

**IN THE MÉTIS NATION BRITISH COLUMBIA'S SENATE**

Appeal Name: *Laboucan v. Smith, De Jaeger & Lewis*

File: 2-00-00-00-5-00168

Date: January 4, 2021

Between:

**Leonard Laboucan**

Applicant

And:

**Lissa Smith  
Louis De Jaeger  
Lawrence Lewis**

Respondents

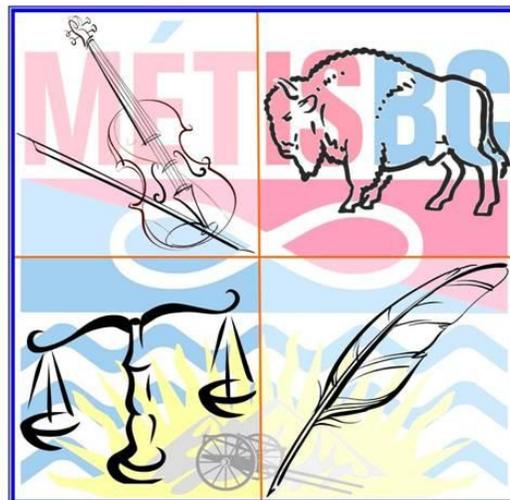
**Reasons for Decision**

Presiding Senators:

Senator Gerald Pope  
Senator Sandra Conlon  
Senator John Sayers

Place and Dates of Hearing:

November 21-24, 2020  
Zoom Conference Call



**MNBC Senate**

## **Introduction**

[1] On October 5, 2020 the applicant Leonard Laboucan (“Laboucan”), submitted an appeal to the Senate. In his submission, Laboucan alleges that the 2020 Metis Nation British Columbia (“MNBC”) election for Vice-President and Region 2 Director was:

- a) improper, and not able to be upheld as the results of the election were invalid;
- b) the Region 2 election process wrongfully promoted Vice-President and Director candidates over others; and
- c) complaints to the Chief Electoral Officer regarding the election process were not adequately addressed (the “Allegations”).

## **Laboucan Allegations**

[2] In support of the Allegations, Laboucan submitted a Senate Appeal document dated October 5, 2020 stating the following:

- a. “MNBC held an election for members of the Board of Directors. Included in this election were the positions of President, Vice-President, seven Regional Directors, a Youth Representative and Women’s Representative positions” (the “Election”).
- b. Lawrence Lewis, the operator of an election service OneFeather, was appointed by MNBC under the *Electoral Act* to be the Chief Electoral Officer of the Election.
- c. Laboucan’s nomination papers for Region 2 Director were submitted and accepted, the Election commenced on August 11, 2020 with results finalized on September 21, 2020 (the “Election Period”).
- d. Lissa Smith (“Smith”) was a candidate for the position of Vice-President and Louis De Jaeger (“De Jaeger”) was also a candidate for Region 2 Director.
- e. Smith and De Jaeger distributed campaign materials to voters as part of a team that also included prospective candidates Walter Mineault - President, Shaughn Davoren - Youth Chair Representative, Dean Gladue - Regional 3 Director, Debra Fisher - Region 4 Director, Patrick Harriott - Region 1 Director and Paulette Flamond - Region 7 Director (the “Team”).
- f. Subsequent to commencement of the Election, Laboucan noticed irregularities, errors and defects in how the election process was being carried out. “In particular,

memberships lists were sent out with voter's email addresses, followed by another email list without email addresses, then a week later another email with voter's list with email addresses again because many candidates were already using the email addresses having received the lists with email addresses well before other candidates had received them."

