

C A N A D A  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL  
N° : 500-17-038173-079

S U P E R I O R C O U R T  
FÉDÉRATION CANADIENNE DES  
ÉTUDIANTES ET DES ÉTUDIANTES  
ÉLÉMENT DU QUÉBEC

Plaintiff

-vs-

NINA AMROV  
-and  
MAHDI ALTALIBI

Defendants

-and-

MALAMO SAVVAS-BEAUMONT  
SOSHIMA VERA-CADET  
MELANEE THOMAS, ET AL

Mises en cause

EXAMINATION ON AFFIDAVIT OF BRANDON VERGERA

APPEARANCES:

Me ROSELINE OUELLETTE  
for Plaintiff and Mises en cause (S. Vera-Cadet, M. Thomas, R.  
Nassim, E. Jabouin)  
Me WILLIAM DE MERCHANT  
Me PIERRE-LOUIS FORTIN-LEGRIS  
for Defendants (N. Amrov, M. Altalibi) and Mise en cause (M.  
Silverman)  
Me STÉPHANE ROY  
for Mises en cause (Concordia Student Union and Dawson Student  
Union)

AUGUST 31, 2007

AA070831.A3

ANITA AUZA, o.c.r.

STÉNO EXACT

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EXAMINATION ON AFFIDAVIT

BRANDON VERGERA

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LIST OF OBJECTIONS

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In the year of Our Lord, two thousand and seven (2007), on this thirty-first (31st) day of August,

PERSONALLY CAME AND APPEARED:

BRANDON VERGERA, born the eighteenth (18th) day of May, nineteen hundred and eighty-nine (1989), Student, residing at seven four three one (7431) Kingsley Road, apartment three one zero (310), Côte St. Luc, Province of Quebec;

WHO, after having made a Solemn Affirmation, doth depose and say as follows:

EXAMINATION BY Me PIERRE-LOUIS FORTIN-LEGRIS,

On behalf of Defendants (N. Amrov, M. Altalibi) and Mise en cause (M. Silverman):

1 Q- So, you are a member of the Dawson Student Union, correct?

A- Yes.

2 Q- And what is your position there? What is your function...

A- Every -- well, every D.S.U. student, who's a full-time student, is considered a member.

3 Q- Yes.

A- I'm one of the executives. So, there's different terms. Basically, I maintain the office, I make sure that all the minutes and agendas are kept properly, ensure the transparency of the D.S.U., I'm signing officer. That pretty much...

4 Q- Okay.

A- ... sums it up.

5 Q- And what is your title?

A- Executive Secretary.

6 Q- Okay. And can you exchange these functions with others? Can you -- I mean, the functions that you just listed...

A- Yes.

7 Q- ... can you do something else? Can you...

A- Yes. Well, if anything is not -- if, let's say, a member -- an executive, sorry, has not been elected, everyone has to pull extra weight, so they take on other tasks.

8 Q- Okay.

A- So, often my position will spill into someone else's, and theirs will spill into someone else's, since we're all working as a team.

9 Q- You mean if some of the members of the Executive Council are not elected -- if there is no one at

a certain position you can...

A- Be -- even if there is someone in that position, because we all try and make sure that everything runs smoothly, we always work as a team.

10 Q- Okay. So, can someone else act as a secretary? Someone else can...

A- Someone at our meetings can be elected as a secretary, but it's just -- I'm always at the meetings, so I'm -- like I'm almost automatically sworn in as the Executive Secretary.

11 Q- Okay. You were present at the June twenty (20) meeting of the D.S.U.?

A- Yes.

12 Q- I think you wrote the minutes, is it right?

A- Yes.

13 Q- And I don't know if you want to have the minutes with you -- it's P-18. Okay, there's a point -- point 3, "CFS-Q Meeting."

A- Yes.

14 Q- First of all, was there an agenda that was sent to all the Executive Committee members before this meeting?

A- Yes.

15 Q- Were you the one responsible...

A- Yes.

16 Q- ... to send it? Okay.

And do you remember around which date it was sent?

A- It's sent more than forty-eight (48) hours in advance, so...

17 Q- Okay.

And point 3, there's a discussion on the CFS-Q General Meeting that was held on nineteenth (19th) and twentieth (20th) of June, and there's discussion that ends up with a motion handed in paper format...

Me ROSELINE OUELLETTE:

There's a -- the text...

Me PIERRE-LOUIS FORTIN-LEGRIS:

Yes, the resolution that is...

Me ROSELINE OUELLETTE:

Okay.

Me PIERRE-LOUIS FORTIN-LEGRIS:

... joined to the minutes.

18 Q- So, when is the first time that you saw this resolution?

A- The first time?

