



January 12, 2024

To: Michael Collins

TUPMAN & BLOOM LLP  
365 Duckworth Street,  
PO Box 8, STN C,  
St. John's, Newfoundland & Labrador, A1C 5H5

Dear Mr. Collins

I write in my capacity as Chairman, National Citizens Inquiry Support Group / National Citizens Inquiry in response to your letter of January 10, 2024 to the Support Group for the National Citizens Inquiry in which you allege the authority of the Citizens Inquiry Canada (CIC) corporation.

To the contents of your letter of January 10, 2024, it is clear that you have been misled by those who retained you as to the proper role of the CIC corporation and its relationship with the Support Group for the National Citizens Inquiry.

As one example, you are not permitted to act on behalf of the Citizens Inquiry Canada corporation without the authorization of the National Citizens Inquiry Support Group.

You may not be aware that both Ches Crosbie and David Ross put forward a request to the Support Group to authorize Andrej Livichenko as lawyer for the CIC. The Support Group denied this request by a majority vote. The Support Group also denied your appointment as lawyer for the CIC by a majority vote on January 10, 2024. Therefore, you have no authority to act on their behalf.

I also understand that Shawn Buckley has notified you that you would be in a Conflict of Interest by acting on behalf of the Directors of the CIC corporation since you served for the National Citizens Inquiry and received direction from Shawn Buckley.

To provide further clarification, I direct you to the original CIC bylaws dated September 9, 2022 with the subject: **Initial Organizational Matters**. The document outlines the Objectives, Background, Due Diligence & Consultations and Resolution of the Board of Directors.

Under the Background section it states:

*“The Corporation (Citizens Inquiry Canada) was incorporated by the National Citizens Inquiry Support Group on September 9, 2022 for the purpose of holding and managing the funds raised by and needed for the National Citizens Inquiry, as well as other incidental legal liability, legislative, and, regulatory compliance matters.”*

This statement clearly outlines the limited role of the CIC Corporation – “holding and managing the funds raised by and needed for the NCI” and other incidental matters.

Further, If you reviewed the National Citizen Inquiry Rules you would find the following.

### **Introduction...**

The National Citizen’s Inquiry (“Inquiry”) is a citizen-led and citizen-funded initiative that is completely independent from government and operates without legal compulsion or coercion. Legally, it is organized as a non-profit corporation with a Board of Directors to manage financial and compliance issues; **however, the Inquiry is led by a Support Group and Commissioners.**

The Support Group is an all-volunteer citizen committee represented across Canada by Regional Subcommittees. Its role is primarily administrative and logistical. It drafted the Inquiry’s Terms of Reference (“Terms of Reference) and these Rules of Practice and Procedure (the “Rules”) and appointed the Commissioners. **The Support Group will continue in its role in running the administration of the Inquiry,** and as necessary adjusting the Rules to ensure the Inquiry responds to the demands of Canadians to have a fair inquiry. The Commissioners have the role, independent of the Support Group of running the Inquiry hearings, approaching all evidence with an open mind, and independently finding facts and making recommendations.

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### **General...**

2. If the Commissioners believe a change in these Rules is necessary, they are to request the change in writing **to the Support Group...**

8. In these Rules...

**“Support Group”** means the collection of individuals forming the Support Group which started and manages **both** the National Citizens’ Inquiry **and** the non-profit corporation started for the management of National Citizens’ Inquiry funds...

**“Commission website”** means the website of the National Citizens’ Inquiry or any other website **set up by the Support Group** as the Commission website.

(emphasis added).

**These Rules were drafted with the assistance of Ches Crosbie and agreed to by the entire Support Group including David Ross.** Indeed, David Ross sent the Rules to the regional sub-committees as authoritative and binding.

These documents can be located here: <https://nationalcitizensinquiry.b-cdn.net/wp-content/uploads/2023/03/NCI-Commission-Rules-FINAL.pdf>

Mr. Collins, at no time has the CIC been given authority to direct, control, or decide the matters of the NCI Support Group. At no time has the CIC been assigned the NCI social media and data authorizations and assets, as claimed in your letter. At no time has the CIC been given final authority or requested to be the custodian of these assets.

The Support Group and the National Citizen Inquiry brand existed prior to the formation of the CIC corporation, and will exist after the conclusion of the CIC corporation. The Support Group has always been the primary authority, decisionmaker and custodian of matters related to the National Citizens Inquiry.

You make numerous false and erroneous statements including, but not limited to:

- CIC was incorporated in September 2022 to provide a legal structure for operating a national citizens inquiry.
- At a high level, the board had the power to direct CIC's operations, enter contracts, and dispose of property
- CIC went on to raise funds
- CIC . . .coordinated the National Citizens Inquiry
- The decisions involving funds, contracts or property were made by the CIC
- To the extent that Support Group or commissioners made these decisions in practice, they did so through authority delegate explicitly or implicitly from the Board
- All NCI assets including its website, social media accounts, mailing lists, the name "National Citizens Inquiry", and the NCI's brand identity, were created after the CIC's incorporation

The Support Group does not recognize the merit of these statements nor the Interim Agreements proposed in your letter.

The CIC Board has no authority to assume responsibility for the CIC and NCI's work.

I suggest that you have been grossly misled and are making claims and demands that are fraudulent, without merit, and amount to theft of property belonging to the Support Group National Citizens Inquiry. These efforts will not be tolerated and will be vigorously opposed.

We trust that the foregoing marks the end of this matter.

If, however, you opt to pursue a misguided action, you can rest assured that the Support Group National Citizens Inquiry will vigorously defend its interests and will seek full compensation for the legal costs incurred. On this point, we reserve the right to present this letter to the court in demonstrating that you were advised from the outset of the frivolous nature of your claim, and in seeking elevated costs in relation to any such action.

Sincerely,

Ted Kuntz  
Chairman, National Citizens Inquiry Support Group / National Citizens Inquiry

Cc  
Ches Crosbie – Chair CIC  
David Ross – Treasurer – CIC  
Preston Manning – “Director Emeritus”  
Andrej Livichenko – “Director Emeritus”