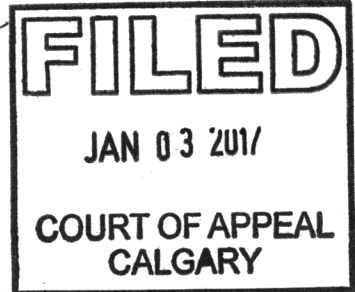


COURT OF APPEAL OF ALBERTA

COURT OF APPEAL FILE
NUMBER:

1601-0315AC



TRIAL COURT FILE NUMBER:

- (a) 1301-11131
- (b) 1401-05840
- (c) 1401-05866

REGISTRY OFFICE:

CALGARY

PLAINTIFF/APPLICANT:

- (a) SUSAN MULHOLLAND
- (b) BIOMEA INC.
- (c) JAN UTTL

STATUS ON APPEAL:

- (a)
- (b)
- (c)

STATUS ON APPLICATION:

- (a)
- (b) APPLICANT
- (c) APPLICANT

DEFENDANT/RESPONDENT:

- (a) ANNE RENSONNET
- (b) ANNE RENSONNET; RENSONNET VENTURES INC; DUCHARME, MCMILLEN & ASSOCIATES CANADA LTD.
- (c) CORY CLIFTON; KARA CLIFTON; ANNE RENSONNET

STATUS ON APPEAL:

- (a)
- (b)
- (c)

STATUS ON APPLICATION:

- (a) RESPONDENT
- (b) RESPONDENT
- (c) RESPONDENT

THIRD PARTY DEFENDANT:

JAN UTTL

DOCUMENT:

AFFIDAVIT

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT:

JAN UTTL
10-4304 73 ST NW, CALGARY, AB, T3B 2M1
januttl@gmail.com

CONTACT INFORMATION OF ALL OTHER PARTIES: GEOFFREY BODDY
JENSEN SHAWA SOLOMON DUGUID HAWKES LLP
800, 304 8 AVE SW, CALGARY, AB, T2P 1C2
PHONE: 403.571.1520
FAX: 403.571.1528

SUSAN MULHOLLAND
102 41 6A ST NE, CALGARY, AB, T2E 4A2
susanot@gmail.com

Affirmed on January 3, 2017

I, JAN UTTL, of Calgary, Alberta, affirm that:

1. I requested the transcripts of the four hearings before Justice Horner in the following three actions:
 - a) Susan Mulholland v. Anne Rensonnet (Third Party Jan Uttl) (Action 1301-11131)
 - b) Biomea Inc. v. Anne Rensonnet, Rensonnet Ventures inc., Ducharme, McMillen & Associates Canada Ltd (Action 1401-05840)
 - c) Jan Uttl v. Cory Clifton, Kara Clifton, and Anne Rensonnet (Action 1401-05866)
2. Even though I am the party in all three actions, I have been denied access to the transcripts of all four hearings before Justice Horner. All four hearings were held in open court, with public access. No one has ever applied for any restrictions on access to the court records and no restriction on access to these transcripts was ever discussed in these proceedings.
3. The transcripts were denied by the Transcript Management Services (TMS) at the Court of Queen's Bench. The TMS stated that I needed an Order from Justice Horner to obtain the transcripts.
4. As detailed below, I have not been able to obtain the permission from Justice Horner to access the transcripts of these open court hearings despite numerous requests to Justice Horner and to Justice Horner's Case Management Counsel, Ms. Christopher.
5. No reasons for the denial of transcripts was ever given by anyone except by Ms. Christopher stating that "there is no reason for you [me] to require the transcript" for one of the hearings. Ms. Christopher did not provide any basis for her assertion that I have no reason to order the transcripts.
6. No court order limiting access to these transcripts has ever been issued unless such orders have been made in complete secrecy and without any notice to the parties to these actions.

SUMMARY OF HEARINGS WHERE THE ACCESS TO TRANSCRIPTS WAS DENIED

October 26, 2016, Hearing in Mulholland v. Rensonnet (Uttl Third Party) Action

7. On October 26, 2016, Honourable Justice Horner heard the Defendant's Application for Summary Judgment and the Plaintiff's Cross-Application for Summary Judgment. The Court stated that the Court file was lost and that the Court did not read the relevant affidavits and did not examine the evidence. Ms. Mulholland's counsel, Mr. Gilborn offered to the Court that he would send the Court the copies of the filed affidavit evidence. The Court stated that it would not be necessary and pronounced its decision without ever examining the relevant evidence.
8. The formal order was filed on October 31, 2016. However, according to Mulholland, the access to the transcript was denied to Mulholland's counsel, Mr. Gilborn. And, according to Mulholland, after Mulholland changed to self-representation due to high cost of litigation and no progress in the matter, Mulholland applied for the transcript afresh but was also denied access to the transcript.

