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January 11, 2019

5203-32

VIA PROCESS SERVER

John Arnold Jack
Fountain Reserve - 1: _____ ay
Lillooet, BC V0K 1V0

Dear Mr. Jack:

Re: Small Claims Court Filing No. WIL-P-C-181674

We are legal counsel with regards to the above matter. I enclose a copy of the Notice of Claim for service upon you, and I ask that you return the enclosed copy of this letter (signed by you) to confirm service. Alternatively, you can email me at kenji_tokawa@aboriginal-law.com to confirm your receipt of this package.

You will see that the Registry has provided an advisory print-out on replying to the claim, together with the appropriate form, which I have also enclosed.

Please feel free to call me if you wish to discuss the claim. I would remind you that you may wish to engage your own legal counsel in the matter and, if so, I would ask that you let me know who that is so that I can serve any future filing materials on them, on your behalf.

Yours truly,
DONOVAN & COMPANY

Kenji Tokawa
KT/fs

Service of a true copy hereof admitted
this ___ day of _____ 20__

Solicitor for _____

cc: Jennifer Griffith, Donovan & Company

Enclosures

NOTICE OF CLAIM

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER WIL-P-C-181670
REGISTRY LOCATION Williams Lake

NOTICE OF CLAIM

FROM:
This person has made a claim against you in Small Claims Court.

NAME	Williams Lake Indian Band Council			CLAIMANT(S)
ADDRESS	c/o Jennifer Griffith, Donovan & Company 6th Floor, 73 Water Street			
CITY, TOWN, MUNICIPALITY	BC	V6B 1A1	TEL. #	604-688-4272
	PROV.	POSTAL CODE		

TO:

NAME	Darcy William Kobelt; John Arnold Jack			DEFENDANT(S)
ADDRESS				
CITY, TOWN, MUNICIPALITY			TEL. #	
	PROV.	POSTAL CODE		

WHAT HAPPENED?
This is what the claimant says led to the claim.

The Williams Lake Indian Band operates a Band Office at 2672 Indian Drive, Williams Lake, BC. The Band Office's hours of operation are 8:30 am to 4:30 pm, Mondays to Fridays. On Tuesday, May 24, 2016, 39 staff were scheduled to work at the Band Office. At approximately 8:10 am on Tuesday, May 24, 2016, as Band Office staff unlocked the front door of the Band Office, the Defendant, Darcy Kobelt pushed his way into the Band Office. The staff member tried to stop him but was unsuccessful. At approximately 8:15 am, the Defendant John Arnold Jack entered through the front door. The Defendants then told all present staff members to leave. Mr. Kobelt asked the Band Office receptionist to unlock the locked security door inside the Band Office. The receptionist refused. Mr. Kobelt then jumped over the reception window area and stated to the staff present that the Band Office had officially been taken over. After the present staff members exited, the Defendants locked themselves in to the Band Office and also blocked access to staff by using a 2x4 piece of wood to prevent one of the doors from being opened, and against another door, a large desk. This damaged the desk. The Williams Lake Indian Band Council told the Defendants to leave and called the Royal Canadian Mounted Police to assist in removing the Defendants from the Band Office. On May 24, 2016, the Royal Canadian Mounted Police, as requested by the Council, told the Defendants to leave the Band Office. The Defendants refused to leave the Band Office. The Defendants damaged the Band Office's walls and paint, surveillance cameras, alarm system and locks, causing the Band Council to incur \$4,055.38 for repair. Also on May 24

If this box is checked the "what happened" section is continued on a another page. Be sure you have been given a copy of it.

WHERE?
This is where the claimant says it happened.

CITY, TOWN, MUNICIPALITY	Williams Lake
PROV.	BC

WHEN?

This is when the claimant says it happened. May 24, 2016; May 25, 2016; May 26, 2016

HOW MUCH?
This is what the claimant is asking for.

a	Wages paid to locked out staff	\$	22,532.41
b	Office repair	\$	4,055.38
c	Value of stolen items	\$	604.95
d	Value of cash stolen	\$	525.00
e	Costs (to be determined)	\$	
		TOTAL	27,717.74

TIME LIMIT FOR A DEFENDANT TO REPLY
The defendant must complete and file the attached reply within 14 days from being served with this notice, unless the defendant settles this claim directly with the claimant. If the defendant does not reply, a court order may be made against the defendant without any further notice to the defendant. Then the defendant will have to pay the amount claimed plus interest and further expenses.

The Court Address for filing documents is:
540 Borland Street,
Williams Lake, BC
V2G 1R8

+ FILING FEES	
+ SERVICE FEES	
= TOTAL CLAIMED	\$ 27,717.74
<input type="checkbox"/> DEBT	
<input checked="" type="checkbox"/> OTHER THAN DEBT	

defendant's copy

24, 2016, the Defendants allowed approximately 30 non-staff individuals in to the Band Office. The Defendants and these non-staff invites of the Defendants continued to occupy and prevent staff from entering the Band Office for the duration of May 24, 2016, May 25, 2016 and into May 26, 2016. On May 25, 2016, 38 staff scheduled to work at the Band Office were prevented from entering. On May 26, 2016, 38 staff scheduled to work at the Band Office were prevented from entering. All staff scheduled to work on May 24, May 25, and May 26, 2016 could have worked, but for the actions of the Defendants which prevented all staff from entering the Band Office for the duration of the three days. The lost wages for these staff over the course of the three days the Defendants prevented them from entering equals \$22,532.41. At approximately 4:00 pm on May 26, 2016, the Defendants exited the Band Office. Upon leaving, the Defendants took Band property including \$525.00 cash, \$300.00 worth of gift cards, \$205.00 worth of other items, and a \$99.95 FitBit.