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SENATE



SÉNAT

SENATOR PERCY E. DOWNE
CHARLOTTETOWN

SÉNATEUR PERCY E. DOWNE
CHARLOTTETOWN

November 24, 2008

Tony Merchant, Q.C.
Merchant Law Group LLP
2401 Saskatchewan Drive Suite 100
Regina SK S4P 4H8

Dear Mr. Merchant:

**Re: Teleconference Between DND and VAC
Concerning Agent Orange Compensation Package**

I made the following ATIP requests to the Department of National Defence (DND):

“Please provide all notes, minutes, e-mail transmissions, and any and all other documentation pertaining to the Teleconference Meeting between Karen Ellis ADM (IE), DND, Alexandre Pérusse of the Herbicides Project (DND), and Sonia Heikkila, SAEI (DND), held on February 13, 2006.”

And to Veterans Affairs Canada (VAC):

“Please provide all notes, minutes, e-mail transmissions, and any and all other documentation pertaining to the Teleconference Meeting between Brian Ferguson ADM (VSB) VAC, Darragh Mogan, Executive Director (VAC), and Sandy Williamson, Director (VAC), held on February 13, 2006.”

Unfortunately, VAC advised that they held no documents with regard to my request, and DND only provided documents with regard to the preparation for the meeting, but none related to the actual meeting itself. I have enclosed the referenced documents for your ease of reference.

Given that you are pursuing a class action law suit on behalf of veterans who were affected by the Agent Orange spraying, you may want to be aware of the public servants who were involved in planning the compensation package. They may be of some assistance during the discovery process of the litigation.

Sincerely,

A handwritten signature in black ink, appearing to read "Percy E. Downe".

Percy E. Downe
Senator

Encls.
c.c. Lloyd McKenna





Our file: A-2008-00688/Team 6-2

NOV 12 2008

The Honourable Percy E. Downe, Senator
The Senate of Canada
140 Wellington Street, Room 702
Ottawa, Ontario
K1A 0A4

Dear Senator Downe:

This is further to your *Access to Information Act* (ATIA) request received July 31, 2008 for:

“All notes, minutes, e-mail transmissions, plus all other documentation pertaining to the Teleconference meeting between Karen Ellis ADM (IE), DND Alexandre Pérusse of the Herbicides Project (DND), and Sonia Heikkila, SAEI (DND), held on 13 Feb 06.”

Enclosed please find all requested records that could be located using the Department's best efforts, within the constraints of the *Act*. You will note that certain information has been withheld from disclosure pursuant to section 19 of the *Act*.

We also wish to advise you that in order to facilitate greater public access to government information, it is DND/CF policy to make most records released under the ATIA available to the public as soon as possible after they have been released to the applicant. Accordingly, we propose to make records, which have been prepared in response to your request publicly available ten working days after the date of this letter. Effective that date, hard copies of records will be provided to the public for viewing on an on-demand basis, and/or digitized images of these records will be placed on a computer database at the DND/CF Reading room located at Place de Ville, 17th Floor Tower B, 112 Kent, Ottawa, for public perusal. Your identity as the applicant will not be disclosed as part of this procedure.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

Information Commissioner
Tower B, Place de Ville
112 Kent Street, 22nd Floor
Ottawa, Ontario
K1A 1H3

.../2

Should you require clarification or assistance regarding your request, please contact Catherine Stewart of my staff at (613) 995-4869, or use our toll free number 1-888-272-8207 or by e-mail at Stewart.CE@forces.gc.ca.

Yours truly,

A handwritten signature in cursive script, appearing to read "Julie Jansen".

Julie Jansen

Director

Access to Information and Privacy

Enclosure: 10 Pages

Headley L@ADM(IE) DIEIM@Ottawa-Hull

From: McCosham DL@ADM(IE)@Ottawa-Hull
Sent: Friday, 10, February, 2006 10:03 AM
To: Heikkila SC@ADM(IE)@Ottawa-Hull
Cc: Peetsma A@ADM(IE)@Ottawa-Hull
Subject: RE: Proposed Game Plan for Monday - DND - VAC Chat

Sonja,

This is to confirm that Ms. Ellis will attend the videoconference.