- g. Laboucan received information from several voters of whom stated they had received ballot envelopes containing the Team or certain members of the Team. These voters were:
- i. "Darrel Jobin, a Metis Citizen, who on or about August 7, 2020 confirmed that he received an envelope in the mail on or about August 19, 2020 that included ballots from the Chief Electoral Officer together with brochures from" some members of the Team.
  - ii. "Bob Umpherville also received an envelope in the mail that included ballots from the Chief Electoral Officer together with brochures from" some of the members of the Team.
  - iii. Laboucan resides in a Vancouver area cooperative complex of which 5 of the 7 households are home to MNBC citizens. "One of the voters upon receiving ballots envelopes from the Chief Electoral Officer for her and her 2 daughters found that one of the envelopes was thicker than the other two. Upon receiving the information that one of the ballot envelopes had Team brochures in it with election information and ballots with the Lawrence Louis's signature/stamp on the back of the ballots I went over to that voter's residence and took pictures of the contents of the envelope (the Envelope) with my iPhone (copies attached). The brochures were from the Team of Walter Mineault, Lissa Smith, Louis De Jaeger and Shaughn Davoren."
  - iv. "I was shocked by the lack of integrity by the Team to the electoral process that was demonstrated by the "envelope stuffing" of the Team brochures."

- h. On September 10, 2020 Laboucan “contacted Lawrence Lewis” seeking “an explanation as to why” some members of the Team’s brochures had been included in a Chief Electoral Officer the Envelope. The Chief Electoral Officer was not present; however, Laboucan spoke with Hailey (Chief Electoral officers assistant), and Hailey stated that “she did the printing for the election in their office.”
- i. Laboucan also “informed Hailey, that the Chief Electoral Officers signature / stamp was on the back of the ballots for the election.” Hailey “confirmed, that the Chief Electoral Officer used a signature/stamp and that they had two of them at the Chief Electoral Officer’s office. Hailey advised me to write a letter to the Chief Electoral Officer, Lawrence Lewis.”
- j. On September 11, 2020 Laboucan sent a letter by email to the Chief Electoral Officer and copied to MNBC CEO Daniel Fontaine “with the message and attachments that included copies of the pictures of the Chief Electoral Officer’s election envelope received by Zuleyma Prado and opened by her mother “Tammy” and her aunt Sherry Parisien who was there for the opening of envelopes.”
- k. “The Chief Electoral Officer responded via email requesting a picture of the envelope and I replied that a picture of the envelope was in the pictures that I had sent on September 11, 2020.”
- l. Laboucan “made my concern known to the Chief Electoral Officer in the MNBC Election Irregularities letter that if other members received envelopes like the one I had been informed of and observed it could change the outcome for other candidates running in the election, especially in Region 2. People that receive brochures with election materials might think that they should vote for these people.” Laboucan further reiterated that:
  - a. “I am deeply disappointed about this situation and how could this happen when, as the Chief Election Officer, he is responsible for envelopes, ballots and what goes into election envelopes.”
  - b. “I was running a clean candidacy for election in Region 2 and expect all other candidates to do the same”

- c. “I spent a lot time of money running in this election”
  - d. “I would not put up with candidates trying to taint the election in their favor”
  - e. “I have contacted the media regarding this issue”
- m. On September 15, 2020 Laboucan provided to the Chief Electoral Officer, via email, a notarized affidavit of Sherry Parisian<sup>1</sup> who’s sister received the Letter. In Laboucan’s email he also included the contact information for Darrel Jobin and Bob Umperville as requested by the Chief Electoral Officer in addition to one other potential witness Marilyn Heese.
- n. On September 18, 2020 Laboucan received an email message from the Chief Electoral Officer encouraging him to review the provisions of Article 42.2 of the MNBC *Electoral Act* if he felt the matter warranted an appeal. The Chief Electoral Officer also advised that the “materials did not originate with OneFeather or our election staff, so it would then be a matter of investigation to determine how they originated and for the appeal process (MNBC Senate) to determine the appropriate and applicable outcome.”
- o. As of September 30, 2020 Laboucan advised that he had “identified 20 MNBC voters that had received ballot envelopes with ballots and stuffed with Team brochures and based on my on-line requests, believe there are many more as it easy to hide hundreds among the 5000 members in MNBC Region 2” and could “provide names and contact information.”
- p. In addition, Laboucan advised that “I have received a number of calls confirming the receipt by voters in the election of Chief Electoral Officer election envelopes stuffed Team brochures.” Further, “Not having received a response from Lawrence Lewis I believed other votes should be aware of the irregularities noted above and I therefore posted my concerns about irregularities on social media.”
- q. Laboucan confirmed that the Team’s brochures had been ordered via a Invermere, BC business – “Local View Printing and Design” and had asked if the Chief

