

COURT OF APPEAL

BETWEEN:

Capt. E. G. da Costa Duarte

Sailmaster Glenn Lusk

(Applicants)

And

The Attorney General of British Columbia

Prothonotary Roger R. Lafreniere (Federal Court of Canada)

Campbell River Harbour Authority (CRHA)

The Board of Directors of the CRHA

Coast Bailiff & Collections

Shelley Chapelski

Phyllis Titus

(Respondents)

Impact Statements – Referencing Court File 37556

The two attached letters originate from Mrs. Lorraine Flynn and her daughter Ms. Monica Flynn. The said letters are self-explanatory, yet they represent a high volume of document evidence involving the suspicious death of Mr. Douglas Flynn, past CRHA Director.

Mrs. Lorraine Flynn and her daughter Ms. Monica Flynn are victimized citizens with numerous questions about the current state of the British Columbia Judiciary which failed them.

The Applicant, Capt. E. G. da Costa Duarte is not part of the said letters, rather Mrs. Lorraine Flynn and her daughter Ms. Monica Flynn, approached the Applicant with a determined request for answers relating to the alleged criminal activities of the CRHA Corporation, the CRHA Board of Directors and CRHA Staff.

The Applicant submits the said letters, below-attached, at the request of Mrs. Lorraine Flynn and her daughter Ms. Monica Flynn, to be forwarded to Justice Hall and also placed on Court File CA39471.

Dated at Campbell River, this 22th. day of December, 2011.



Captain E. G. da Costa Duarte

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V9W 4X5
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To Whom This May Concern;

I have recently, very inadvertently, become aware of a criminal court proceedings brought on by Capt. E.G. da Costa Duarte against the Campbell River Harbour Authourity (CRHA), its Board of Directors and staff. To date, no one has officially contacted me despite the fact that my late husband, Douglas Michael Flynn, was an original signatory to the Letters Patent issued in 1997. He had been talked into becoming involved to represent pleasure boat patrons of the harbour . From what I remember he was only a board member for a short time.

This new discovery, which involves charges of fraud, perjury and assault are very serious and have become very disconcerting to me in light of unanswered questions around my husband's tragic death Dec.8, 2008 . Some insurance and banking concerns around his estate have added to my stresses and cause me to wonder if his estate is somehow implicated with the CRHA corporation , although I have clearance papers from CRA.

Questions surrounding my husband's death (explained as carbon monoxide poisoning) on a fishing buddy's pleasure boat linger to this day despite my numerous questions for the police and coroner. His death came just over a year after his sister's sudden death. My husband questioned, quite vocally, the circumstances around her death, including making a phone call to the coroner to have it investigated. (It wasn't.)

In the summer of 2007, when I was visiting family for a month in Alaska, my husband had obviously become aware of "some issues" relating to local fishing community members and his sister's seafood business at a local harbour. He didn't share a lot of details with me but did with my daughter who had worked for her aunt that summer. My concern was for his well-being. His personality was slowly changing and he lost his joy for life. I thought it was a bit of depression after his sister's death. He eventually was diagnosed with heart failure but, after losing 50 pounds and getting medications adjusted, by Dec. 2008 he was improving. He improved enough so that he responded positively to an invitation to go winter fishing.


The circumstances of that day, and the next, were very unusual. Although I accepted his death at the time (I was in shock), I did begin asking questions. I originally wrote the BC Solicitor General's office about my concerns a week after the funeral. I asked to speak with local RCMP about the case but decided to wait until receiving the coroner's report. While waiting for the report my daughter finally began to relate her traumatic experience of finding her dad and her lack of treatment as a first responder. The report didn't arrive until late spring of 2009. It told us nothing! In June 2009 I began my pursuit for answers. My main concern at this time was to try to get the decibel readings from the firemen's CO detector because my daughter was diagnosed with severe hearing loss in both ears, and unable to return to work at an industrial site. Along with driving her to various specialists in Vancouver and Nanaimo, for six months I pursued getting answers only to find I would need a court order to get the police files since they were "property of the deceased for 20 years" (a 1989 federal ruling). I then requested an investigation through the police complaints commission.

This case was poorly handled by local police, firemen, paramedics and the coroner, as some - what admitted to in the Independent Police Commissioner's final report of Dec. 2010. At the time I accepted the fact that at least my issues had been heard. Since then, I am informed that under the gale force wind weather conditions that evening/morning (he had been missing for over 14 hrs) CO poisoning would not have been likely. Other information that I was given has also been questioned by others. I was told by the coroner that he died instantly but no estimated time of death was indicated in the report. The doctor's report to the insurance company had the box checked beside inquest however, I was told none was done. Too many questions remain unanswered and now this court case, #37556, is raising more issues.