Thanks,
Debbie

-----Original Message-----

From: Heikkila SC@ADM(IE)@Ottawa-Hull
Sent: Friday, February 10, 2006 9:55 AM
To: Ellis KE@ADM(IE)@Ottawa-Hull
Cc: McCosham DL@ADM(IE)@Ottawa-Hull; Peetsma A@ADM(IE)@Ottawa-Hull
Subject: FW: Proposed Game Plan for Monday - DND - VAC Chat

Karen,

As you can see VAC is planning a videoconference for Monday morning in which you and Brian (and the rest of us) will discuss our evolving roles. I will be in Charlottetown and will continue to hammer out details.

I await confirmation from you/your staff on your participation. The videoconference facility at VAC is at 66 Slater.

Cheers,
Sonja

-----Original Message-----

From: Sandra Williamson [mailto:Sandra.Williamson@vac-acc.gc.ca]
Sent: Friday, 10 February, 2006 09:42
To: Heikkila SC@ADM(IE)@Ottawa-Hull
Cc: Perusse AO@ADM(IE) DIECS@Ottawa-Hull; Darragh Mogan; Daryl Webber; JoyMacKenzie; Linda MacDonald; Melanie Richards
Subject: Proposed Game Plan for Monday - DND - VAC Chat

Hi Sonja,

Thanks again for offering to come to Charlottetown for a working session with VAC colleagues on Monday.

I have confirmed with my ADM's office that Brian Ferguson is available to participate in the morning (9:30 - 11:00 a.m.) to discuss recent developments with Karen Ellis and set the stage for some of our work that will need to proceed on an expedited basis over the next few weeks. Would you please confirm Karen's availability to participate via video-conference sometime within this timeframe.

We can chat about the game plan for the rest of day later today ... I envision this as a working session to ensure

common understanding of the current state of activity, start to reflect on possibilities for accelerating some of the work, and how we can move forward together in the coming weeks and months. Will need to follow-up with [redacted]/discussion with PCO and then other fed. colleagues after Monday.

As mentioned yesterday, the first deliverable for us is plan/proposal for our Minister in just over 2 weeks.

Many thanks for your speedy response to requests for info/documents yesterday very much appreciated!

LINDA/JOY - would you plse ensure folks in Ch'town on in the loop re Monday meeting.

MELANIE - would you plse send Sonja info re Inns at Great George as well as the Delta.

SONJA - The Inns is B&B style accom'n about a block from our office. Delta is about 5 blocks away.

Sandie

Sandra Williamson
Director, RCMP Modernization / Directrice, Modernisation de la GRC
Modernization Task Force / Group de travail sur la modernisation
Veterans Affairs Canada / Anciens Combattants Canada

Tel: (902) 626-2899
Fax / Télécopieur : (902) 566-7954
Sandra.Williamson@vac-acc.gc.ca

Headley L@ADM(IE) DIEIM@Ottawa-Hull

From: McCosham DL@ADM(IE)@Ottawa-Hull
Sent: Friday, 10, February, 2006 11:12 AM
To: Peetsma A@ADM(IE)@Ottawa-Hull
Cc: Heikkila SC@ADM(IE)@Ottawa-Hull
Subject: RE: Proposed Game Plan for Monday - DND - VAC Chat

Sonja/ Anita,

As stated earlier, the ADM will attend. The location is 66 Slater, Room 1409. There is no security on the ground floor. She can take the elevator straight to the 14th floor. There is a little window there where she will introduce herself and be escorted to the meeting room.

The ADM would like Alex to attend with her and take notes.

Thanks,
Debbie

-----Original Message-----

From: Heikkila SC@ADM(IE)@Ottawa-Hull
Sent: Friday, February 10, 2006 9:55 AM
To: Ellis KE@ADM(IE)@Ottawa-Hull
Cc: McCosham DL@ADM(IE)@Ottawa-Hull; Peetsma A@ADM(IE)@Ottawa-Hull
Subject: FW: Proposed Game Plan for Monday - DND - VAC Chat

Karen,

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I await confirmation from you/your staff on your participation. The videoconference facility at VAC is at 66 Slater.

Cheers,
Sonja

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Sent: Friday, 10 February, 2006 09:42

To: Heikkila SC@ADM(IE)@Ottawa-Hull

Cc: Perusse AO@ADM(IE) DIECS@Ottawa-Hull; Darragh Mogan; Daryl Webber;

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We can chat about the game plan for the rest of day later today ... I envision this as a working session to ensure common understanding of the current state of activity, start to reflect on possibilities for accelerating some of the work, and how we can move forward together in the coming weeks and months. Will need to follow-up with mtg/discussion with PCO and then other fed. colleagues after Monday.