October 26, 2016, Hearing in Biomea v. Rensonnet Ventures Inc etc. Action

9. On October 26, 2016, Honourable Justice Horner heard the Defendant's Application for Security for Costs. The Court granted the security for costs without adequate consideration of the merits of Biomea's action.
10. The formal order was filed on October 31, 2016. Again, the access to the transcript was denied.

October 26, 2016, Hearing in Jan Uttl v. Cory Clifton, Kara Clifton, and Anne Rensonnet Action

11. On October 26, 2016, Justice Horner heard Defendant's Application for Summary Dismissal and for Security of Costs, and the Plaintiff's Application for Summary Judgment. The Court granted the Summary Judgment for the Plaintiff against Anne Rensonnet for unpaid utilities that were consumed by the Cliftons. And the Court granted the Summary dismissal of the Plaintiff's action against the Cliftons even though (a) the Cliftons consumed the unpaid utilities provided by Uttl, (b) Rensonnet and the Clifton's agreed that the Cliftons' would be paying the utilities to Uttl directly, and (c) Rensonnet falsely swore to the Court no less than two times that the Cliftons' paid up all the utilities to Uttl directly (Rensonnet herself admitted under oath that her sworn testimony that the Clifton's paid utilities to Uttl was false).
12. Moreover, the defendants were all represented by the same lawyer, Mr. Boddy. The Cliftons did not file separate Statement of Defense, did not file separate briefs, and did not file any affidavit in their defense. In fact, there was no work that Mr. Boddy had to do above and beyond the work he had to do to defend Ms. Rensonnet. Despite that, Mr. Boddy has been claiming full party party costs on behalf of the Clifton defendants.
13. Even though Justice Horner clearly ruled that Ms. Rensonnet had no set-off claim available, Mr. Boddy wrote a draft order claiming that Justice Horner ordered that the set-off claim be transferred to a completely different, unrelated action, that is, Mulholland v. Rensonnet Action (Uttl Third Party).
14. The Court did not address Mr. Boddy's numerous submissions to the Court that Uttl's action against the Defendants was frivolous, vexatious, malicious and abuse of process.
15. No formal order has been entered in this action to date, more than two months after the judgment was pronounced.
16. Incidentally, (as Justice Horner was also the past case management Justice for the Family Law

action FL01-17010), at the October 26, 2016 hearing before Justice Horner, I have again requested access to the transcript of the January 27, 2015 case management meeting in the Family Law action, as Ms. Christopher conduct directly influenced Ms. Rensonnet's conduct, and was relevant to Ms. Rensonnet's appeal of decision of Justice Poelman that each party bears its own costs. Ms. Christopher interjected, and stated, (to the best of my recollection, as I do not have the transcript) that I wanted the transcript for improper purpose, and that I alleged that Ms. Christopher is biased because Ms. Rensonnet called her "Cathy". Ms. Christopher clearly misrepresented the facts to the Court and misled the Court. Without giving me the opportunity to contradict Ms. Christopher's statement, Justice Horner denied access to the transcript of January 27, 2015 case management meeting, stating that I will not be prejudiced by not having it.

November 24, 2016, Hearing in Biomea v. Rensonnet Ventures Inc. etc. Action

17. On November 24, 2016, the Court heard the Plaintiff's Summary Judgment Application and the Defendant Rensonnet's Summary Dismissal Application. The Court granted Biomea's Summary Judgment as against defendants Rensonnet and Rensonnet Ventures Inc. in part and granted Summary Dismissal as against Ducharme, McMillen & Associates Ltd. The Summary Dismissal was granted on (1) conflicting affidavit evidence, (2) in reliance on previously undisclosed records, (3) reliance on hearsay records as Ms. Rensonnet appeared to represent Ducharme, MacMillen and Associates, and (4) without Biomea Inc having access to the Defendants' Affidavit of Records and the records that the Rensonnet Defendants' refused to produce contrary to the Rule 5.5(3) and 1.2(1).
18. The Court did not address Mr. Boddy's numerous submissions to the Court that Biomea's action against the Defendants was frivolous, vexatious, malicious and abuse of process.
19. Although I prevailed, I was unable to prepare the Order without access to the transcript. No other formal order has been entered in this action to date, nearly one month after the judgment was pronounced.

