors Lose Millions of Dollars

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U.S. Attorney's Office
June 09, 2009

District of Oregon
(503) 727-1000

PORTLAND, OR—Bryant E. Behrmann, 63, pled guilty in federal court today to money laundering. Last week, on June 5, 2009, Larry "Buck" E. Hunter entered a guilty plea to federal money laundering in the same case. Both guilty pleas were accepted by U.S. District Judge Anna J. Brown. The guilty pleas were entered in connection with a scheme to defraud thousands of investors through Hunter and Behrmann's company, Global Online Direct. Money laundering carries a maximum penalty of 10 years in prison and other financial penalties. Sentencing is scheduled before Judge Brown on August 31, 2009 at 9:30 a.m.

According to a criminal information filed against Hunter and Behrmann, in 2005 the defendants founded a company known as Global Online Direct. Global's headquarters of operations were in La Grande, Oregon. Hunter and Behrmann were the officers and directors of Global. From 2005 through 2007, defendants marketed Global as a company that purchased distressed inventory and then purportedly resold that inventory for profits through flea markets, street sales, retail storefronts, and internet auctions. Global's website falsely promised investors that "each dollar loaned to Global Online Depository is SECURED by tangible product inventories stored in our own warehouses." Global's website also promised investors referral fees and annual returns that could exceed 1,500%; however, according to the criminal information, those returns were fabricated by defendants.

This is Exhibit "B" referred to in
the Affidavit of Erwin Singh Brarh.
Sworn before me this 5 day of

October 2012
[Signature]
Notary Public in and for the Province of B.C.

Global did not have sufficient inventory to "secure" investor funds. Similarly, Global's business model and company performance could not and did not generate profits needed to pay the returns promised to investors.

"This multi-million dollar Ponzi scheme was inspired by greed," stated United States Attorney Karin J. Immergut. "Hunter and Behrmann lied to investors and stole millions of dollars to enrich themselves, their families and their friends. Thanks to the hard work of federal prosecutors, the FBI, IRS Criminal Investigation, and U.S. Postal Inspection Service, this house of cards was destroyed before more investors could be duped."

Both Hunter and Behrmann were subject to multiple cease and desist orders issued by various state administrative agencies, which prohibited them from selling securities in several states based on previous misrepresentations to investors. For example, in 1996 the Oregon Department of Consumer and Business Services ordered Hunter to stop offering or selling securities in the State of Oregon in violation of state law. Furthermore, Behrmann held himself out to Global investors as a judge. In fact, Behrmann was a magistrate judge in Idaho over 20 years ago, but he was suspended from the practice of law by the Idaho Supreme Court in 1999, and he has never been reinstated as a member of the Idaho State Bar.

Over 8,000 investors from Oregon, numerous other states, and Canada, sent over \$40 million to Global. Contrary to Hunter and Behrmann's claims that the investors' money was secured by product inventory, Global purchased less than \$3 million in inventory over the life of the company.

Although some early investors in Global received money back from Global when they made investment withdrawal requests, such returns were paid out of funds provided by later investors, not from Global's sale of product inventory. Hunter and Behrmann misappropriated millions of dollars from Global's investor funds for their own personal use and for the personal use of their family and close associates. Specifically, defendants traveled to Europe and Asia, bought SUVs, trucks, and cars, and purchased multiple residences and other property for their own personal use and for the personal use of their family – all with funds from Global investors.

The money laundering charges to which Hunter and Behrmann pleaded guilty stemmed from the two defendants using Global investor funds to purchase personal residences for their family members in Oregon and Nevada.

Most of Global's investors never received their money back, nor did they receive the interest that Hunter and Behrmann's company had falsely promised them.

This case was jointly investigated by the FBI, IRS Criminal Investigation Division, and the U.S. Postal Inspection Service. Assistant United States Attorneys Amy Potter and Craig Gabriel are prosecuting the case.

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Directors of La Grande Company Sentenced to Federal Prison for Conviction in Federal Money Laundering Case Defendants Ordered to Pay in Excess of \$38 Million in Restitution to Thousands of North American Investors Who Lost Millions of Dollars

U.S. Attorney's Office
August 31, 2009

District of Oregon
(503) 727-1000

PORTLAND, OR—Bryant E. Behrmann, 63, and Larry “Buck” E. Hunter, 63, were sentenced today by U.S. District Judge Anna J. Brown. Both defendants pled guilty in June 2009 to money laundering in connection with a scheme to defraud thousands of investors through their company, Global Online Direct. Judge Brown sentenced both defendants to serve 72 months in prison, followed by three years of supervised release. The defendants were ordered to pay restitution to their victims in the amount of \$38,279,352. Behrmann and Hunter were ordered to report to the Bureau of Prisons on January 8, 2010 to begin serving their sentence.

According to court documents, in 2005 Hunter and Behrmann founded a company known as Global Online Direct. Global's headquarters of operations were reported in La Grande, Oregon, with Hunter and Behrmann listed as the officers and directors of Global. From 2005 through 2007, defendants marketed Global as a company that purchased distressed inventory and then purportedly resold that inventory for profits through flea markets, street sales, retail storefronts, and internet auctions. Global's website falsely promised investors that “each dollar loaned to Global Online Depository is SECURED by tangible product inventories stored in our own warehouses.” Global's website also promised investors referral fees and annual returns that could exceed 1,500%; however, according to the court documents, those returns were fabricated by defendants.


Global did not have sufficient inventory to “secure” investor funds. Similarly, Global's business model and company performance could not and did not generate profits needed to pay the returns promised to investors.

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Although some early investors in Global received money back from Global when they made investment withdrawal requests, such returns were paid out of funds provided by later investors, not from Global's sale of product inventory. Hunter and Behrmann misappropriated millions of dollars from Global's investor funds for their own personal use and for the personal use of their family and close associates. Specifically, defendants traveled to Europe and Asia, bought SUVs, trucks, and cars, and purchased multiple residences and other property for their own personal use and for the personal use of their family — all with funds from Global investors. money laundering charges. Most of Global's investors never received their money back, nor did they receive the interest that Hunter and Behrmann's company had falsely promised them.

Hunter and Behrmann were sentenced today for money laundering crimes that stemmed from the two defendants using Global investor funds to purchase personal residences for their family members in Oregon and Nevada.

This case was jointly investigated by the FBI, IRS Criminal Investigation Division, and the U.S. Postal Inspection Service. Assistant United States Attorneys Amy Potter and Craig Gabriel prosecuted the case.

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