

**MINUTES  
OF THE COUNCIL MEETING  
THE OWNERS STRATA PLAN LMS 195  
CITYGATE 1  
Held on Monday, July 25, 2004  
Meeting room, 1188 Quebec Street  
Vancouver, B.C.**

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Attendance: Cameron Lowry, President      Steve Frick  
                 Bill Stone, Vice-President      Doug Hill  
                 Susan Yeung, Gateway Property Management Corporation  
                 Elaine McCormack-McCormack & Company

Regrets:            Jenny Ng, John Malone and Harley Phillips, Treasurer

The meeting was called to order at 6:00 p.m.

**LEGAL REPORT:**

The Strata Corporation has received a Petition of the Supreme Court from the Strata Lot owner to dispute the decision in regards to the roller shade issue voted at the Annual General Meeting on June 29, 2004. After being served the court documents, the Strata Corporation must respond and proceed with the arbitration. The council has hired McCormack & Company to represent the Strata Corporation as their legal advisor.

There was a discussion of the case and recommendations were provided by the lawyer. Directions were given to the council by the lawyer to respond to the petition as follows.

- \*Appoint an Arbitrator from the BCNI list. The Lawyer Elaine will recommend a few arbitrators.
- \*Agree to delay the removal of the shades until a final decision is made by the arbitrator.
- \*The fines should continue to be applied to the account in accordance to the bylaws
- \*Apply for any special cost that may be applicable.
- \*Obtain copy of the registered bylaws.
- \*One of the council members volunteered to prepare the affidavit with the Lawyer.

The Lawyer has recommended to council to conduct a Special General Meeting to raise the funds to undertake this legal matter. The estimated cost is \$20,000 for the lawyer fees and an estimated \$15,000 for the arbitrator and court hearing cost. This cost is only estimation as it depends on the mutual agreement of how many arbitrators are required by both parties. The Lawyer did mention that because the Plaintiff is seeking special cost, the council may consider approaching the insurance company to cover the legal cost to the Strata Corporation. This will require further review. Gateway will obtain the confirmation from the insurance company.

A motion to proceed with the recommendations as noted above, seconded, and motion carried.

There being no further business, the meeting was adjourned at 8:00 p.m.