

IN THE MATTER OF THE COMMISSION OF INQUIRY INTO THE SPONSORSHIPS PROGRAM AND ADVERTISING ACTIVITIES, issued under Part I of the Inquiries Act.

IN THE MATTER OF an Application for Standing for Phases 1A and 1B of the Inquiry, by Mr. Paul Coffin and by Coffin Communications Inc., through their legal co-counsel Raphaël H. Schachter, Q.C., and Pierre Emile Dupras.

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NOTICE OF APPLICATION  
STANDING

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IN THE MATTER OF an Application for Standing for Phases 1A and 1B of the Inquiry, by Paul Coffin and Coffin Communications Inc., through their legal counsels Raphaël H. Schachter, Q.C., and Pierre Dupras.

### NOTICE OF APPLICATION FOR STANDING

- 1.- Paul Coffin and Coffin Communications Inc. hereby formally apply for full standing for Phases 1A and 1B of the Inquiry;
- 2.- Such standing is sought for that portion of the Inquiry touching upon the issues set out in the terms of reference prescribed in paragraph a), i to v.
- 3.- Paul Coffin and Coffin Communications have a real and substantial interest in the Inquiry's activities.
- a) They are generally recognized as the "Central Figures" with respect to this Commission of Inquiry.
  - b) At all relevant times relating to matters before the Commission, Paul Coffin and Coffin Communications Inc. were involved in various aspects of Government advertising and sponsorships contracts.
  - c) Paul Coffin was advised on a number of occasions that he would appear as a witness before the Public Accounts Committee of Parliament to testify on issues relating to the Sponsorship Program. In fact, Paul Coffin did not testify as a result of the Public Accounts Committee's sessions being terminated.
  - d) It should be noted that Paul Coffin and Coffin Communications Inc. received their subpoenas to appear before this Commission of Inquiry only after the expiration of the May 31st delay so as to apply for Full Standing.
  - e) A Direct Indictment ("Preferred") was served on Paul Coffin as late as Thursday September 2nd, a mere five days before the opening of the Criminal Assises in Montreal.

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- f) It should be noted that a Preliminary Inquiry had already been scheduled months prior to September 2nd, to proceed for two weeks beginning December 6th, 2004. Notwithstanding that our right to a Preliminary Inquiry has been arbitrarily withdrawn, further, the option for Mr. Coffin to be tried before a judge alone rather than a judge and jury has as well been arbitrarily withdrawn.
- g) Paul Coffin must now appear on the Direct Indictment at the next opening of the Assises scheduled for November 1st, at which time it is understood that a date will be set for his trial before judge and jury.
- h) It should also be noted that Mr. Coffin has received a subpoena to appear before this Commission of Inquiry on February 7th, 2005.
- i) It should also be noted that the allegations contained in the Direct Indictment are directly related to the mandate of Justice Gomery and this Commission of Inquiry.
- j) It is respectfully submitted that Co-Counsel for Paul Coffin and Coffin Communications Inc. must be present before this Commission of Inquiry in order to protect the Charter rights of their client and to preserve their ultimate preoccupation of being able to be tried in a fair and public hearing by an independent and impartial tribunal.
- k) The underlying principles of fairness obliges Co-Counsel to respectfully submit that as a central figure in the matter before this Commission of Inquiry, and in fact being the first individual to be accused before the Criminal Courts, surely justice must appear to be done in order that Paul Coffin's rights be fully protected.
- l) If s. 13 of the Inquiries Act is invoked, Paul Coffin and Coffin Communications Inc. may require the opportunity to cross-examine witnesses, make submissions and respond to any notices issued in order to protect their reputation.
- m) It will be of crucial importance to a full and fair review of all of the facts and circumstances that Paul Coffin and Coffin Communications Inc. be fully protected at the hearing.
- n) Applicants seek participation through full standing as described in section 7 of the Rules of Practice.

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For the foregoing reasons, and any further reasons as may be anticipated in oral submissions at Ottawa, October 5, 2004, at 2:00 p.m., or at any other time convenient to the Parties, Applicants Paul Coffin and Coffin Communications Inc. seek full standing.

DATED at Montreal, September 27, 2004.