THE DENIAL OF ACCESS TO THE TRANSCRIPTS FROM THE ABOVE HEARINGS

20. On October 26, 2016, I attended the Transcript Management Service, Court of Queen's Bench, Calgary, and requested the transcripts of October 26, 2016 hearings in Susan Mulholland v. Anne Rensonnet, Biomea v. Anne Rensonnet et al., and Jan Utzl v. Cory Clifton, Kara Clifton and Anne Rensonnet actions. I requested 2 day service and paid the sufficient deposit to obtain the 2 day service. The Request for Transcripts is attached as **Exhibit A, page 006**.
21. On October 27, 2016, I received an email from the TMS informing me that they "need a Court Order from Justice Horner giving you permission to have this transcript." The email from the TMS is attached as **Exhibit B, page 007**.
22. On October 28, 2016, I wrote to Honourable Justice Horner requesting the access to the transcripts. The letter is attached as **Exhibit C, page 008**.
23. On October 31, 2016, Ms. Christopher, Case Management Counsel, acknowledged the receipt of my October 28, 2016, letter and informed me that "the Honourable Justice K.M. Horner is considering the letter, and will provide her direction shortly". Her letter is attached as **Exhibit D, page 010**.
24. On November 24, 2016, during the Biomea v. Rensonnet Ventures Inc. et al. hearing, Honourable

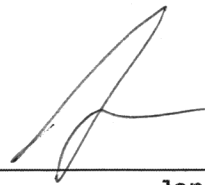
Justice Horner acknowledged my previous letters to her but informed me that any direct communication to her from me would go directly to the shredder, without her ever reading it. She made that statement even though that during one of the previous hearings she chastised me for not writing to her directly when Ms. Christopher was not responding to my letters.

25. On December 5, 2016, I faxed a letter, attached as **Exhibit E, page 011**, to Ms. Christopher reminding her that "despite several rounds of correspondence and several reminders, I have not been able to obtain transcripts of the hearings before Honourable Justice Horner on October 26, 2016, in *Mulholland v. Rensonnet, Uttl v. Clifton et al.*, and I asked again for the release of the transcript without any further delay.
26. On December 12, 2016, I faxed a letter to Catherine Christopher, attached as **Exhibit F, page 012**, reminding her that I received no answer to my December 5, 2016, letter, and that given that Honourable Justice Horner stated that anything sent directly to her will be shredded, I asked her to bring the issue of the transcript to Honourable Justice Horner's attention. I requested again the release of the transcripts without any further delay.
27. Later on December 12, 2016, Ms. Christopher acknowledged that I requested the transcripts but did not in any way reply or address my request. Her letter is attached as **Exhibit G, page 013**.
28. On December 14, 2016, I responded to Ms. Christopher December 12, 2016, letter, requesting the transcripts yet again. The letter is attached as **Exhibit H, page 014**.
29. On December 15, 2016, I responded to Mr. Boddy's new understanding (or misunderstanding) of what Justice Horner ordered on October 26, 2016 in *Uttl v. Cory Clifton, Kara Clifton, and Anne Rensonnet Action* and faxed my response to Ms. Christopher. I raised the issue of access to the transcripts again. This letter is attached as **Exhibit I page 015**.
30. On December 19, 2016, Ms. Christopher acknowledged the letters requesting transcripts including my December 5, and December 12 letter. In her letter, attached as **Exhibit J, page 016**, Ms. Christopher stated "*As the transcript is required for appeal purposes, the Honourable Justice K. M. Horner has directed that it be prepared and made available.*". However, she did not include any order for TMS to do so.
31. However, Ms. Christopher, apparently acting on her own, decided not to release transcripts of the *Biomea v. Rensonnet et al.*, and *Uttl v. Clifton et al.* Actions, claiming on page 2, first paragraph, that "*there is no reason for you to require the transcript from the November 24, 2016 application in this action*".

AFFIRMED BEFORE ME at the City of Calgary,
Alberta, this 3 day of January, 2017

K. Hesse

Commissioner for Oaths in and
for the Province of Alberta



Jan Uttl

KYLA HESSE
MY COMMISSION EXPIRES ON
DECEMBER 31, 2017

**TRANSCRIPT MANAGEMENT SERVICES,
CALGARY**

Suite 1901-N, 601 - 5 Street S.W., Calgary AB T2P 5P7
Phone 403-297-7392 Fax 403-297-7034
E-mail -tms.calgary@gov.ab.ca

**REQUEST FOR
TRANSCRIPT**

(Shaded boxes will be completed by
Transcript Management Services)

NOVEMBER 31, 2017
MY COMMISSION EXPIRES ON
KYLIA HESSE

Customer Name (print) UTTL, JAN	Phone 573337950	Order Number
Counsel Name (print) A Commissioner for Oaths in and for Alberta	Fax	

Counsel for (print) K. Hesse of January AD 2013	Alternate Phone	E-mail januttl@gmail.com
---	-----------------	------------------------------------

Address (include Law Name if applicable) Initiating/Commencement/Amended Documents Attached

Sworn before me this 3 day of January AD 2013

Attidavit of Mr UTTL

This is Exhibit "A" referred to in the

ORDERS WILL ONLY BE PROCESSED:
1. UPON RECEIPT OF A COMPLETED AND SIGNED REQUEST FOR TRANSCRIPT FORM and
2. WHEN ALL APPROPRIATE DOCUMENTS ARE RECEIVED

