



Affidavit #1 of Titus Gregory

Sworn 11th April 2008

No. **S-082674**

Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SIMON FRASER STUDENT SOCIETY

PETITIONER

AND:

CANADIAN FEDERATION OF STUDENTS, CANADIAN
FEDERATION OF STUDENTS – SERVICES, CANADIAN
FEDERATION OF STUDENTS – BRITISH COLUMBIA
COMPONENT

RESPONDENTS

AFFIDAVIT OF TITUS GREGORY #1

I, Titus Gregory, Policy Analyst, Kwantlen University College Student Association (“KSA”), of 12666 72 Avenue, Surrey, British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. I am the Policy Analyst at the KSA and have been closely involved with an effort of the KSA and its members to defederate from the Canadian Federation of Students (“CFS”) and its related entities. As such, I have personal knowledge of the matters and facts hereinafter deposed to, save and except where they are stated to be on information and belief and where so stated I verily believe the same to be true.
2. Now shown to me and marked as Exhibit “A” to my Affidavit is a true copy of an Affidavit that I swore on 10 March 2008 in *Canadian Federation of Students v. Kwantlen University College Student Association*, No.S081553, Van. Reg. In that proceeding, the CFS commenced a Petition to prevent the KSA from proceeding with a referendum of its members on 18-20 March 2008 to vote on whether they should remain in the CFS.

3. After the KSA gave notice of the referendum to the CFS in September 2007, the CFS and KSA each appointed two members to a Referendum Oversight Committee ("the ROC"), as required under the CFS Bylaws. The ROC was supposed to make certain decisions and oversee the referendum process. By February 2008, however, it became clear that the ROC was deadlocked and was unable to make decisions or supervise the referendum. Accordingly, the KSA retained the service of an independent consulting firm, Schiffner Consultants Inc. ("Schiffner"), to act as Chief Returning Officer for the referendum.
4. On 4 March 2008, the CFS filed a Petition seeking a number of remedies on the grounds that the KSA's decision to retain Schiffner violated the CFS Bylaws and because the scheduled referendum was allegedly unfair due to what it claimed was false and negative "pre-campaigning" by the KSA.
5. The hearing of the Petition proceeded on 14 March and 20 March 2008. The Court dismissed the CFS's claims with respect to the unfair "pre-campaigning", postponed the referendum until April 8, 9, and 10 2008, and gave the ROC until 20 March 2008 to work out a set of procedures for the referendum. On 20 March 2008, the Court determined that the ROC had not put the necessary procedures in place, and vested authority to run the referendum in Schiffner rather than the ROC.
6. A transcript of excerpts from the proceedings, including Mr. Justice McEwan's directions on 14 March and 20 March 2008, are attached as Exhibit "B" and "C" respectively to my Affidavit.

SWORN BEFORE ME at Vancouver,)
 British Columbia, this 11th day of April,)
 2008,)
 _____)
 Susan M. Coristine)

Titus Gregory

 Titus Gregory

A Commissioner for taking Affidavits
 for British Columbia.