19 Q- Yes, the resolution starts with "Whereas 4.17..." -- do you see it?



A- This whole thing?

20 Q- Yes.

A- Quite honestly, I forget, but I know it was before the meeting.

21 Q- Before the meeting?

A- Yes.

22 Q- Okay.

Did everybody receive it before the meeting?

A- Everyone received it...

23 Q- Every member of the Executive Committee?

A- They received it before the meeting, yes.

24 Q- Yes?

A- Before the meeting started, they received it.

25 Q- Okay.

A- It was annexed by the back of their agendas. If my memory serves me right, they were annexed to the back of the agenda.

26 Q- Okay. But the agenda was given at least forty (40) hours before...

A- Right, but then there's the paper format agenda given at the beginning -- before -- like, five, ten (5 - 10) minutes before.

27 Q- Okay. Are you the one who prepared this format -- paper format?

A- Yes, I print them out off my computer.

28 Q- Okay. And you are the one that joined this --  
the resolution to the proposed agenda?

A- I may have had a staff member just staple them.

29 Q- Who was the staff member?

A- Arial Reid, I think.

30 Q- Okay. So, maybe she did it, maybe you did it?  
Just to join the...

A- It's been a while.

31 Q- Okay. And do you know who wrote this  
resolution?

A- It was co-written.

32 Q- By who?

A- Shanice Rose and our staff member.

33 Q- Which is...?

A- Arial Reid.

34 Q- Do you know when it was written?

A- Actually, no, I don't.

35 Q- Do you know if prior to the D.S.U. Executive  
Meeting of June twenty (20) -- do you know if  
Ms. Beaumont was informed that her conduct  
during the CFS-Q meeting was going to be  
scrutinized -- was going to be looked at?

A- I can't say. I really don't know.

Maybe perhaps someone else in our Executive

contacted her. I didn't.

36 Q- Do you know if she was advised before the meeting started that she could be stripped of her function as V.P. External?

A- No.

37 Q- No, you don't know, or no, she wasn't advised?

A- I don't believe she was advised.

38 Q- So, the minutes of June twentieth (20th) that you wrote said that you vote in favour of the resolution?

A- M'hm.

39 Q- Yes?

**Me ROSELINE OUELLETTE:**

You have to answer out loud.

A- Oh, sorry. Yes. Yes. I'm sorry.

**Me PIERRE-LOUIS FORTIN-LEGRIS:**

Thank you.

40 Q- It talks a lot about the General Meeting of the CFS-Q -- it's related to this meeting -- were you present at this CFS-Q meeting, June nineteenth (19th) and/or June twentieth (20th)?

A- The -- no.

41 Q- The CFS-Q meeting.

A- No.

42 Q- Did you try to be present, but -- did you intend

-- no? Was it a choice that you weren't present?

A- I work.

43 Q- You work?

A- It was just not possible. Three (3) jobs is hard to do.

44 Q- Point 8 refers to violation of 5.15 of the D.S.U. Constitution, and this particular -- no? Okay, and Section 5.15 of the D.S.U. Constitution is related to conflicts of interest. Could you tell us how you interpret...

**Me ROSELINE OUELLETTE:**

O I will object to those questions.

**Me PIERRE-LOUIS FORTIN-LEGRIS:**

You will -- can I...

**Me ROSELINE OUELLETTE:**

Yes, finish your question.

**Me PIERRE-LOUIS FORTIN-LEGRIS:**

What kind of questions? Like...

**Me ROSELINE OUELLETTE:**

The question about the interpretation of the bylaws.

**Me PIERRE-LOUIS FORTIN-LEGRIS:**

Okay.

45 Q- What do you know about the relation between  
Madame Beaumont -- Ms. Beaumont and Mr.  
Altalibi?

A- That they're friends.

46 Q- Okay, do you know something more than that? How  
is their friendship?

A- Apparently good.

47 Q- Is there something else in their relation that  
could explain this particular point here?

A- I can't say there is. Friendship. They had a  
close relationship, that's all I can say.

48 Q- Okay. But did you know that before June  
nineteenth (19th) or June twentieth (20th), when  
this resolution was passed?

A- I don't believe so, no.

49 Q- Okay, the motion -- there is a few -- there is  
a lot -- being resolved to that, pending this  
resolution, and these -- this -- the "be it  
resolved that" -- they impose a limitation on  
Ms. Beaumont's ability to represent D.S.U. at  
any meeting -- at any CFS-Q meeting, or CFS-Q  
National -- or CFS National.

How does the Executive Council find its  
power to impose this non-behaviour to Ms.  
Beaumont?

A- "Find its power"?

50 Q- Yes.

A- I would say, from our Constitution.

51 Q- Okay.

Can you find us where in the Constitution?