Docket Number/Action Number 1401-05866 1401-05860	Courtroom Number 1502	Court Location CALGARY	Justice/Judge HORNER
---	---------------------------------	----------------------------------	--------------------------------

Plaintiff/Applicant (Surname, First Name, Middle) BIONCA UTTL, PULKOVIC	Defendant/Respondent/Accused (Surname, First Name, Middle) PERSONNET
Accused Date of Birth (if applicable):	

SPECIAL INSTRUCTION (Speak to Transcript Management Office) 3 SEPARATE ACTIONS WHOLE DAY BEFORE HORNER	DATES TO BE TRANSCRIBED (List all Dates) 2016-10-26	Counsel who appeared on the dates being transcribed: BODDY 2:03-2:42
--	---	--

SERVICE	RATE
<input type="checkbox"/> 30 Calendar Days	\$0.0040/character
<input type="checkbox"/> 10 Working Days	\$0.0052/character
<input type="checkbox"/> 5 Working Days	\$0.0062/character
<input checked="" type="checkbox"/> 2 Working Days	\$0.0072/character

Average Character Count per page is 1200.
One hour is approximately 45 pages.

Choose 1 of the following:

Electronic (PDF) only

Hard Copy only

Electronic & Hard Copy

Number of Hard Copies (if required)

Transcript Type:

Summary Conviction Appeal (original + 2 copies required)

Trial

Preliminary Inquiry

Hearing

Other (please specify)

To determine the approximate cost of your transcript use the following formulas.

"X" Minutes x 900 (Minutes/Characters) x Rate = Estimate

"X" Hours x 54,000 (Hours/Characters) x Rate = Estimate

e.g. 45 minutes x 900 x 0.0072 = \$291.60

Date Required (if applicable)

PAID
OCT 26 2016

Customer Authorization to Proceed with Order:

Name (print): **JAN UTTL**

Date (dd/mm/yyyy): **2016-10-26**

Signature:

Estimated Total \$ 1,000.00	Prepared By DBT NR
---------------------------------------	------------------------------

The total amount due may be more or less than stated.
**FULL PAYMENT (less deposit) IS DUE WHEN
TRANSCRIPT IS PICKED UP**



j u <januttl@gmail.com>

Require Order from Justice Horner Order #101366-16

1 message

TMS Calgary <tms.calgary@just.gov.ab.ca>
To: januttl@gmail.com

Thu, Oct 27, 2016 at 10:44 AM

Hello Jan Uttl,

Please find the attached transcript request you put in yesterday and paid a deposit of \$1,000.00 dollars. Because this is a Case Management Hearing we are unable to proceed with typing up your transcript as we need a Court Order from Justice Horner giving you permission to have this transcript. So please send the court order signed by Justice Horner giving you permission to have this transcript and then we can proceed or if you would like a refund of your money we can also do that. So please let me know how you wish to go about this matter.

Natasha
Transcript Management Services

This is Exhibit " B " referred to in the
Affidavit of

Jan Uttl

Sworn before me this 3 day

of January A.D. 2017
K. Hesse

A Commissioner for Oaths in and for Alberta

Scanned from a Xerox Multifunction Printer_3.pdf
85K

KYLA HESSE
MY COMMISSION EXPIRES ON
DECEMBER 31, 2017

October 28, 2016

**** URGENT ****

Honourable Justice K.M. HornerCalgary Court Center, 601 5th Street SW, Calgary, AB, T2P 5P7
BY FAX 403.297.7536 (2 pages, including this one)

RE: Transcripts of Hearing before you on October 26, 2016
Susan Mulholland v. Anne Rensonnet (Jan Uttl Third Party)
Jan Uttl v. Corry Clifton, Kara Clifton, and Anne Rensonnet (Action No. 1401-05866)
Biomea v. Anne Rensonnet et al.,

This is Exhibit " C " referred to in the
 Affidavit of
 Jan Uttl
 Sworn before me this 3 day
 of January A.D., 2017

A Commissioner for Oaths in and for Alberta

KYLA HESSE
 MY COMMISSION EXPIRES ON
 DECEMBER 31, 2017

Dear Madam:

I requested the transcripts of the hearings before you on October 26, 2016, conducted in open court, in the above actions (Transcript Order #101366-16). I was informed yesterday by the Transcript Management Services (Natasha, from tms.calgary@just.gov.ab.ca) that "Because this is a Case Management Hearing we are unable to proceed with typing up your transcript as we need a Court Order from Justice Horner giving you permission to have this transcript."

I am surprised. I have always obtained the transcripts for a variety of reasons including (a) to review what was said, argued and ordered, as I am not usually able to take copious notes (b) to check that the formal order agrees with what was ordered and request corrections, if necessary, (c) to use as evidence in the subsequent proceedings, and (d) to appeal orders that needed to be appealed.