---

<sup>1</sup> At para 2(j)(a)

Electoral Officer “as to whether his office used Local View Printing and Design for the printing of election ballots.”

[3] On October 21, 2020 the Senate received an email from Laboucan with a list of twenty-three names of individuals (inclusive of their contact information) of whom Laboucan states received candidate brochures in their election ballot envelopes. Laboucan provided the names of three additional individuals at a later date.

## **Respondent Submissions**

### **Vice-President Smith**

[4] Smith responded to the Allegations in a written respondent submission dated October 26<sup>th</sup>, 2020.

[5] Smith submits that the allegations made by Laboucan “are completely false and slanderous not only myself and Louis De Jaeger but also to OneFeather in particular the Chief Electoral Officer also against the Metis owned company that our team hired to print and mail out our campaign brochures. This company is located in Invermere BC.” Further, that “The picture provided of the ballots and brochures is completely fabricated as no brochures were included in the envelope with the ballots” and that “Anyone can stage a picture of the envelope that our campaign brochures were mailed in.” Smith further advised “she received my ballots on a Friday and then my campaign brochures the next Monday.”

[6] Smith advised she had only attended the OneFeather office once “on July 27<sup>th</sup>, 2020 to drop off my nomination package. Lawrence Louis was not present and I left my nomination package at the front desk with a lady named Haileigh.” Additionally, that the:

- a) “printing/mail out company we hired was Local View Printing & Design and that “The email list for the mail outs was provided to Steve Manyka by Patrick Harriot.”
- b) “organizing of the brochures was conducted by Victoria Pruden who was the campaign manager for the Team Mineault/Smith 2020 campaign.”
- c) “Mr. Laboucan is only targeting two candidates when the brochures that were mailed out were for four candidates. The motives behind this appeal are questionable as Mr. Laboucan was a unsuccessful candidate for Region 2 during the election.”

## **Region 2 Director Louis De Jaeger**

[7] De Jaeger responded to the Allegations in a written respondent submission dated October 21<sup>th</sup>, 2020.

[8] De Jaeger submitted that I:

- a. “had nothing to do with the printing of any brochures”
- b. “have never had any communication with said printing company”
- c. “have nothing to do with OneFeather or any employee(s)”
- d. “my location is miles away from printing company or OneFeather”

## **Lawrence Lewis - OneFeather**

[9] Lawrence Lewis responded to the Allegations in a written respondent submission dated October 26<sup>th</sup>, 2020.

[10] Lawrence Lewis submitted that he had been appointed Chief Electoral Officer to conduct the 2020 MMNBC General Election in which a number of provisions within the election rules and regulations were modified/adjusted to ensure a fair and accessible electoral process for all eligible voters amid the current COVID pandemic, and to ensure the safety and protection of health for all involved. This included extending the election time frame from September 10<sup>th</sup> to September 21<sup>st</sup> to ensure sufficient time was provided for Canada Post to deliver and return mail in ballot submissions to the Chief Electoral Officer, and that all material decisions and those specified by the governing rules and regulations regarding the conduct the 2020 general election were made directly by Lewis following any appropriate legal or client consultations he deemed necessary. Further, that at all times, the entire 2020 general election procedures and protocols were supervised and/or executed directly by him, and that Election Officers were certified electoral officers with Canada (ISC Indian Act election regulations) and had a combined 40-years electoral officer experience. Furthermore, that all support staff had multiple years’ experience supporting clients and their members/voters through hundreds of voting events each year. And that OneFeather worked with over 190 First Nation and Métis clients across Canada, and had no vested interest in the outcome of the MNBC election, nor any conflict of interest (perceived or otherwise) with any candidates or any part of the electoral process.