During the last few years before his death, my husband was also becoming more and more vocal about another legal issue of injustice involving a 1997 enforcement in family court of a wrongful interim order and ignoring of a final Supreme Court order. Since reading some of the harbour documents I am beginning to have my concerns that these cases may all be intertwined since dates and people involved appear to be similar to an alleged "trustee scam" we seem to be uncovering. The BC auditor general has been made aware of this case in the past year. After getting no resolution through the BC Ombudsman, in 2007 my husband and my daughter delivered a file of documents to the BC attorney general's office in Victoria. They were given to a sheriff outside the office door but to this date we do not know the whereabouts of those documents despite numerous requests, including letters.

I do not understand all the complexities surrounding these various events happening around my family life. I can accept that tragedies happen, that police can make a mistake or someone can be a member of a group and not fully understand the implications. What I cannot fathom, however, is that despite our numerous pleas for help with all these cases, no one appears to be interested in seeking justice and uncovering truth. I also have a hard time with the fact that Doug's name will be drawn into a court case and his family has not been made aware of potential criminal investigations. This unending saga of unanswered questions is very unsettling for me and my children. It is limiting my daughter's ability to heal from the post traumatic stress she underwent and therefore her employability. My son in Alaska has two young children with medical issues and is stressed that he is unable to give me any support. It has created a wedge between my daughter and youngest son who is still dealing with the sudden loss of his father. It is undermining extended family relationships and friendships developed over 40 years in this community. At the end of the day, I am now living on a reduced pension without the loving support and companionship of a husband that I had for 45 years.

Submitted Dec. 20,2011 by

Lorraine Flynn 

665 Thulin St. Campbell River, B.C. V9W 2L4

To Whom This May Concern:

For over ten years I have been trying to get to the bottom of issues that are tied to wrongful BC Supreme Court orders involving many judgements against family estate debt, which was only uncovered via my continuous persistence seeking court documents, sheriff searches and land title documents. As my search continued I discovered huge layers of fraud related to the said estate debt within British Columbia.

The events of December 8 and 9, 2008, involving my father Mr. Douglas Flynn's suspicious death onboard a pleasure craft owned by a retired Camrose electrician, named Ernie Laskowski, involved the local authorities employed to guard our society from criminal activity; RCMP, Campbell River Fire Department and Paramedics. The above-mentioned suspicious death resulted in my arrival at the scene and discovering the body of my father lying inside a small 20 plus foot boat, propelled with an inboard/outboard motor. Subsequently, my mother sought a police investigation after realizing that a standard crime scene investigation never took place.

My lengthy, published, description of events witnessed at the scene of my father's death, remain ignored by various authorities, exemplified by false estimations of carbon monoxide poisoning, the fact that my father was in a state of *rigor mortis* when found, and Ernie Laskowski still alive; exhibiting serious symptoms of extreme stress not associated with carbon monoxide poisoning.

The conglomerate of events involving my father's death leads me to conclude that his worries and anxieties that began on the summer of 2007 before his sister's suspicious death, may be connected to fraudulent behaviour bluntly displayed by waterfront activity and may extend to his early involvement at discovering possible fraud occurring within the Campbell River Harbour Authority (CRHA). My father made numerous statements discouraging me from seeking employment from the likes of Bruce Kempling, long time CRHA Director/President. He also discouraged me from transferring my Farmer's Market business, sometime in 2003, to the site of the Campbell River Harbour Authority facility with a commitment to continue my business under the controlling eye of the CRHA Board of Directors as a not-for-profit corporation.

Sometime in the summer of 2011, I came across published internet information revealing numerous criminal court files involving the CRHA Letters Patent with my father's signature. This finding resulted in me initiating contact with Capt. E. G. da Costa Duarte to ascertain my family's legal status pertaining to any issues associated with the CRHA Corporation and the Board of Directors. Because of the CRHA lack of accountability and transparency thus far, there is no way of knowing whether or not my father's estate or any other past financial transactions are linked. Adding to my legal irritations I further discovered that the same "legal dream team" headed by the law firm located at 906 Island Hwy, (PO Box 40) is involved in both the CRHA Corporation and the land fraud associated with estate fraud above-mentioned.

The well known issue of the shredding truck at the CRHA facility destroying documents on April 20, 2010 gives strong evidence that the CRHA Board of Directors are covering-up their paper trail. Further the recent news events involving digitizing land title documents within British Columbia is disturbing if the originals can no longer be accessed.

In conclusion, I am overwhelmed at the level of apparent fraud and outright corruption that is continuously being dismissed by our authorities who are employed to safeguard honourable citizens

such as my father, Mr. Douglas Flynn. His and other suspicious deaths that have occurred within this community of Campbell River should never be simply dismissed as accidental and not thoroughly investigated.