The open court principle is fundamental to democratic society and Supreme Court Canada made it absolutely clear that public (not mentioning the litigant's) access to court proceeding is a right, the necessity, ensuring the integrity of judicial proceedings (Re Vancouver Sun, 2004 SCC43 (CanLII), para 24 and 25):

The open court principle has long been recognized as a cornerstone of the common law: *Canadian Broadcasting Corp. v. New Brunswick (Attorney General)*, *supra*, at para. 21. The right of public access to the courts is "one of the principle ... turning, not on convenience, but on necessity": *Scott v. Scott*, [1913] A.C. 417 (H.L.), *per* Viscount Haldane L.C., at p. 438. "Justice is not a cloistered virtue": *Amard v. Attorney-General for Trinidad*, [1936] A.C. 322 (P.C.0, *per* Lord Atkin, at p. 335. "Publicity is the very soul of justice. It is the keenest spur to exertion, and the surest of all guards against improbity": J. H. Burton, ed., *Benthamiana: Or, Select Extracts from the Works of Jeremy Bentham* (1843), p. 115.

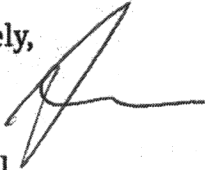
Public access to the courts guarantees the integrity of judicial processes by demonstrating "that justice is administered in a non-arbitrary manner, according to the rule of law": *Canadian Broadcasting Corp. V. New Brunswick (attorney General)*, *supra*, at para. 22. Openness is

2 of 2

necessary to maintain the independence and impartiality of courts. It is integral to public confidence in the justice system and the public's understanding of the administration of justice. Moreover, openness is a principal component of the legitimacy of the judicial process and why the parties and the public at large abide by the decision of courts."

Would you please provide the Transcript Management Services with the order to provide the transcripts to me? Alternatively, please advise how I can obtain the necessary transcripts. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jan Uttl', written over a horizontal line.

Jan Uttl

CATHERINE CHRISTOPHER, QC
CASE MANAGEMENT COUNSEL



CALGARY COURTS CENTRE
SUITE 2401-N
601 - 5 STREET SW
CALGARY, ALBERTA T2P 5P7
FAX: 403-355-2405

COURT OF QUEEN'S BENCH OF ALBERTA

This is Exhibit " D " referred to in the
Affidavit of

Jan Uttl

Sworn before me this 3 day
of January A.D., 2017

K. Hesse

A Commissioner for Oaths in and for Alberta

KYLA HESSE
MY COMMISSION EXPIRES ON
DECEMBER 31, 2017

October 31, 2016

SENT BY ELECTRONIC MAIL

Geoffrey Boddy
Jensen Shawa Duguid Hawkes LLP
800, 304 8th Avenue SW
Calgary, Alberta T2P 1C2
boddyg@jssbarristers.ca

Jan Uttl
1340 21 Avenue NW
Calgary, Alberta T2M 1L4
januttl@gmail.com

Dear Sirs:

Ré: Biomea Inc. v. Rensonnet et al (Action Number - 1401 05840)

I enclose for service upon you the Order pronounced by the Honourable Justice K. M. Horner on October 26, 2016.

Mr. Uttl, receipt of your letter dated October 28, 2016 is acknowledged. The Honourable Justice K. M. Horner is considering this letter, and will provide her direction shortly.

This action remains under the case management of the Honourable Justice K. M. Horner and the parties are unable to appear in regular Chambers before any other Justice of this Court.

Yours truly,

Catherine Christopher, QC
Case Management Counsel

Enclosure: Order pronounced October 26, 2016

cc: The Honourable Justice K. M. Horner

December 5, 2016

Catherine Christopher, QC, Case Management Counsel
 Court of Queen's Bench of Alberta
 601 5t Street \$W, Calgary, AB, T2P 5P7

BY FAX: 403-355-2405

CC: Geoffrey Boddy via fax 403-571-1528
 Susan Mulholland via mail

Re: **Rensonnet v. Mulholland (Jan Uttl as Third Party) (Action 1301-11131)**
Biomea Inc. v. Rensonnet et al (Action 1401-05840)
Jan Uttl v. Corry Clifton, Kara Clifton, and Anne Rensonnet (Action 1401-05866)
Transcripts of the hearings before Honourable Justice K. M. Horner on October 26, 2016
and November 24, 2016

This is Exhibit " E " referred to in the
 Affidavit of

Jan Uttl
 Sworn before me this 3 day
 of January A.D., 2017
 K. Hesse
 A Commissioner for Oaths in and for Alberta

KYLA HESSE
 MY COMMISSION EXPIRES ON
 DECEMBER 31, 2017

Dear Ms. Christopher:

It has been over a month but, despite several rounds of correspondence and several reminders, I have not been able to obtain transcripts of the hearings before Honourable Justice Horner on October 26, 2016, in the above matters. I have raised the Transcript Management Services inability to provide the transcripts in an urgent letter to Honourable Justice Horner on October 28, 2016. In a letter dated October 31, 2016, you acknowledged the receipt of my October 28, 2016, letter and informed me that "The Honourable Justice K. M. Horner is considering this letter, and will provide her direction shortly." Subsequently, I reminded the Court that I have not been able to obtain the transcript.