**Me ROSELINE OUELLETTE:**

We don't have any example of the Constitution here, and I will not allow him to interpret bylaws or -- of the Constitution.

**Me PIERRE-LOUIS FORTIN-LEGRIS:**

C'est pas un interpretation...

(DISCUSSION OFF RECORD)

**Me PIERRE-LOUIS FORTIN-LEGRIS:**

52 Q- It's not there?

A- It's not ours.

53 Q- That's not yours? That's the documents....

(DISCUSSION OFF RECORD)

**Me PIERRE-LOUIS FORTIN-LEGRIS:**

54 Q- So, you don't recognize this as the Dawson Student Union bylaws, right?

A- No.

(DISCUSSION OFF RECORD)

Me PIERRE-LOUIS FORTIN-LEGRIS:

55 Q- So, I will ask you the same thing on the power to -- the last "be it further resolved", that says that if Ms. Beaumont doesn't comply with this resolution she can be stripped of her duty as V.P. External by a two third (2/3) vote of the Executive Council.

Me ROSELINE OUELLETTE:

And your question here is...?

Me PIERRE-LOUIS FORTIN-LEGRIS:

It's where in the bylaw we find...

Me ROSELINE OUELLETTE:

O Objection.

Me PIERRE-LOUIS FORTIN-LEGRIS:

... this power to strip her of her duty?

U Can you take an undertaking to give us the actual version of the Dawson Student Union...

Me ROSELINE OUELLETTE:

Yes.

56 Q- Do you have access to that?

A- Not on me, but I can have...

57 Q- Okay.

A- ... someone e-mail it.

58 Q- Perfect.

Me PIERRE-LOUIS FORTIN-LEGRIS:

Yes.

Me STÉPHANE ROY:

I think it's a good thing to clarify that, anyway, for everyone.

Me PIERRE-LOUIS FORTIN-LEGRIS:

Yes, right. Right.

59 Q- Okay, in your Affidavit, you -- paragraph 3(b), you refer to the August second (2nd) meeting of the D.S.U. Executive Council, and there you name -- it names the three (3) persons allowed to represent D.S.U. at the CFS-Q meeting on the next day.

Can you tell us who is -- we know that Ms. -- Shanice is V.P. -- well, she's a V.P., we know that Mr. Solomon is a member of the D.S.U. Executive Council -- can you tell us who is Margo Durnet?

A- An employee of ours.

60 Q- Okay. But you told us that Ms. Reid was the employee. Is there more than one (1) employee at the D.S.U.?

A- Ms. Margo Durnet is the replacement to Arial Reid.



61 Q- Okay, since when?

A- As of August first (1st).

62 Q- Okay. Was she hired by the Executive Committee?  
How was she hired?

A- By the Executive Committee.

63 Q- Okay. Was there a meeting on August -- I guess  
on August second (2nd) to confirm her hiring  
during a General -- during a normal meeting?

Me ROSELINE OUELLETTE:

O I will object to that, it's not part of the  
demand

Me PIERRE-LOUIS FORTIN-LEGRIS:

64 Q- Was she a student of the D.S.U. before, Ms.  
Dunnet?

A- No.

65 Q- And had she ever worked for the D.S.U. before?

A- No.

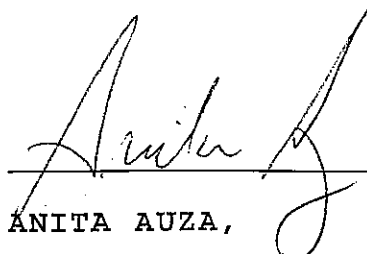
66 Q- Okay. Okay, that will be it. Thank you very  
much.

AND FURTHER DEPONENT SAITH NOT

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I, ANITA AUZA, Official Court Reporter in the Judicial District of Montreal, hereby certify that the foregoing pages are a true and accurate transcript of the proceeding taken to the best of my skill, ability, and understanding,

And I have signed

  
ANITA AUZA,  
Official Court Reporter

COUR SUPÉRIEURE  
PROVINCE DE QUÉBEC  
DISTRICT DE MONTRÉAL

No : 500-17-038173-079

CANADIAN FEDERATION OF STUDENTS, QUÉBEC  
COMPONENT,

Demanderesse

c.

NINA AMROV ET AL,

Défendeurs

et

MALAMO BEAUMONT-SAWAS ET AL,

Mis en cause

No : 500-17-038176-072

FÉDÉRATION CANADIENNE DES ÉTUDIANTES ET DES  
ÉTUDIANTS, ÉLÉMENT DU QUÉBEC ET AL,

Demandeurs

c.

GEORGES SOULE ET AL,

Défendeurs

PIÈCE D-15

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