

**THE LAW SOCIETY OF MANITOBA**

IN THE MATTER OF:

**DOUGLAS ALBERT MAYER**

- and -

IN THE MATTER OF:

**THE LEGAL PROFESSION ACT**

**Hearing Dates:** February 11, 2025 and December 9, 2025

**Panel:** Grant A. Stefanson, KC (Chair)  
Wendy Martin White, KC  
Gordon Daman (Public Representative)

**Counsel:** Ayli Klein for the Law Society of Manitoba  
Saul Simmonds, KC for the Member

**REASONS FOR DECISION**

**Introduction and Conclusion**

1. Douglas Albert Mayer (“Mr. Mayer” or the “Member”) is a practising member of the Law Society of Manitoba (the “Society”) having been called to the Bar in 1988.
2. The Society charged the Member with multiple counts of professional misconduct. The hearing of this matter commenced on February 11, 2025, at which time the Member pleaded guilty to four charges and the multiple related counts and the Society entered a stay of proceeding to one of the charges. At this time, the charges and the related counts were set out in two separate Citations dated March 15, 2024 and May 23, 2024.
3. Counsel for the Society and counsel for the Member requested that the matter then be adjourned to a subsequent date for the purposes of conducting a

sentencing hearing. Counsel for the Member and counsel for the Society agreed that prior to the resumption of the hearing an amended and consolidated citation would be prepared, filed and served on the Member.

4. The hearing resumed on December 9, 2025 before the Panel. A consolidated and amended citation dated November 12, 2025 was entered into evidence by consent of counsel (the "Citation").
5. The Citation sets out two charges and 26 counts which are set out in the Citation by way of particulars of the professional misconduct.
6. Mr. Mayer entered a plea of guilty with respect to all charges and counts set out in the Citation and the Society entered a stay of proceedings of the two original citations from 2024.
7. During the course of the hearing on December 9, 2025, counsel for the Society and counsel for the Member made joint recommendations with respect to the following aspects of the disposition:
  - (a) the Member agrees to practise at all times with the assistance of appropriate administrative support;
  - (b) the Member agrees to practise under supervision in accordance with the practice restrictions set out in a memo from the Complaints Investigation Committee dated March 13, 2024;
  - (c) the Member agrees to follow the advice of all medical professionals as directed and agrees to provide regular reporting to the Society as requested by the Society;
  - (d) the Member shall pay costs in the amount of \$7,000.00 to the Society.
8. Although counsel for the Member and counsel for the Society recommended a suspension, there was no joint recommendation regarding the length of a suspension. Counsel for the Society asked the Panel to suspend Mr. Mayer from practising law for twelve (12) months and counsel for the Member proposed a suspension in the range of three (3) to four (4) months.
9. The Panel accepted the guilty plea, accepted the joint recommendations and imposed an eight (8) month suspension. These are the reasons of the Panel.

### **Jurisdictional Matters**

10. The Panel's jurisdiction to hear this matter is admitted. Mr. Mayer is a member of the Society. Mr. Mayer is not a member of any other Canadian law society.
11. Neither Mr. Mayer nor the Society objected to any of the Panel members.

### **Citation and Undertaking**

12. The Member was charged with two separate charges and multiple counts totaling twenty-six (26). The charges are as follows:

“While in connection with your representation of... (five (5) separate clients), you:

1. failed to provide service that was courteous, thorough, prompt, competent, timely, conscientious, diligent, efficient and civil; and
2. failed to comply with your Undertaking which you had provided to the Law Society on May 9, 2019;

and you thereby acted contrary to Rules 3.2-1 and 7.2-11 of the *Code of Professional Conduct*.”

13. The particulars of the charges are set out in twenty-six (26) separate paragraphs involving five (5) different clients and provide details of the instances where Mr. Mayer failed to provide professional services in a manner that was courteous, prompt, competent, timely, conscientious, diligent, efficient and civil, in violation of his Undertaking dated May 9, 2019 whereby Mr. Mayer undertook as follows:

- “1. I will attend to all of my clients' legal matters in a timely and reasonable manner;
2. I will acknowledge receipt of all communications received during the course of my practice in a timely and reasonable manner and, in any event, within three (3) business days of my receipt of such communications;