I feel it is my duty to honour his name, and that of his sister's, by making the court aware of what I have uncovered and hope that the original court order that started this decade long investigation can be overturned by the courts. It is my belief that my 70yr.old father and his 65yr.old sister's untimely deaths may have been a result of legal corporate insurance fraud through trusteeships.

This victim impact statement is submitted in the hope that wrongdoers will be prosecuted and that families will not have to endure further violations against their estates and property ownership that may affect generations yet to come. Lawyers and judicial trustees have an obligation to protect citizens from harm not create further legal nightmares.

Respectfully submitted,
Dec. 21, 2011
502 Birch St.
Campbell River, B.C.

A handwritten signature in cursive script that reads "Monica Jane Flynn". The signature is written in dark ink on a light-colored background.

Ms. Monica Flynn

COURT OF APPEAL

BETWEEN:

Capt. E. G. da Costa Duarte
Sailmaster Glenn Lusk
(Applicants)

And

The Attorney General of British Columbia
Prothonotary Roger R. Lafreniere (Federal Court of Canada)
Campbell River Harbour Authority (CRHA)
The Board of Directors of the CRHA
Coast Bailiff & Collections
Shelley Chapelski
Phyllis Titus
(Respondents)

Impact Statement – Referencing Court File 37556

The attached letter originates from Mr. David Flynn. The said letter is self-explanatory, yet it represents a high volume of document evidence involving the suspicious death of Mr. Douglas Flynn, past CRHA Director.

The said letter is in addition to the letters of Mrs. Lorraine Flynn and her daughter Ms. Monica Flynn, previously submitted, victimized citizens with numerous questions about the current state of the British Columbia Judiciary which failed them.

The Applicant, Capt. E. G. da Costa Duarte is not part of the said letters, rather Mrs. Lorraine Flynn, her daughter Ms. Monica Flynn and son Mr. David Flynn approached the Applicant with a determined request for answers relating to alleged criminal activities of the CRHA Corporation, the CRHA Board of Directors and CRHA Staff.

The Applicant submits the said letter, below-attached, at the request of Mr. David Flynn to be forwarded to Justice Hall and also placed on Court File CA39471.

Dated at Campbell River, this 7th. day of January, 2012.



Captain E. G. da Costa Duarte

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V9W 4X5
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Copies sent to the Respondents, via established email service.

To Whom it May Concern;

I have just read the letters written by my sister and mother, primarily regarding the untimely death of my father in December 2008 and the lack of closure our family has been able to secure on his passing due to the variety of unanswered questions and unsettling documentation that continues to be uncovered.

My sister's life has been consumed with trying to, at first, clear Brian Wiley's legal obstructions to allow them to get married. Her efforts led to the completion of divorce documentation, however, the illegitimate tying of an interim separation agreement, primarily meant to allow Brian to ensure his children would have a roof over their heads until they were adults, was twisted and contorted into numerous wrongful assessments of what Brian owed for child support and to who it was owed. This has been documented now in both the British Columbia and now Alberta courts systems. The deceptions of his ex-wife and her legal team have perverted justice and placed Brian's ability to live a normal life in jeopardy, and if fact, because of this association with the associated document-trail, have placed his life in peril as well.

My sister has uncovered documentation tying Brian's mortgage documents from the home he was purchasing in the 1980s, during his marriage at the time, to many "ponzy" schemes in both Canada and the United States. It makes sense that the perpetrators of these schemes would want to prevent the uncovering of these documents and bringing their deceptions to light.

My aunt's death was suspicious, at a minimum, and as my mother mentioned in her letter, my father asked for a coroner's report. We have yet to see any documentation proving that my aunt died of natural causes.

This death segued into the death of my father a year later and which occurred interestingly on my sister's birthday. We were not, as my sister and mother pointed out, allowed access to the official RCMP report; the coroner's report was, at best, non-conclusive; and, in light of the illegal activities of the CRHA and my father's associations with these people it would seem my father's death should be re-investigated.