It has been over a month but I have not yet received any directions from the Honourable Justice Horner nor any substantive response to my requests for the transcripts. I have explained the need for the transcripts in my letter dated October 28, 2016. Moreover, I was served with the Notice of Appeal in Action 1301-11131 by Ms. Mulholland.

Accordingly, would you please ensure that the transcripts in the above matters are released to me without any further delay and let me know as soon as you can?

Thank you,

Jan Uttl
 Email: januttl@gmail.com

December 12, 2016

Catherine Christopher, QC, Case Management Counsel
 Court of Queen's Bench of Alberta
 601 5t Street SW, Calgary, AB, T2P 5P7

BY FAX: 403-355-2405

CC: Geoffrey Boddy via fax 403-571-1528
 Susan Mulholland via mail

Re: **Rensonnet v. Mulholland (Jan Uttl as Third Party) (Action 1301-11131)**
Biomea Inc. v. Rensonnet et al (Action 1401-05840)
Jan Uttl v. Corry Clifton, Kara Clifton, and Anne Rensonnet (Action 1401-05866)
Transcripts of the hearings before Honourable Justice K. M. Horner on October 26, 2016
and November 24, 2016

This is Exhibit " **F** " referred to in the
 Affidavit of
Jan Uttl
 Sworn before me this **3** day
 of **January**, A.D., **2017**
K. Hesse
 A Commissioner for Oaths in and for Alberta

KYLA HESSE
 MY COMMISSION EXPIRES ON
 DECEMBER 31, 20**17**

Dear Ms. Christopher:

I did not receive any answer to my letter to you sent on December 5, 2016. As you are aware, Justice Horner stated at the last hearing on November 24, 2016, that anything I send to her directly will go straight to the shredder. Accordingly, please forward this correspondence to Justice Horner at your earliest convenience.

It has been over a month but, despite several rounds of correspondence and several reminders, I have not been able to obtain transcripts of the hearings before Honourable Justice Horner on October 26, 2016, in the above matters. I have raised the Transcript Management Services inability to provide the transcripts in an urgent letter to Honourable Justice Horner on October 28, 2016. In a letter dated October 31, 2016, you acknowledged the receipt of my October 28, 2016, letter and informed me that "The Honourable Justice K. M. Horner is considering this letter, and will provide her direction shortly." Subsequently, I reminded the Court that I have not been able to obtain the transcript.

It has been over a month but I have not yet received any directions from the Honourable Justice Horner nor any substantive response to my requests for the transcripts. I have explained the need for the transcripts in my letter dated October 28, 2016. Moreover, I was served with the Notice of Appeal in Action 1301-11131 by Ms. Mulholland.

Accordingly, would you please ensure that the transcripts in the above matters are released to me without any further delay and let me know as soon as you can?

Thank you,

Jan Uttl
 Email: janutt1@gmail.com

CATHERINE CHRISTOPHER, QC
CASE MANAGEMENT COUNSEL



CALGARY COURTS CENTRE
SUITE 2401-N
601 - 5 STREET SW
CALGARY, ALBERTA T2P 5P7

FAX: 403-355-2405

COURT OF QUEEN'S BENCH OF ALBERTA

December 12, 2016

SENT BY ELECTRONIC MAIL

Geoffrey Boddy
Jensen Shawa Duguid Hawkes LLP
800, 304 8th Avenue SW
Calgary, Alberta T2P 1C2
boddyg@jssbarristers.ca

Jan Uttl
1340 21 Avenue NW
Calgary, Alberta T2M 1L4
januttl@gmail.com

Dear Sirs:

Re: Biomea Inc. v. Rensonnet et al (Action Number - 1401 05840)

I write to ascertain if Mr. Boddy is satisfied with the form of the Case Management Order dated October 26, 2016 that I prepared. Mr. Uttl has written to me and requested transcripts from the October 26, 2016 appearance before the Honourable Justice K. M. Horner as he is not satisfied with the forms of Orders in various actions. This is the reason I ask Mr. Boddy to confirm if he is satisfied with the form of Case Management Order that I prepared in this action.

This action remains under the case management of the Honourable Justice K. M. Horner.