[11] Specifically, in relation to mail-in ballots voting packages Lewis advised that all of the

ballots and instructions were produced, printed, assembled, and sealed in-house in standard white envelopes at the OneFeather Victoria office, and delivered postage pre-paid to Canada Post by his staff on August 13th and 19th, and continued to be sent out subject to address changes and formal requests during the vote period. At no time was any candidate information materials of any kind or nature inserted or placed in any of the mail-in ballot packages handled by his staff. All contents and materials for each Region and office were approved by Lewis directly prior to insertion in any mail-in ballot voting packages. Furthermore, that all voting related materials, including ballots and all related documents, were stored in locked containers and a secure storage room when not in use and outside regular business hours.

[12] Lewis advised that he had received a number of communications directly or through his Support Centre from Laboucan. In all instances, Laboucan was responded to confirming receipt of his communication, and where necessary and appropriate responded accordingly.

[13] Lewis advised it was common in every election event that some administrative corrections were made to ensure electoral fairness and protect democratic process, fix documentation errors (spelling, grammar, dates and other misc. items) which may occur from time to time, and procedural adjustments due to external forces outside the control of all parties (for example, a novel coronavirus global pandemic), but that he was not aware of any other elector or candidate providing any independent claim or statement indicating that they received candidates materials in the mail-in ballot voting packages prepared by his Office or staff, nor substantiating any of the claims whatsoever alleged in Laboucan's appeal. Furthermore, that Laboucan had received less than 34% of the vote for the two candidate Region two Director candidate election race and Garry Biggar received less than 24% of the vote for the two candidate Office of Vice President election race. Further, that Laboucan acted carelessly and without regard to voter privacy during the voting event and post-election, and was reminded repeatedly by OneFeather and MNBC about his continual contravention of federal law governing spam email communications (CASL Anti-Spam Legislation) and possibly the MNBC Electoral Code.

### **Investigation of Senate Clerk**

#### ***Printing/Dissemination of the Team Brochures***

[14] Victoria Pruden in her capacity as the Team manager stated that Patrick Harriott

provided the Team Mineault MNBC citizen voter mailout address list to Local View Printing and Design Inc., and that she did not cause or permit another person to use the Team Mineault brochure template for printing or dissemination purposes. Furthermore, that Pruden did not request or receive any extra copies of Team Mineault brochures, with or without sealed envelopes, from Local View Printing and Design Inc, but was aware that Director Debra Fisher had requested printed brochures for an Invermere candidate information night, which was a single event. Prudent did not provide any sealed envelopes to other Team Mineault candidates, and stated she did not have any direct or hearsay knowledge of any team Mineault candidates or persons acting under their direction being involved with inserting Team Mineault brochures in balloting envelopes distributed to MNBC citizens by the Chief Electoral Officer in lead up to MNBC 2020 election. Pruden further advised that a singular business, located in Invermere, was used for the Team Mineault brochures, and that this was very “hands off” in terms of the mailout process, and had only communicated with the printer by telephone or electronically.

[15] Region 1 Director Patrick Harriott advised that his role in the development and dissemination of Team Mineault candidates brochures related to the correlation of MNBC voter address information which was provided electronically to Steve Mantyka of Local View Printing and Design Inc. The list of voters was provided to him by OneFeather. Harriott did not receive additional copies of Team Mineault brochures from the printing firm or elsewhere.

[16] Region 4 Director Debra Fisher advised that she had purchased 200 campaign specific flyers and 100 hard card stock posters from Local View Printing and Design Inc. These posters were distributed throughout the East and West Kootenay’s by friends, family and supporters. Fisher stated she had no knowledge of any conversation that may have taken place between Team Mineault candidates with regard to inserting Team Mineault brochures within balloting envelopes distributed to MNBC citizens by the Chief Electoral Officer in lead up to the recently completed MNBC 2020 election.

