

**COMMISSION OF INQUIRY INTO THE SPONSORSHIP PROGRAM
AND ADVERTISING ACTIVITIES**

**MOTION RECORD
ERNST & YOUNG LLP
FOR FULL STANDING FOR THE
REMAING PHASES OF THE INQUIRY**

**LENCZNER SLAGHT ROYCE
SMITH GRIFFIN LLP**

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Counsel for Ernst & Young LLP

TO: The Commissioner

AND TO: Commission Counsel
Commission of Inquiry into the Sponsorship Program
and Advertising Activities
Guy-Favreau Complex
East Tower, P.O. Box 608
220 René-Lévesque Boulevard West
Montreal, Quebec
H2Z 1X4

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1. Notice of Motion by Ernst & Young LLP for Standing for the Remaining Phases of the Inquiry dated April 22, 2005.
2. Affidavit of Elizabeth Wolfe, dated April 22, 2005.

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**NOTICE OF MOTION BY ERNST & YOUNG LLP FOR STANDING
FOR THE REMAINING PHASES OF THE INQUIRY**

TAKE NOTICE THAT ERNST & YOUNG LLP will make a motion to the Commission in writing under Rule 3 of the Commission's Rules of Procedure and Practice, returnable at a time and date set by the Commissioner.

THE MOTION IS FOR full standing before the Commission for the remaining phases of the Inquiry, with the rights set out in Rule 7 of Commission's Rules of Procedure and Practice and such additional rights as appear just and appropriate.

THE GROUNDS FOR THE MOTION ARE that Ernst & Young LLP is directly and substantially affected by the Inquiry, and has interests and perspectives that should be represented before the Commission. The particulars are as follows:

1. Ernst & Young LLP was engaged by Public Works and Government Services Canada to conduct a compliance audit of the Advertising and Public Opinion Research Sector in 1996.
2. In November 1996, Ernst & Young LLP delivered a Compliance Audit of Contracting Processes (the "Report").

3. The Report has been the subject of evidence given at the Inquiry from a panel from Ernst & Young LLP. The Report has also formed part of the examination of witnesses who testified subsequently.

4. The Report was referred to in early drafts of an internal audit report conducted by Public Works and Government Services Canada in 2000.

5. It is the expectation of Ernst & Young LLP that the Report will be referred to in argument by the parties who have standing before the Commission. Further, the possibility exists for the Commissioner to be urged to make findings adverse to Ernst & Young LLP or that the Commissioner, without the benefit of further input from Ernst & Young LLP, might make such findings.

6. Accordingly, Ernst & Young LLP could be directly and substantially affected by the Inquiry and has interests and perspectives that should be represented before the Commission.

7. Ernst & Young LLP respectfully submits that this is an appropriate case for the Commissioner to exercise his discretion to grant standing after May 31, 2004 pursuant to Rule 3 of the Commission's Rules of Procedure and Practice.

8. Ernst & Young LLP respectfully requests that it be granted full standing before the Commission for the remaining phases of the Inquiry.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

1. The affidavit of Elizabeth Wolfe sworn on April 22, 2005;

2. The name, address, telephone and fax numbers and email address of Ernst & Young which is as follows:

c/o Elizabeth Wolfe
Assistant General Counsel
General Counsel's Office
Ernst & Young LLP
Ernst & Young Tower
P.O. Box 251
Toronto-Dominion Centre
29th Floor
Toronto, Ontario
M5K 1J7

Tel: 416-864-1234
Fax: 416-943-3475
Email: elizabeth.wolfe@ca.ey.com

3. The names of the lawyers representing Ernst & Young LLP together with the lawyers' address, telephone and fax numbers and e-mail addresses which are noted immediately below.

4. Such further and other material as counsel may advise and this Honourable Commission of Inquiry may permit.

April 22nd 2005

Per:



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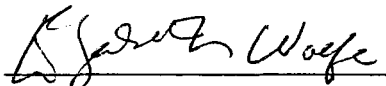
AFFIDAVIT OF ELIZABETH WOLFE

I, Elizabeth Wolfe, of the City of Toronto, in the Province of Ontario, SWEAR THAT:

1. I am Assistant General Counsel of Ernst & Young LLP and therefore have knowledge of the matters to which I depose.

2. I have read Ernst & Young LLP's notice of motion to the Commission dated April 22, 2005, in which it seeks standing before the Commission for the remaining phases of the Inquiry. The facts set out in the notice of motion are true.

SWORN BEFORE ME at the City of)
Toronto, in the Province of Ontario, on)
April 22, 2005)
)
_____)
Commissioner for taking affidavits



Elizabeth Wolfe

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Solicitors for the Ernst & Young LLP