3. I will respond in substance to all communications received during the course of my practice in a timely and reasonable manner in the given circumstances and, in any event, unless I have made alternate arrangements, within ten (10) calendar days of my receipt of such communications;
4. In the event that I experience health-related or other difficulties that might hinder my ability to provide courteous, thorough, and prompt service to my clients, upon becoming aware of such difficulties, I will immediately notify my clients in order to allow them to make informed choices regarding their options for continued legal representation, including that of retaining new counsel;
5. I will ensure that the method by which I file documents in Court is sufficient to allow those documents to be received by the Court on a timely basis in the given circumstances; and
6. I will monitor my electronic scheduling system regularly and, if it appears that a client has attempted to book an appointment date and/or time that is not available, I will immediately communicate with that client, advising that the requested appointment date and/or time has not been booked;

I understand that this Undertaking will remain in effect until the Society provides me with written notice that it has been varied or that I have been relieved of it.”

(the “Undertaking”).

14. Mr. Mayer was provided an opportunity to provide an explanation for his multiple breaches of the Undertaking. He did not offer a reasonable or any explanation for the multiple breaches of the Undertaking.

#### **Guilty Plea and Conduct of the Member**

15. The Member admitted to the facts that gave rise to all of the charges and all included counts as set out in the Citation, admitted that his conduct amounted to

a breach of his obligations under the *Code* and pled guilty to all charges and counts of professional misconduct.

16. The Member was charged with breaches of Rules 3.2-1 and 7.2-11 of the *Code of Professional Conduct* (the "*Code*") which read as follows:

"3.2-1 A lawyer has a duty to provide courteous, thorough and prompt service to the client. The quality of service required of a lawyer is service which is competent, timely, conscientious, diligent, efficient and civil."

"7.2-11 A lawyer must not give an undertaking that cannot be fulfilled and must fulfill every undertaking given and honour every trust condition once accepted."

17. The Panel accepts the guilty plea entered by the Member and agrees that the series of incidents set out in the Citation constitute breaches of the Member's obligations set out in the *Code*.

### **The Facts**

18. The facts in this matter are not in dispute.
19. Although the Panel did not have the benefit of a statement of agreed facts, all of the facts set out in the Citation were admitted by the Member.
20. The evidence in this hearing consisted of the following:
- (a) A series of documents forming part of a record, all of which are marked as exhibits in this hearing as follows:
    - (i) the Citation;
    - (ii) eleven (11) reports from professional supervisors of Mr. Mayer;
    - (iii) the Discipline Record of Mr. Mayer as set out in seven (7) separate Decisions of the Discipline Committee;
    - (iv) a Book of Documents containing the Undertaking, the Complaints Investigation Committee practice restrictions, Reasons for Decision

of the Complaints Committee dated March 15, 2024 and a medical report of Dr. Kent Somers, Registered Psychologist dated October 24, 2025 (the "Somers Report");

(v) four (4) letters of reference obtained by Mr. Mayer;  
(the "Record");

(b) *Viva voce* testimony by Mr. Mayer.

21. Despite signing the Undertaking on May 9, 2019, between 2020 and 2023, Mr. Mayer repeatedly breached the Undertaking by failing to conduct his practice in accordance with the terms of the Undertaking.
22. With regard to legal services provided to Client FP, Mr. Mayer:
  - (a) failed to properly inform himself about the status of FP's matter;
  - (b) took no steps to obtain the client file from former counsel and failed to inform opposing counsel that he had been appointed;
  - (c) failed to provide updates to FP; and
  - (d) failed to respond to communications from FP and the Executive Director of Legal Aid.
23. With regard to legal services provided to Client KHK, Mr. Mayer:
  - (a) failed to meet with Client KHK;
  - (b) did not respond to six (6) separate communications from KHK in January of 2022; and
  - (c) failed to communicate with Client KHK and failed to provide reasonable assistance or advice.
24. With regard to legal services provided to Client AA, Mr. Mayer:
  - (a) failed to take reasonable steps to deal with client AA's matter in a timely fashion following retainer in September of 2020;