[17] Steve Mantyka, owner of Local View Printing and Design Inc, Invermere, BC stated he had received a 12,533 mailouts order from Victoria Pruden to develop Team Mineault candidates brochures. Further, that no extra copies of the Team Mineault brochures had been made, except for those provided to Fisher for her campaign. Mantyka also stated he did not provide a printing

template for Team Mineault brochures to Team Mineault or other individuals, but that on receiving approval to move forward with printing and mailout of the brochures he had electronically transferred the template to Greg Kornak of Brentwood Printing, Calgary. This was due to the fact that Mantyka was too busy to handle the printing job at that time. It was his belief that the brochures had been mailed out from the Main Calgary RVU post office on August 18, 2020 in standard white envelopes.

[18] Greg Kornak, owner of Brentwood Printing, Calgary confirmed his receipt of an electronic template from Steve Mantyka for printing of Team Mineault candidates brochures, a mailing list and contents to whom the various candidates brochures were to be sent. The brochures were then to be bulk printed in the quantities dictated per the information received from Steve Mantyka. Kornak, in turn, sub-contracted with Steve Eisentraut of GMS Printing Ltd, Calgary for completion of this work.

[19] Steven Eisentraut, owner of GMS Printing, stated he no longer operated a full service printing firm, but rather acted as an agent providing quotes, and farming out printing jobs. Eisentraut confirmed he had received a call from Greg Kornak asking him to provide a quote - one for printing and one for insertion of the material into envelopes. Eisentraut received Kornak's approval and then submitted the entire job (printing, stuffing of envelopes and mailing via Canada Post) to ARP (Allrush) Printing, Calgary. Eisentraut described the brochures as one and two sided 8 ½" x 11" full colour to be inserted in white 4 1/8" x 9 ½" envelopes. Furthermore, that he did not, nor did anyone approach him, take any action whatsoever to include voter ballot or related information in with the candidates brochures. Eisentraut reiterated it was impossible for this to have happened in the production of the candidate election brochures, and their distribution.

[20] ARP (Allrush) Copies and Print Production Supervisor Gerry Mouoaison confirmed that the printing of Team Mineault candidates brochures had been a straight forward order and had included computerized printing of the brochures, stuffing of brochures into envelopes and mailing out to prescribed addresses via Canada Post. Further, that there was no opportunity for any election ballot or related information to have been inserted into the Team Mineault envelopes that were sent out.

### ***OneFeather Voting Packages***

[21] In relation to distribution of voting packages Lewis stated that all of the ballots and instructions produced were printed, assembled, and sealed in-house in standard white envelopes at the OneFeather Victoria office, and delivered postage pre-paid to Canada Post by his staff on August 13th and 19th, and continued to be sent out subject to address changes and formal requests during the vote period. At no time was any candidate information materials of any kind or nature inserted or placed in any of the mail-in ballot packages handled by his staff. All contents and materials for each Region and office were approved by Lewis directly prior to insertion in any mail-in ballot voting packages. Furthermore, that all voting related materials, including ballots and all related documents, were secured in locked containers and secure storage room when not in use and outside regular business hours.

### ***Leonard Laboucan Witnesses***

[22] The Senate received a list of twenty-three individuals together with contact details from Laboucan who he alleged had received candidates brochures in with OneFeather voting package envelopes. He later provided the names of three additional individuals.

[23] Attempts were made by the Senate Clerk to contact each of the individuals submitted by Laboucan. Of these six failed to respond to repeated requests to be interviewed, seven stated brochures had been received together with election ballots, and thirteen either recanted on their original responses to Laboucan or when interviewed were unable to confirm if what they had originally stated to Laboucan was in fact correct. It was also noted that of the seven individuals who stated they had received brochures together with election ballots two refused to provide testimony, and that another individual was basing their testimony on what had been observed at the residence of the two persons who had refused to testify before the Senate.

