

**IN THE MATTER OF THE CORNWALL PUBLIC INQUIRY
The Honourable G. Normand Glaude, Commissioner**

**AND IN THE MATTER OF A MOTION FOR STANDIND AND FUNDING BY
DOUG SEGUIN and THE ESTATE OF KEN SEGUIN FOR
PART I**

B E T W E E N:

**DOUG SEGUIN AND THE ESTATE
OF KEN SEGUIN**

and

THE CORNWALL PUBLIC INQUIRY

NOTICE OF MOTION

**Michael J. Neville
Giuseppe Cipriano**

**201-309 Cooper St.
Ottawa, ON
K2P 0G5**

**Tel. (613) 237-7092
Fax (613) 237-1156**

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THE APPLICANT PARTIES, Doug Seguin and the Estate of Ken Seguin, will bring a Motion before the Commissioner on the 27th day of November, 2007 at 2:00 pm or so soon thereafter as this motion can be heard at 709 Cotton Mill Street, Cornwall, Ontario.

PROPOSED METHOD OF HEARING: The motion is to be heard orally.

THE MOTION IS FOR:

1. An Order in furtherance of the Order of November 7, 2005 granting full standing and funding to Doug Seguin and the Estate of Ken Seguin for those witnesses concerning the Institutional Response of the Ministry of Community Safety and Correctional Service (hereinafter the Ministry).

THE GROUNDS FOR THE MOTION ARE:

1. On November 7, 2005 the Applicants were granted standing and funding for Part II of the Inquiry;
2. With respect to Part I, standing was not granted because it was determined that the Ministry would currently represent the interest of Ken Seguin:

While I understand the desire of Mr. Seguin's family to participate in this inquiry, I am not, at this time, prepared to grant standing for Part I to the Estate of Ken Seguin and Doug Seguin. The Ministry has indicated that it currently represents Ken Seguin as he was a former employee. As a result, there is no need for the Estate or family to represent his interests. Should conflicts arise between Ken Seguin and the Ministry, the Estate of Ken Seguin and Doug Seguin may reapply for standing.

3. As the preceding paragraph confirms, the Applicants can re-apply should a conflict arise between the Ministry and Ken Seguin. The Anticipated Evidence of the witnesses to be called by the Inquiry from the Ministry having just been received, a conflict has now arisen between the Ministry and the interests of the Applicants.
4. Ken Seguin has been accused of various sexual improprieties. Other than the allegations arising from David Silmsner, none arose prior to Ken Seguin's death in November 1993. Due to his death, these allegations have never been fully investigated. Mr. Seguin was never been charged or convicted of any allegation.
5. The allegations made against Ken Seguin relate not only to his professional capacity as an employee of the Ministry, but extend into his private life outside of his work for the Ministry.
6. Other than the timing of the various allegations, the Ministry has advised that they will not be challenging any of the actual assertions made about Ken Seguin and his dealings with alleged victims, alleged improprieties, rumors or knowledge of

sexual orientation they had of him made by employees of the Ministry, thereby creating a conflict.

7. As a result of this, the Applicant is re-applying for standing and funding with respect to some of the witnesses to be called as former and current staff of the Ministry who had dealings with Ken Seguin. The Ministry has advised that they do not oppose this Application and agree that a conflict has arisen.
8. Specifically, the Applicant seeks full standing for the following witnesses to be called:
 - Carole Cardinal;
 - Ron Gendron;
 - Roy Hawkins;
 - Pierre Landry;
 - Bill Roy;
 - Peter Sirrs;
 - Jos Van Diepen;
 - Sue Lariviere;
 - Claude Legault;
 - Marcel Leger;
 - Louise Quinn;
 - Paul Downing;
 - Emile Robert

The Applicants are not seeking standing for Gary Commerford, Leena Bradburn, Deborah Newman, and Loretta Eley.

9. Given the preceding paragraphs, the Applicants submit that there is a distinct and unique perspective with respect to this part of the evidence that cannot be offered by the Ministry. The Applicant, Doug Seguin, personally knew, or had dealings with, many of Ken Seguin's colleagues who will be called as witnesses. He also had a very close relationship with Ken Seguin outside of his capacity as a probation officer. Doug Seguin was involved in civil litigation involving the Ministry and the allegations made against Ken Seguin both in his professional and personal capacity.

10. Accordingly, the Applicants seek standing and funding with respect to the Ministry aspect of the institutional response.

THE FOLLOWING DOCUMENTARY EVIDENCE WILL BE RELIED UPON:

1. The Notice of Application
2. The Original Application, Exhibits 11 and 11.1;
3. The Ruling of Standing and Funding
4. The Submissions of counsel
5. The Consent of the Ministry of Community Safety and Correctional Service
6. Such further evidence as counsel may advise and the Commissioner may permit.

DATED at the City of Ottawa this 22 day of November, 2007

Michael J. Neville
Giuseppe Cipriano
The Law Office of Michael J. Neville
Barristers and Solicitors
201-309 Cooper St.
Ottawa, ON K2P 0G5
Tel. (613) 237-7092
Fax. (613) 237-1156

Solicitors to the Applicant

SCHEDULE A

Exhibits 11 and 11.1

SCHEDULE T

Transcript, *Cornwall Public Inquiry*, Volume 2, November 17, 2005, pp.55, lines 6-25; p. 56, lines 1-7.