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MELANIE - would you please send Sonja info re Inns at Great George as well as the Delta.

SONJA - The Inns is B&B style accom'n about a block from our office. Delta is about 5 blocks away.

Sandie

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Director, RCMP Modernization / Directrice, Modernisation de la GRC

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Veterans Affairs Canada / Anciens Combattants Canada

Tel: (902) 626-2899

Fax / Télécopieur : (902) 566-7954

Sandra.Williamson@vac-acc.gc.ca

Headley L@ADM(IE) DIEIM@Ottawa-Hull

From: Sandra Williamson [Sandra.Williamson@vac-acc.gc.ca]
Sent: Friday, 10, February, 2006 4:01 PM
To: Heikkila SC@ADM(IE)@Ottawa-Hull
Cc: Perusse AO@ADM(IE) DIECS@Ottawa-Hull; Darragh Mogan; Daryl Webber; Joy MacKenzie; Linda MacDonald
Subject: Trip to Charlottetown - Planning Session

Hi Sonja

Trusting things went well at CSPS. When you get a chance this evening or tomorrow - would you please give me a call. I can be reached on my blackberry or at .

I'll you in on the latest developments from the VAC side re: Monday's mtg. It's still a go but Brian Ferguson is only available from 9:00 - 9:45 a.m. (Ch'town time) as he will be attending meeting with the Minister and Dr. Furlong on Monday afternoon in Oromocto, NB. We realize the timing makes it very early for Karen (8:00 - 8:45 Ottawa time).

The game plan is for Brian to meet with you, Darragh and me at 9:00 a.m. and for Karen to be connected either via teleconference from her office or videoconf here at 66 Slater (if she is available).

Following the discussion with Brian, we will meet with Darragh and other VAC colleagues to share info/ views/perspectives and begin to scope out the way forward.

Sandie

Sandra Williamson

Director, RCMP Modernization / Directrice, Modernisation de la GRC Modernization Task Force / Group de travail sur la modernisation Veterans Affairs Canada / Anciens Combattants Canada

Tel: (902) 626-2899

Fax / Télécopieur : (902) 566-7954

Sandra.Williamson@vac-acc.gc.ca

Headley L@ADM(IE) DIEIM@Ottawa-Hull

From: Ellis KE@ADM(IE)@Ottawa-Hull
Sent: Friday, 10, February, 2006 4:13 PM
To: Heikkila SC@ADM(IE)@Ottawa-Hull
Cc: McCosham DL@ADM(IE)@Ottawa-Hull
Subject: RE: Trip to Charlottetown - Planning Session

Yes - it is all a go. SOnja - pls call me at home Sunday evening to talk, Thanks KE

-----Original Message-----

From: Heikkila SC@ADM(IE)@Ottawa-Hull
Sent: Friday, February 10, 2006 4:11 PM
To: Ellis KE@ADM(IE)@Ottawa-Hull
Cc: McCosham DL@ADM(IE)@Ottawa-Hull
Subject: Fw: Trip to Charlottetown - Planning Session

Karen,

Please note that VAC minister and Brian Fergusson are meeting with Dennis on Monday. Also note that the interface with Brain will only be available very early Monday morning. Is this still a go from Karen's perspective?

Please advise.

Thanks,
Sonja

-----Original Message-----

From: Sandra Williamson
To: Heikkila SC@ADM(IE)@Ottawa-Hull
CC: Perusse AO@ADM(IE) DIECS@Ottawa-Hull; Darragh Mogan; Daryl Webber; Joy MacKenzie; Linda MacDonald
Sent: Fri Feb 10 16:01:02 2006
Subject: Trip to Charlottetown - Planning Session

Hi Sonja

Trusting things went well at CSPA. When you get a chance this evening or tomorrow - would you please give me a call. I can be reached on my blackberry or at

I'll you in on the latest developments from the VAC side re: Monday's mtg. It's still a go but Brian Ferguson is only available from 9:00 - 9:45 a.m. (Ch'town time) as he will be attending meeting with the Minister and Dr. Furlong on Monday afternoon in Oromocto, NB. We realize the timing makes it very early for Karen (8:00 - 8:45 Ottawa time).