[24] The addresses of the twenty-six (26) individuals alleged by Laboucan to have received candidates brochures in with OneFeather voting package envelopes were compared against the list used by OneFeather to distribute voting package envelopes with the list used to send out Team Mineault candidates brochures from Calgary. This determined that addresses of all twenty-six individuals were included on both lists.

[25] In order to further determine if the allegations made by Laboucan were indicative of a broader issue of candidates brochures being included in OneFeather voting package envelopes the Senate Clerk conducted a canvas sixty-six randomly selected Region 2 MNBC citizens, which revealed the following:

- a. Forty had no recollection of what had or had not been received;
- b. Eight stated no candidates brochures had been included in voter envelopes;
- c. One stated a candidate brochure had been included within a voter envelope; and
- d. Seventeen failed to respond.

### ***Dissemination of Voter Lists to Election Candidates***

[26] OneFeather principal Lawrence Lewis stated voter lists were disseminated to election candidates on August 12th and August 25th. Both of these lists were provided to Laboucan and other candidates in Region 2 on August 12th. Lewis heard back from Laboucan the following day that he had been unable to open the list and resent it to him. A second voter list was sent out by OneFeather on August 25th to Laboucan and other candidates, except this now included voter email address information. Information related to executive candidates (president, vice-president, women's and youth representatives) was disseminated throughout the province on the same approximate dates. Lewis advised that no advantage or disadvantage resulted to candidates as a result of the dissemination of these lists.

[27] CEO Daniel Fontaine stated that normally a paper voters list was created by the Registrar, but due to the pandemic on this occasion an electronic list was formatted. This list was sent to the Chief Electoral Officer (OneFeather) to allow an interim voters list to be prepared for delivery to the candidates. There was then a final list sent by the Registrar to the Chief Electoral Officer. The Chief Electoral Officer only provided some of the candidates with the interim voters list, which included email addresses. A subsequent decision was made to provide all candidates with the same information to ensure equity.

[28] This was the first occasion on which MNBC used mail-in ballots for a general election. This created confusion with many voters due to the content of OneFeather mail-in ballots voting package envelopes, and was further complicated by voter's receipt of similar appearing

envelopes containing brochures from various candidates. In some instances this led to individual deciding not to vote.

### **Métis Nation *Electoral Act***

#### **[29] Article Three – Definitions**

“Chief Electoral Officer” means a contractor appointed in writing after final approval of the Métis Nation Governing Assembly.

#### **[30] Article Forty-Two – Election Appeals**

42.1 Decisions of the Chief Electoral Officer during an Election may be appealed to the Métis Nation British Columbia Senate.

a. The Chief Electoral Officer will have the authority to refuse Candidates and voters who do not meet the required eligibility pre-requisites and deadlines set out in the MNBC Electoral Act.

b. All Candidates or electors refused will have the option to file a written Election appeal before the Métis Nation British Columbia Senate.

42.2 A Candidate or elector will have fourteen (14) days from the date of the Election or fourteen Days from the date of the recount to file a written Election appeal before the MNBC Senate.

a. The written appeal sent to the MNBC Senate should outline the rationale of the Election appeal, along with any documents or other materials that should assist the appeal.

42.3 The Chief Electoral Officer will provide information at the request of the MNBC Senate during the Election appeals process so as to deliver a fair and balanced decision.

a. The Chief Electoral Officer will be responsible in providing reasons for refusal as supported by the Articles in the Electoral Act.

b. The MNBC Senate reserves the right to set a date when the Candidate or

elector who filed the Election appeal may present their arguments in person. The onus to prove the appeal to the satisfaction of the MNBC is upon the individual who filed the Election appeal.