(s) Paul Coffin

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Paul Coffin  
Applicant

Coffin Communications Inc., Applicant  
by:

(s) Paul Coffin

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Paul Coffin

(s) Raphaël H. Schachter

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Raphaël H. Schachter, Q.C. (Legal Counsel)  
Lavery, de Billy

(s) Pierre Emile Dupras

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Pierre Emile Dupras (Legal Counsel)  
Trudel, Nadeau

To: The Commission of Inquiry into the  
Sponsorship Program and Advertising Activities  
P.O. Box 1388 – Station "B"  
Ottawa (ON) K1P 5R4

Delivered by hand: 222 Queen Street, Ontario (ON)

And to: Bernard A. Roy, Q.C.  
Lead Counsel to the Gomery Commission  
Commission of Inquiry into the  
Sponsorship Program and Advertising Activities  
200 René-Lévesque Boulevard West – suite 608 East Wing  
Montréal (QC) H2Z 1X4

By fax: 514-283-8138

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**AFFIDAVIT OF PAUL COFFIN**

**IN SUPPORT OF APPLICATION FOR STANDING**

I, Paul Coffin, of the City of Ste. Therese, Province of Quebec, make oath and say as follows:

1.- I, Paul Coffin, formally apply on my behalf and on behalf of Coffin Communications Inc. for full standing for Phases 1A and 1B of the Inquiry;

2.- Such standing is sought for that portion of the Inquiry touching upon the issues set out in the terms of reference prescribed in paragraph a), i to v.

3.- I have, and so does Coffin Communications Inc., a real and substantial interest in the Inquiry's activities.

- a) We are generally recognized as the "Central Figures" with respect to this Commission of Inquiry.
- b) At all relevant times relating to matters before the Commission, Coffin Communications Inc. and myself were involved in various aspects of Government advertising and sponsorships contracts.
- c) I was advised on a number of occasions that I would appear as a witness before the Public Accounts Committee of Parliament to testify on issues relating to the Sponsorship Program. In fact, I did not testify as a result of the Public Accounts Committee's sessions being terminated.

- d) It should be noted that I received, and so did Coffin Communication, a subpoena to appear before this Commission of Inquiry only after the expiration of the May 31st delay so as to apply for Full Standing.
- e) A Direct Indictment ("Preferred") was served upon me as late as Thursday September 2nd, a mere five days before the opening of the Criminal Assises in Montreal.
- f) It should be noted that a Preliminary Inquiry had already been scheduled months prior to September 2nd, to proceed for two weeks beginning December 6th, 2004. Notwithstanding that my right to a Preliminary Inquiry has been arbitrarily withdrawn, further, the option for me to be tried before a judge alone rather than a judge and jury has as well been arbitrarily withdrawn.
- g) I must now appear on the Direct Indictment at the next opening of the Assises scheduled for November 1st, at which time it is understood that a date will be set for my trial before judge and jury.
- h) It should also be noted that I have received a subpoena to appear before this Commission of Inquiry on February 7th, 2005.
- i) It should also be noted that the allegations contained in the Direct Indictment are directly related to the mandate of Justice Gomery and this Commission of Inquiry.
- j) It is respectfully submitted that my Co-Counsel must be present before this Commission of Inquiry in order to protect my Charter rights and to preserve my ultimate preoccupation of being able to be tried in a fair and public hearing by an independent and impartial tribunal.
- k) The underlying principles of fairness obliges Co-Counsel to respectfully submit that as a central figure in the matter before this Commission of Inquiry, and in fact being the first individual to be accused before the Criminal Courts, surely justice must appear to be done in order that my rights be fully protected.
- l) If s. 13 of the Inquiries Act is invoked, I and Coffin Communications Inc. may require, through legal counsel, the opportunity to cross-examine witnesses, make submissions and respond to any notices issued in order to protect my reputation.
- m) It will be of crucial importance to a full and fair review of all of the facts and circumstances that my interests as well as Coffin Communications Inc. interests be fully protected at the Hearing.

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- n) I and Coffin Communications Inc. seek participation through full standing as described in section 7 of the Rules of Practice.

SWORN BEFORE ME AT THE City of Montreal,  
this 29 th day of September, 2004.

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) (s) Paul Coffin

(s) Linda Chouinard (126,644)

) \_\_\_\_\_  
Paul Coffin

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Commissioner of Oaths for the district of Montreal

To: The Commission of Inquiry into the  
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P.O. Box 1388 – Station "B"  
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