Yours truly,

Catherine Christopher, QC
Case Management Counsel

cc: The Honourable Justice K. M. Horner

This is Exhibit " 6 " referred to in the
Affidavit of

Jan Uttl

Sworn before me this 3 day

of January A.D., 2017

"K. Hesse"

A Commissioner for Oaths in and for Alberta

KYLA HESSE
MY COMMISSION EXPIRES ON
DECEMBER 31, 2017

December 14, 2016

Catherine Christopher, QC, Case Management Counsel
Court of Queen's Bench of Alberta
601 5t Street SW, Calgary, AB, T2P 5P7

BY FAX: 403-355-2405

CC: Geoffrey Boddy via fax 403-571-1528
Susan Mulholland via mail

RE: Biomea Inc. v. Rensonnet et al. (Action Number – 1401 05840)
Your letter dated December 12, 2016

This is Exhibit " H " referred to in the
Affidavit of
Jan Uttl
Sworn before me this 3 day
of January A.D., 2017
K. Hesse
A Commissioner for Oaths in and for Alberta

KYLA HESSE
MY COMMISSION EXPIRES ON
DECEMBER 31, 20 17

Dear Madam:

In your letter, you ask Mr. Boddy if he is "satisfied with the form of the Case Management Order dated October 26, 2016 that I [you] prepared". You further state that I [Mr. Uttl] "is not satisfied with the forms of Orders in various actions." And you ask Mr. Boddy "to confirm if he is satisfied with the form of Case Management Order that I [you] prepared in this action."

I did not receive any form of the Case Management Order dated October 26, 2016 that you prepared. The only Order I am aware of is the Order of Justice Horner, pronounced on October 26, 2016, and filed October 31, 2016.

If there was any other form of order and any related ex parte communication between yourself and Mr. Boddy, please forward it to me immediately by email and include me on any future correspondence.

Importantly, given that I did not receive any form of the order you prepared, I was unable to be satisfied or dissatisfied with it.

Regarding the transcripts, I requested transcripts for a number of reasons including: (a) following Rule 9.2(1), the successful party is responsible for preparing the draft Order, and I believe I have been the most successful on two of the summary judgment applications; (b) in Canada we have open court principle; (c) I am a party in actions 1301-11131, 1401-05840, 1401-05866; (d) I may need transcripts for any possible appeal; (e) the applications were heard in open court; and (f) no ban was requested, argued, or imposed. Accordingly, the transcripts and access to the Court records cannot be denied. Yet, according to the Transcript Management Services, the transcripts are not accessible without an order of the Court.

At this point, my requests for access to the transcripts in various actions has been outstanding for nearly two months and despite your promises and my reminders, the matter has not been dealt with and I have not been able to obtain the transcripts.

Will you please attend to the matter immediately as you promised more than a month ago? If you are unable to do so for whatever reason, would you please bring this letter and all the previous correspondence to Honourable Justice Horner's immediate attention? As you are aware, it would be futile for me to write Honourable Justice Horner directly as she said clearly that she would "shred" all correspondence send to her directly.

For greater certainty, I ordered transcripts from all 3 hearings on October 26, 2016, and the hearing on November 24, 2016.

Thank you,



Jan Uttl
januttl@gmail.com

December 15, 2016

Catherine Christopher, QC, Case Management Counsel
 Court of Queen's Bench of Alberta
 601 5t Street SW, Calgary, AB, T2P 5P7

BY FAX: 403-355-2405

CC: Geoffrey Boddy via fax 403-571-1528

This is Exhibit " I " referred to in the
 Affidavit of

Jan Uttl

Sworn before me this 3 day

of January A.D. 2017

K. Hesse

A Commissioner for Oaths in and for Alberta

RE: Biomea Inc. v. Rensonnet et al. (Action Number – 1401 05840)
Jan Uttl v. Cory Clifton, Kara Clifton, and Anne Rensonnet (Action No. 1401-05866)
Mr. Boddy's letter dated December 14, 2016

KYLA HESSE
 MY COMMISSION EXPIRES ON
 DECEMBER 31, 2017

Dear Madam:

The order pronounced on October 26, 2016, in Biomea Inc action, was filed shortly thereafter and mine or Mr. Boddy's satisfaction with it is quite irrelevant today.

Mr. Boddy enclosed a new form of order in Jan Uttl v. Cory Clifton et al. action. He writes that the new version "better reflects" his "understanding" of the Honourable Justice K. M. Horner's Order, since the issue of set-off was not included in our [Mr. Boddy's] original draft."

Mr. Boddy's newly acquired better understanding is in fact inconsistent with facts. Honourable Justice Horner was clear that Ms. Rensonnet never had any valid set-off claim in Jan Uttl v. Cory Clifton et al. action and, thus, Mr. Rensonnet has no set off claim "to transfer" to "Action No. 1301-11131" (i.e., Mulholland v. Rensonnet Action) (paragraph 6 of Mr. Boddy's revised order).