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 Fax / Télécopieur : (902) 566-7954
 Sandra.Williamson@vac-acc.gc.ca

Headley L @ ADM(IE) DIEIM @ Ottawa-Hull

From: Ellis KE@ADM(IE)@Ottawa-Hull
Sent: Friday, 10, February, 2006 4:18 PM
To: Heikkila SC@ADM(IE)@Ottawa-Hull
Subject: RE: Trip to Charlottetown - Planning Session

Sorry Sonar - I have no flex to stay. I would prefer to talk
 on hard phone lines. IF Sunday is a problem - you can call me on Saturday - but I will be in and out a lot.

KE

-----Original Message-----

From: Heikkila SC@ADM(IE)@Ottawa-Hull
Sent: Friday, February 10, 2006 4:15 PM
To: Ellis KE@ADM(IE)@Ottawa-Hull
Subject: Re: Trip to Charlottetown - Planning Session

I'm on my way back to the office in case you will still be there and you want to talk. You can also call my cell. I'm out of class.

Cheers,
 Sonja

-----Original Message-----

From: Ellis KE@ADM(IE)@Ottawa-Hull
To: Heikkila SC@ADM(IE)@Ottawa-Hull
CC: McCosham DL@ADM(IE)@Ottawa-Hull
Sent: Fri Feb 10 16:12:44 2006
Subject: RE: Trip to Charlottetown - Planning Session

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From: Heikkila SC@ADM(IE)@Ottawa-Hull
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Sonja

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From: Sandra Williamson

To: Heikkila SC@ADM(IE)@Ottawa-Hull

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Sandra.Williamson@vac-acc.gc.ca

Headley L@ADM(IE) DIEIM@Ottawa-Hull

From: McCosham DL@ADM(IE)@Ottawa-Hull
Sent: Friday, 10, February, 2006 4:29 PM
To: Heikkila SC@ADM(IE)@Ottawa-Hull
Subject: FW: Trip to Charlottetown - Planning Session

The ADM's home number is

-----Original Message-----

From: Ellis KE@ADM(IE)@Ottawa-Hull
Sent: Friday, February 10, 2006 4:13 PM
To: Heikkila SC@ADM(IE)@Ottawa-Hull
Cc: McCosham DL@ADM(IE)@Ottawa-Hull
Subject: RE: Trip to Charlottetown - Planning Session

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CC: Perusse AO@ADM(IE) DIECS@Ottawa-Hull; Darragh Mogan; Daryl Webber; Joy MacKenzie; Linda MacDonald
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Headley L@ADM(IE) DIEIM@Ottawa-Hull

From: Sandra Williamson [Sandra.Williamson@vac-acc.gc.ca]
Sent: Friday, 10, February, 2006 4:50 PM
To: Heikkila SC@ADM(IE)@Ottawa-Hull
Cc: Perusse AO@ADM(IE) DIECS@Ottawa-Hull; Darragh Mogan; Daryl Webber; JodiShea; Joy MacKenzie; Linda MacDonald
Subject: Trip to Charlottetown - Monday's Meeting

Hi Sonja

Trusting things went well at CSPS. Wanted to fill you in on the latest developments for Monday's mtg.

Mr. Ferguson must travel to attend a meeting out of province but is still available from 9:00 - 9:45 a.m. (Ch'town time). It's been confirmed between ADMs' offices that Karen is available for the earlier start time for videoconference (8:00 a.m. Ottawa time).

The game plan is to begin with the ADMs at 9:00 a.m. and then to follow-up with discussions with Darragh (my DG) and other VAC colleagues to share info/ views/perspectives and begin to scope out the way forward.

Feel free to give me a call this evening or tomorrow. I can be reached on my blackberry. If all goes well, I'll be back in Ch'town 12:30 p.m. on Saturday so if we don't connect before then, you can contact me at home at 1-877-967-8888. My office # is 626-2899. FYI - our office building (Daniel J. MacDonald - red brick GOC building - not id'd on sign as VAC) is at 161 Grafton Street (between Prince and University) across the street from Province House.

Sandie

Sandra Williamson

Director, RCMP Modernization / Directrice, Modernisation de la GRC Modernization Task Force / Group de travail sur la modernisation Veterans Affairs Canada / Anciens Combattants Canada

Tel: (902) 626-2899

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