- (b) failed to respond to correspondence from AA, opposing counsel and Legal Aid on nine (9) separate occasions between September of 2020 and March of 2022;
  - (c) allowed default to be entered against AA;
  - (d) failed to provide AA with updates despite repeated requests between July of 2021 and February of 2022; and
  - (e) failed to take any steps to advance AA's opposition to the petitioner's motion for a period of eighteen (18) months.
25. With regard to legal services provided to Client DB, Mr. Mayer:
- (a) did not communicate with DB in a reasonable manner following acceptance of the retainer in February of 2022;
  - (b) failed to take reasonable steps to advance AA's position in the litigation;
  - (c) failed to respond to communications from DB, Legal Aid and opposing counsel on fourteen separate occasions between February, 2022 and September, 2022;
  - (d) failed to advise DB in advance of the purpose of the court appearance in April of 2022;
  - (e) failed to respond to a settlement proposal received from opposing counsel in June of 2022;
  - (f) failed to communicate the settlement proposal to DB;
  - (g) failed to advise DB or her witnesses that they may be subject to cross-examination in person, and in Winnipeg until less than one month prior to a trial date;
  - (h) failed to provide DB's witnesses with their drafted Affidavits for review until two (2) days before the filing deadline; and
  - (i) failed to offer DB or her witnesses any advice for preparation in advance of trial.

26. With regard to legal services provided to Client WB, Mr. Mayer:
  - (a) failed to respond to communications from WB and opposing counsel on eleven (11) separate occasions between October of 2022 and August of 2023;
  - (b) failed to advance the interests of WB;
  - (c) failed to keep client WB reasonably informed of her legal matter; and
  - (d) failed to finalize a Court Order prior to termination of the retainer with WB.
27. Eleven (11) separate practice supervision reports were completed by two separate supervising lawyers of Mr. Mayer between June, 2024 and December, 2025.
28. Mr. Mayer's supervising lawyer resigned as his supervisor in October of 2025. As set out in the supervisor's report for October 7, 2025 at Exhibit 4-10, a number of concerns were identified, including concerns regarding Mr. Mayer's ability to be flexible in dealing with clients that are not sophisticated and Mr. Mayer's failure to tell clients when Court is, where to meet for Court, what financial information is needed and not advising clients of such things unless or until the client calls or emails first.
29. The Somers Report provides background information of Mr. Mayer, a summary of clinical interviews, a summary of psychological testing, collateral reporting, clinical considerations and recommendations. Dr. Somers concludes that Mr. Mayer meets the diagnostic criteria for a mental disorder and recommends that Mr. Mayer engage with medical professionals to assist him with his mental health condition.
30. At the hearing, Mr. Mayer expressed remorse for his actions. He confirmed that he was not aware of his mental health condition and agreed to obtain treatment and related reporting from his treating professionals as required by the Society. He also expressed concerns about a suspension and the impact on his clients and his ability to continue his practice.
31. Mr. Mayer is currently 65 years of age. He practises primarily family law.

### **Member's Discipline History**

32. The Member has been disciplined on six (6) prior occasions.
33. In 1997, Mr. Mayer was issued a formal caution for noting default in a small claims matter regarding recovery of his own receivable at a time when settlement was being negotiated and for failing to respond to correspondence from opposing counsel.
34. In 2011, Mr. Mayer pled guilty to multiple failures to respond to communications from clients in three (3) different matters between the years of 2007 and 2009 and was fined \$1,500.00 plus costs and ordered to take the Society's Remedial Practice Management course.
35. In 2012, Mr. Mayer was found guilty of charges of failing to respond to correspondence from the Society and was fined \$1,500.00 plus costs and ordered to take the Society's Time Management course.
36. In 2015, Mr. Mayer pled guilty to three (3) charges regarding the failure to provide the required quality of service to a client and regarding transferring money from his trust account without rendering a statement of account to his client on two occasions and was fined \$3,000.00 plus costs.
37. In 2020, Mr. Mayer pled guilty to two (2) counts of professional misconduct and he admitted that he failed to comply with the Court's directive's made at a case conference which resulted in his client's statement of claim being struck by the Court and he further acknowledged that he failed to report the circumstances to his insurer promptly and was suspended for a period of one (1) month and ordered to pay costs in the amount of \$8,654.99.
38. Also in 2020, following a hearing, Mr. Mayer was found guilty of breaching an undertaking, was found guilty of professional misconduct and failure to respond to the Society and received a separate thirty (30) day suspension to be served consecutively and in addition to the other thirty (30) day suspension from 2020 and was ordered to pay a \$5,000.00 fine and \$10,000.00 costs.

### **Issues**

39. The following issues are to be decided by the Panel:

- (a) Do the joint submissions of counsel for the Society and counsel for the Member satisfy the public interest test?
- (b) What is the appropriate length of suspension of Mr. Mayer from the practise of law?