[31] **Article Forty-Three – General**

43.1 The appeal will not be successful if it is shown that the Election was conducted in accordance with this *Election Act* and that the irregularity, failure, non-compliance or mistake did not materially affect the result of the Election. No Election is void by reason of:

- a. Failure to publish, late distribution or non-receipt of the Métis communities;
- b. A failure to hold a poll at any place appointed for holding a poll;
- c. A non-compliance with the provisions of this *Electoral Act* relating to the counting of the votes or with regard to limitations of time; or
- d. Any mistake in the use of the prescribed forms.

**The Essential Facts as Determined By The Senate**

[32] All OneFeather ballots and instructions were produced, printed, assembled and sealed in standard white envelopes at the OneFeather office in Victoria then delivered postage pre-paid to voters via Canada Post.

[33] All OneFeather voter package contents and materials for each Region and office were approved by Lawrence Lewis prior to insertion in mail-in ballot voting packages.

[34] All OneFeather voting materials, including ballots and all related documents, were secured in locked containers and in a secure storage room when not in use and outside regular business hours.

[35] Voter lists were disseminated to election candidates on August 12th and August 25th. Both lists were provided to Laboucan, and the August 25th list included voter email address information.

[36] The chain of product control between initial template development of the Team

candidate brochures by Local View Design & Printing Inc. of Invermere, BC through to its distribution to voters via Canada Post from Calgary provided no opportunity for cross contamination with OneFeather voting packages.

[37] The majority of witnesses whom Laboucan alleged were able to provide evidence of election irregularities were determined to have received their mail via community mailboxes and/or apartment lobby secured mail slots thereby providing no opportunity for incoming mail to have been tampered with.

[38] The Team's brochures and OneFeather voter materials were both contained in standard white envelopes with little difference apparent in appearance. Recipients could easily have mistaken or mixed the contents of one envelope with the other when opened, which was confirmed by several of the witnesses interviewed.

[39] On becoming aware of the similarity in descriptions between the OneFeather envelopes and the Team envelopes, the contents that should have been received in each of the envelopes, and the destinations (Victoria and Calgary respectively) from which these envelopes originated the majority of witnesses either recanted their prior information provided to Laboucan or indicated they could no longer rely on it as being factual.

[40] Local View Design and Printing Inc. has not undertaken printing jobs on behalf of OneFeather.

[41] A total of 2510 ballots were cast for the Office of Vice President. Of these:

- a. 13 were spoiled or rejected
- b. 584 were cast for Gary Biggar
- c. 1913 were cast for Smith

[42] A total of 644 ballots were cast for Regional Director – Region 2. Of these:

- d. 5 were spoiled or rejected
- e. 423 were cast for Louis De Jaeger
- f. 216 were cast for Leonard Laboucan

## Conclusion

[43] The Senate, concludes on the basis of the legislation and facts of this matter:

- a. the Chief Electoral Officer fully discharged the duties and role as outlined in the *Electoral Act*;
- b. the Election was conducted in accordance with this *Electoral Act*;
- c. no substantiated evidence was provided to the Senate to support that voters received brochures by one or more members of the Team in their OneFeather election packages;
- d. the irregularities, failures, non-compliance or mistakes alleged by Laboucan did not materially affect the results of the Election.

[44] On review of all information and testimony before the Senate, the Senate concludes Laboucan failed to establish that:

- a. the election of the Vice-President and Region 2 Director candidates was improper, not able to be upheld and therefore invalid;
- b. the election of the Vice-President and Region 2 Director candidates was mishandled in a manner that unjustly promoted one candidate over another and thus the election results for these two positions was invalid; and
- c. the Chief Electoral Officer failed to properly conduct the Election.

[45] The Senate rules that no information has been brought before it that one or more Team election candidates or any other individuals were involved in a scheme to alter the outcome of the Vice-President or Region 2 Director position elections.

## Decision

[46] The Senate concludes by reasons of the fundamental principles of natural justice, the application has failed and the results of the 2020 MNBC election are valid.