

MEMORANDUM

TO: Employees, volunteers and others working with or within the North Okanagan Hospice Society (“Hospice”)
FROM: Jay Hack, Davidson Lawyers LLP
DATE: September 1, 2011
RE: Hospice Policy EL-8 (the “Policy”)

This memo is intended to introduce and explain the role of Davidson Lawyers LLP (“Davidson”) under the Policy, commonly known as the “Whistle Blower Policy”.

Under the Policy, the Executive Director of Hospice is required to provide employees, volunteers and others with a mechanism for anonymous and confidential reporting of alleged or suspected **unethical or unlawful** activities, without fear of retaliation.

Anyone wishing to make a report under the Policy may contact Hospice’s Executive Director, who will act in accordance with the Policy. However, it is understood that there may be instances in which a person may not want to make a report directly to the Executive Director or may otherwise want to protect their identity. In these cases, Davidson has agreed to act as an independent, confidential contact for those wishing to make a report under the Policy.

If you wish to make a report under the Policy, and do not want to make a report directly to Hospice’s Executive Director, you can call Davidson at 250-545-5344 and ask to speak with the lawyer or legal assistant that has been designated to take calls under the Policy. At the date of this memo, the designated lawyer is Jay Hack and the designated legal assistant is Janet Saari.

In making a call to Davidson, you can be assured that Davidson does not represent Hospice; aside from acting as the independent contact under the Policy, Davidson has no affiliation with Hospice. In fact, when you call Davidson to make a report under the Policy, we owe a duty of confidentiality to you and we will not release your name or other personal information to anyone without your express consent or a Court Order (which we would oppose on the basis of solicitor / client privilege).

To be clear, Davidson has supported Hospice in the past, and may continue to do so in the future. However, Davidson’s support of Hospice as a charitable organization in no way affects our independence under the Policy, or changes our duty of confidentiality to you if you make a report to us under the Policy.

If you call Davidson to make a report under the Policy, the first thing that we will do is ask you a little bit about the matter you are calling about, so that we can confirm that we are not already involved with the matter. If in the unlikely event that we are already involved in the matter, we will tell you and make arrangements for you to call another law firm in Vernon to make your report. This is for your protection, as it ensures your anonymity.

In making a report, Davidson's role is to record your information and to pass this information to Hospice while at the same time protecting your identity. We are basically a conduit for information between you and Hospice; we cannot provide any legal advice to you in our role as independent contact under the Policy.

If you have any questions about the Policy or Davidson's role under the Policy, please feel free to discuss with the Executive Director, or call Jay Hack at Davidson Lawyers LLP at 545-5344.

END OF MEMO