"Tasering" has become a common method for providing "heart-attack-like" deaths amongst criminals in Canada due to the restrictions around handguns and was brought to international attention in Canada when a citizen was tasered-to-death at the Vancouver International Airport in the recent past. My sister found my father the morning following his death. She found vomit on the wharf near the boat where he was discovered. My father was a "rough-and-tumble" sort of fellow. His attire in going fishing was not the same as he would have worn to work or

church and even then there were times you would have seen him with his shirt un-tucked, etc. To have seen him "neatly" lying inside the boat, with his shirt tucked-in, was disturbing and uncharacteristic to my sister, and us, when she later shared this part of her observations. In addition, when my sister checked him for a heartbeat, she noticed purple bruising on his body which we later believe was consistent with a "taser-like" attack (see pictures above). The stiffness and cold nature of his body when she examined him, as reported by her, left me thinking he had been gone for some time when she arrived. While we suspect our father died of something consistent with a "taser-attack", we do not have a reliable police report in hand to reference and nothing from the coroner to prove conclusively, like a blood toxicology report, that our father died of carbon monoxide poisoning as we have been led to believe. It is a further curiosity to us that his fishing buddy was admitted to hospital with carbon monoxide poisoning even though he was apparently found sitting at the back of the boat in the open air during a night reported to have prevailing winds of over 35mph. Dad's fishing buddy "Ernie", and owner of the boat my father was found on, was never pressed to make a statement for record so we don't even have his recollections of the day and evening to form opinions on or draw conclusions from.

In 2007 my sister worked for my aunt and uncle in Campbell River supporting their harbour-side restaurant and fish market business. During this summer, she witnessed many unsettling events and was confided in by my aunt who was concerned about my uncle's associates and my aunt was making plans to distance herself from him. Our family was upset to learn that our uncle took out a large life insurance policy on my aunt shortly before her untimely death in Oct 2007 (on my father's birthday). My uncle was the sole beneficiary of the policy proceeds. My sister witnessed my uncle's associations with what we learned later was a known felon on the FBI Most Wanted list (Joseph Wayne McCool).

 **THE FBI** FEDERAL BUREAU OF INVESTIGATION

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White Collar Crimes

White Collar Crime, a term reportedly first coined in 1939, is synonymous with the full range of frauds committed by business and government professionals.

 GERALD BERKE	 DANIEL GUZMAN	 ODOWA ROLAND OKUOMOSE	 HAROLD RANGEL	 SPIRO EDWARD GERMENTIS
 CHAIM YEHUDA REICH	 JOSEPH WAYNE MCCOOL	 JAMES STANLEY EBERHART	 JOHN ANTHONY PORCARO	 JOHN DONA CODY



JOSEPH WAYNE McCOOL

Conspiracy to Commit Wire Fraud, Wire Fraud

Joseph Wayne McCool is being sought for his alleged involvement in a ponzi scheme that was based out of Mesa, Arizona. Sometime before February, 2004, McCool allegedly conspired with two other individuals, who have since been arrested, to operate The Brixon Group, Ltd., which fraudulently solicited millions of dollars from the public. McCool solicited and induced members of the public to invest approximately \$10 million in Brixon by making fraudulent and misleading representations concerning how the money would be used, the rates of return, the security of the investments, and their own qualifications to conduct such investments.

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I live in Alaska and cannot be near to my mother and sister to help look out for them. Our family functions now are strained due to all the unanswered questions. We are focusing on moving forward as best we can, but the "joy" our father brought to life and to our family is missed terribly. My children will grow up not being able to enjoy their grandfather and receive his encouragement and advice. The events around my aunt and father's death, and the misuse of public trust in generating false documentation for financial gain, or to cover-up other illegal activity have greatly affected our family in a negative way. My sister's life, in particular, has been severely impacted by the events surrounding the death of our father, and more so now that, in our family's opinion, there appears to be a criminal connection to his demise. The scheduling consultancy my sister was working with me on prior to my father's passing, has been put on hold since the event...as she has struggled with health issues, post traumatic stress, and harassment related to the information she has been uncovering in trying to understand what caused our father's death and possibly-associated ponzy and fraud activities that seem to be rampant in the Campbell River community.

I noticed that my father's disposition changed from a happy-go-lucky man in April 2008 to someone who had seen a ghost in the Fall of that same year. Something haunted him and now I believe he had been threatened, or our family had been threatened if he did not keep silent on what he might have known about with respect to the CRHA and their known associates and possibly our uncle's associations with ponzy-schemers.

Our family will continue to seek the truth and uncover the injustices of these ponzy schemes and we hope to clear our family and father's name of any associations to this illegal activity. My sister will continue work to clear her partner's name of ties to these illegal schemes as well and hopefully allow him to live out the rest of his life clear of any association to the false documentation developed around the title documents associated with the mortgage he held on the home in Cambelton, Campbell River.

Our father was an honest, hardworking man, who believed in God and the truth and taught us, as well as modeled, that these virtues were worth standing on. The integrity of my parents has been the back-bone of any achievements that I've accomplished.

I am appealing to you to help us uncover the truth and bring these injustices to light!!

Sincerely,

A handwritten signature in dark ink, appearing to read "David J. Flynn", followed by a date "7 Jan 2012" written in a similar cursive style.

David J. Flynn, P.Eng

[PO Box 31321, Fort Greely, Alaska, 99731]