Similarly, as I pointed out before but so far received no response from the Court, Honourable Justice Horner did not order that the Cliftons – who did not file a separate defense, did not file affidavit, and did not file separate brief from that of the losing party, Ms. Rensonnet – are entitled to costs for the steps they did not take. The costs Mr. Boddy claims, all on his own, would be contrary to the Rules as well as contrary to the recent clear decisions of the Alberta Court of Appeal about the costs when multiple parties are represented by the same counsel.

Finally, it is unclear how Mr. Boddy acquired new better understanding of what Honourable Justice Horner ordered but access to the transcripts is now paramount. Also, please forward all ex parte communication between your office and Mr. Boddy that contributed to Mr. Boddy's "better" understanding of what Honourable Justice Horner ordered on October 26, 2016, in Jan Uttl v. Cory Clifton et al. action.

Thank you,

Jan Uttl

Email: januttl@gmail.com

CATHERINE CHRISTOPHER, QC
CASE MANAGEMENT COUNSEL



CALGARY COURTS CENTRE
SUITE 2401-N
601 - 5 STREET SW
CALGARY, ALBERTA T2P 5P7
FAX: 403-355-2405

COURT OF QUEEN'S BENCH OF ALBERTA

December 19, 2016

SENT BY ELECTRONIC MAIL

Jan Uttl
1340 21 Avenue NW
Calgary, Alberta T2M 1L4
januttl@gmail.com

Dear Sir:

Re: Biomea Inc. v. Rensonnet et al (Action Number - 1401 05840)

Thank you for your letters requesting the release of transcripts, including your letters dated December 5, 2016 and December 12, 2016. The Honourable Justice K. M. Horner has considered your letters. Her directions follow.

By way of organization, I will address each action in order of your reference line in your letters requesting the release of the transcripts.

Rensonnet v. Mulholland (Jan Uttl as Third Party) (Action Number 1301 111431) – October 26, 2016 Application

Ms. Mulholland has made a request for the release of the transcript in that action for the application before the Honourable Justice K. M. Horner on October 26, 2016. You are a party to that appeal. As the transcript is required for appeal purposes, the Honourable Justice K. M. Horner has directed that it be prepared and made available. I do not know what the time frame for that will be.

I do not appear to have received a Notice of Change of Representation in this action

Biomea Inc. v. Rensonnet et al (Action Number 1401 05840) - October 26, 2016 Application

Absent an appeal, I understand from your letter that your complaint rests on the accuracy of the Order I prepared and served and you wish have the transcript to address your concerns about the terms of the October 26, 2016 Order. As case management counsel, it is my role to listen to the recording of the application and ensure that the Order has been accurately prepared. I will attend to this, and once I have addressed it with the Honourable Justice K. M. Horner, I will confirm her further direction in writing with all the parties in this action.

If, however, you have knowledge that the Order arising out of the October 26, 2016 application in this action has been appealed, kindly advise me.

This is Exhibit " J " referred to in the
Affidavit of
Jan Uttl
Sworn before me this 3 day
of January, A.D., 2017
K. Hesse
A Commissioner for Oaths in and for Alberta

KYLA HESSE
MY COMMISSION EXPIRES ON
DECEMBER 31, 20 17

Biomea Inc. v. Rensonnet et al (Action Number 1401 05840) – November 24, 2016 Application

Absent an appeal, I understand from your letter that your complaint rests on the accuracy of an Order. However, the Order from the November 24, 2016 application has not yet even been filed and so there is nothing to give rise to a complaint. Thus, there is no reason for you to require the transcript from the November 24, 2016 application in this action.

If, however, you have knowledge that the Order arising out of the November 24, 2016 application in this action has been appealed, kindly advise me.

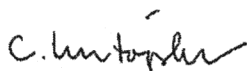
Jan Uttl v. Corry Clifton, Kara Clifton and Anne Rensonnet (Action Number 1401 05866) – October 26, 2016 Application

Absent an appeal, I understand from your letter that your complaint rests on the accuracy of the Order prepared and served by Mr. Boddy and thus you wish to have the transcript to address your concerns about the terms of the October 26, 2016 Order. As case management counsel, it is my role to listen to the recording of the application and ensure that the Order has been accurately prepared. I will attend to this, and once I have addressed it with the Honourable Justice K. M. Horner, I will confirm in writing her further direction in writing with all the parties in this action.

If, however, you have knowledge that the Order arising out of the October 26, 2016 application in this action has been appealed, kindly advise me.

These actions remain under the case management of the Honourable Justice K. M. Horner and the parties are unable to appear in regular Chambers before any other Justice of this Court.

Yours truly,



Catherine Christopher, QC
Case Management Counsel

cc: The Honourable Justice K. M. Horner

Geoffrey Boddy via email: januttl@gmail.com
Anne Rensonnet via email: anne.rensonnet@gmail.com
Daniel Gilborn via email: dgilborn@caronpartners.com