### **Positions of the Society and the Member**

- 40. With respect to the first issue, counsel for the Member and counsel for the Society made a partial joint recommendation regarding penalty as set out in paragraph 7 herein.
- 41. Counsel agreed that, unless the partial joint recommendation would bring the administration of justice into disrepute or otherwise be contrary to public interest, the Panel should accept its terms.
- 42. The second issue to be determined by this Panel is the length of suspension from the practise of law to be imposed on Mr. Mayer. Although counsel disagree on the length of the suspension, counsel were in agreement on the series of factors to be considered by a discipline panel in determining the appropriate penalty in accordance with the provisions of *The Legal Profession Act* of Manitoba (the "Act"). The factors set out in the decision of *The Law Society of British Columbia v. Ogilvie* [1999] L.S.D.D. No. 45, [1999] LSBC 17, have been adopted by discipline panels in Manitoba on a number of occasions, more recently as an example in *The Law Society of Manitoba v. Davis*, 2024 MBL 6 matter. Those factors are as follows:
  - (a) The nature and gravity of the conduct proven;
  - (b) The age and experience of the respondent;
  - (c) The previous character of the respondent, including the details of prior disciplines;
  - (d) The impact upon the victims;
  - (e) The advantage gained or to be gained, by the respondent;
  - (f) The number of times the offending conduct occurred;

- (g) Whether the respondent had acknowledged the misconduct and taken steps to disclose and redress the wrong and the presence or absence of other mitigating circumstances;
  - (h) The possibility of remediating or rehabilitating the respondent;
  - (i) The impact on the respondent of criminal or other sanctions or penalties;
  - (j) The impact of the proposed penalty on the respondent;
  - (k) The need for specific or general deterrence;
  - (l) The need to ensure the public's confidence in the integrity of the profession; and
  - (m) The range of penalties imposed in similar cases.
43. Counsel for the Society and counsel for the Member agree that the Panel has the authority to suspend Mr. Mayer from practise pursuant to Section 72(1)(c)(ii) of the Act.
44. Counsel for the Society submitted that the offences committed by Mr. Mayer are very serious when considered in their entirety. This matter involves multiple breaches of an undertaking and multiple instances of professional misconduct over a lengthy period of time and these factors amplify the seriousness of the offences. Counsel for the Society also notes the extensive record of discipline in this situation and the fact that Mr. Mayer has been convicted previously of similar offenses for professional misconduct and for breach of an undertaking. Counsel for the Society argues that the Somers Report should not impact the consequences in this case as Mr. Mayer's medical circumstances do not excuse his misconduct on multiple occasions as set out in the Citation. Counsel for the Society further argues that there is a need for both specific and general deterrence and in particular that lawyers have to adhere to undertakings given to the Society given their importance. Finally, counsel for the Society submits that the concept of progressive discipline is applicable in this situation and should be applied to warrant a lengthier suspension than the prior suspensions imposed on Mr. Mayer.
45. Counsel for the Member argued that the offences committed by Mr. Mayer were not of the more serious variety and pointed to the fact that there is no suggestion

of financial loss, incompetence or avarice in this situation. Counsel for the Member argues that the mental health condition of Mr. Mayer must be considered in the context of the imposition of an appropriate penalty. Counsel for Mr. Mayer submitted that Mr. Mayer is in the process of obtaining treatment for his mental health condition. Counsel for the Member also noted that there was a period of over twenty (20) years between 1988 when Mr. Mayer began practising as a lawyer and his first conviction in 2010. Counsel for Mr. Mayer further argued that Mr. Mayer had offered to apologize to the complainants and has pled guilty early in this professional regulatory process and that these factors mitigate against a lengthier suspension in the circumstances. Counsel for the Member argued that the jurisprudence does not support a suspension of twelve (12) months and that the jurisprudence is more supportive of a suspension in the range of three (3) to four (4) months.

### **Analysis of the Panel**

46. The Panel closely considered the evidence in its entirety, submissions of counsel for the Society and counsel for the Member and the jurisprudence provided by counsel.
47. The legal principles applicable to the allegations set out in the Citation are well understood and agreed upon by counsel. The purposes of Law Society discipline proceedings are succinctly set out in the textbook, Lawyers and Ethics: Professional Responsibility and Discipline (Toronto: Thompson Reuters, 2020) by Gavin McKenzie at Chapter 26 as follows:

“The purposes of law society discipline proceedings are not to punish offenders and exact retribution, but rather to protect the public, maintain high professional standards, and preserve public confidence in the legal profession.”
48. With respect to the first issue, the Panel accepts the partial joint recommendation of counsel regarding all aspects of the penalty except the length of suspension. The jurisprudence on joint recommendations regarding penalty applies to partial joint recommendations and complete joint recommendations alike (see *The Law Society of Manitoba v. David H. Davis*, 2024 MBL 6 at paragraph 29).
49. The jointly recommended sanctions provide protections for the public by ensuring that Mr. Mayer practises under supervision and is required to practise with the assistance of administrative support. In addition, the joint

recommendations recognize that there is a need for medical care or counselling along with a reporting requirement.

50. The Panel finds that the provisions of the partial joint recommendation satisfy the public interest test and that the terms of the partial joint recommendation would not bring the administration of justice into disrepute or otherwise be contrary to the public interest. The Panel relies on and accepts the analysis regarding joint recommendations set out in the decision of *The Law Society of Manitoba v. Sullivan* 2018 MBLS 9 at paragraphs 5 through 8.
51. With respect to the second issue regarding the length of suspension in this matter, the Panel considered and applied the *Ogilvie* factors in determining the appropriate length of suspension. The Panel is very concerned that this is the second time that Mr. Mayer has admitted to breaching an undertaking given to the Society and he breached the Undertaking on multiple occasions over a period of years. The Panel is also very concerned by the number of counts set out in the Citation, the fact that Mr. Mayer has pled guilty previously to similar incidents involving professional misconduct and the extent of Mr. Mayer's discipline record.
52. The Panel agrees that the principle of progressive discipline applies in these circumstances. A concise summary of the principle of progressive discipline in a professional regulatory setting is set out in *The Law Society of Manitoba v. Vyamucharo-Shawa*, 2025 MBLS 5 at paragraph 10(a) and (b):

"10(a) The principle of progressive discipline stipulates that a lawyer who has had prior discipline, whether for the same or different conduct and whether that conduct has been joined in one proceeding or dealt with by way of successive proceedings, will be subject to a more significant disciplinary sanction than someone who has had no prior discipline.

The principal is in accordance with the Law Society's obligation to protect the public and the reputation of the legal profession. It sends a clear message to the public and the legal profession that the Law Society will not tolerate lawyers who repeatedly ignore their professional responsibilities.

*The Law Society of British Columbia v. Batchelor*, 2013 LSBC 9

(b) Progressive discipline is an appropriate consideration, even where the infractions of the member are not of the most serious nature. Progressive discipline reflects the necessity for the member to learn and improve on past behavior. It reflects the role of the Law Society in upholding [professional] standards and it supports the Law Society's duty to govern its members in the public interest. It represents and supports the necessary balance of consequences providing both specific and general deterrence to the member and the profession as repeated offences, regardless of the nature of them, may be subject to increasingly severe consequences.

*The Law Society of Manitoba v. Stern*, 2022 MBL 6

53. Previous Law Society of Manitoba panels have confirmed that in situations where a member has a discipline history, the panel may consider previous sanctions imposed and whether increasingly severe consequences are appropriate. (See *The Law Society of Manitoba v. David H. Davis*, 2024 MBL 6 at paragraph 22).
54. Counsel for the Member argues that the nature of the offences set out in the Citation are of the less serious variety. We disagree. Although each individual count in the Citation may fall closer to the less serious end of the continuum, the counts do not stand in isolation and must be considered in the context of Mr. Mayer's prior discipline record in whole. (See *The Law Society of Manitoba v. Walsh*, 2006 MBL 5 at paragraphs 10 and 11.)
55. Equally and possibly more concerning are the multiple breaches of the undertaking committed by Mr. Mayer. As set out in *The Law Society of Manitoba v. Matas*, 2024 MBL 5 and affirmed in *The Law Society of Manitoba v. Vyamucharo-Shawa*, 2025 MBL 5:

"Breaches of undertakings are inherently serious. They are one of the Society's most important tools in governing the profession. Lawyers must be expected to keep their promises and the breach of a written undertaking to the Society goes directly to the issues of governability."

56. Article 7.2-11 of the Code is clear:

“A lawyer must not give an undertaking that cannot be fulfilled and must fulfill every undertaking given and honour every trust condition once accepted.”

57. Mr. Mayer was found guilty of breaching an undertaking in 2020. In *The Law Society of Manitoba v. Douglas A. Mayer*, 2020 MBLS 9 at page 19:

“The Panel finds that he breached the undertaking specifically as outlined in section 3(b) of the citation, and if you can just give me a moment, 3(b) of the citation, in that you failed to respond to communications received as following, starting with 2, voicemail June 4<sup>th</sup> from Deputy Registrar Sherry Moffit; 3, letter June 5<sup>th</sup> from Judge McBride; 4, email June 24<sup>th</sup> from Ms. Desrochers; and, 5, letter July 5<sup>th</sup> from Ms. Desrochers.”

58. The breaches of the current Undertaking are similar in nature. This is very concerning to the Panel.

59. As noted by counsel for the Member, a lawyer’s word is their bond. Breaches of undertakings are a very serious form of professional misconduct. As set out in *The Law Society of Manitoba v. Wang*, 2015 MBLS 12 at paragraph 67:

“*The Legal Profession Act* provides in s. 3(1) that, “the purpose of the society is to uphold and protect the public interest in the delivery of legal services with competence, integrity and independence.” What could be more fundamental to legal services being provided with “integrity” than that those services be provided by persons who take their own undertaking seriously and scrupulously follow them? Undertakings are not just important; they are fundamental to our legal system. Failures of members to honour them must be firmly dealt with. The public has the right to expect that lawyers will keep their promises. The Law Society is charged with the responsibility of ensuring that members of the legal profession do exactly that.”

60. The suspension in this matter must be of sufficient length to align with the principle of general deterrence in order to maintain confidence in the profession and to protect the public interest.

61. The Panel accepts that there are mitigating circumstances to be considered in the context of the *Ogilvie* factors. The fact that Mr. Mayer has pled guilty at the earliest opportunity is an important factor. The Panel also notes that Mr. Mayer offered to apologize to the complainants. The Panel also accepts that there were no victim impact statements in this matter and that on their own, each of the counts is not of a more serious nature.
62. Both counsel agree that a lengthier suspension than sixty (60) days is warranted.
63. The Society is not seeking disbarment or a finding of ungovernability. Nonetheless, we find that Mr. Mayer's conduct is approaching such findings, especially given the nature and extent of the counts in the Citation and when Mr. Mayer's discipline record is factored into the analysis. This may essentially be a form of last chance as argued by counsel for the Society.
64. The Panel finds that a suspension from practise of eight (8) months is reasonable having considered the evidence and the jurisprudence in this matter. A suspension of eight (8) months represents a meaningful and proportionate escalation from prior discipline, is in the public interest, will send an appropriate message to the Member and the profession and should serve as a deterrent to the Member against future misconduct.
65. The Panel leaves it to the Member and the Society to confirm the start date for the suspension.

### **Conclusion**

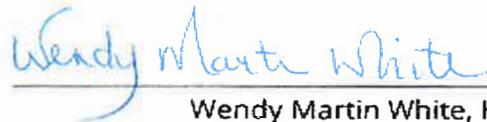
66. As a result of these findings and admissions and having heard arguments for both counsel for the Society and counsel for the Member regarding the appropriate penalty, this Panel:
  - (a) accepts the guilty plea of Mr. Mayer to the charges and counts of professional misconduct set out in the Citation;
  - (b) orders that:
    - (i) Douglas Albert Mayer be suspended from the practise of law for a period of eight (8) months;

- (ii) Upon completion of the period of suspension, should Douglas Albert Mayer return to the practise of law, he shall do so under supervision and upon such restrictions as may be imposed by the Complaints and Investigation Committee of the Society;
- (iii) Upon completion of the period of suspension, should Douglas Albert Mayer return to the practise of law, he shall do so with the assistance of administrative support at all times;
- (iv) Douglas Albert Mayer shall obtain and continue mental health counselling and treatment as recommended by his medical practitioners for as long as such treatment is recommended by them and shall provide such reporting as is required by the Society;
- (v) Douglas Albert Mayer shall pay costs to the Society in the amount of \$7,000.00 in accordance with terms to be reached between counsel for the Society and counsel for the Member, failing which this Panel is prepared to hear further submissions and determine the terms.

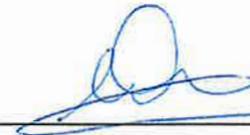
DATED this 23<sup>rd</sup> day of February, 2026.



Grant A. Stefanson, KC



Wendy Martin White, KC



Gordon Daman