

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

THE LAW SOCIETY OF MANITOBA and  
ANAND VARUUN PERSAD

REASONS

PANEL MEMBERS: Honourable Richard J. Scott (Chair)  
David Swayze  
Jim Wolfe

COUNSEL FOR THE LAW SOCIETY OF MANITOBA:  
R. Kravetsky

COUNSEL FOR MEMBER: Self Represented

Hearing held at The Law Society of Manitoba,  
219 Kennedy Street, Winnipeg, Manitoba, January 12, 2016.

**FOUR SEASONS REPORTING**  
**91 Ashford Drive**  
**Winnipeg, Manitoba R2N 1K7**  
**(204) 256-2343**

**ORIGINAL**

1 THE LAW SOCIETY OF MANITOBA and

2 ANAND VARUUN PERSAD

3 REASONS

4  
5  
6 PANEL MEMBERS: Honourable Richard J. Scott (Chair)  
7 David Swayze  
8 Jim Wolfe  
9

10  
11 COUNSEL FOR THE LAW SOCIETY OF MANITOBA:

12 R. Kravetsky  
13

14 COUNSEL FOR MEMBER: Self Represented  
15  
16

17 Hearing held at The Law Society of Manitoba,  
18 219 Kennedy Street, Winnipeg, Manitoba, January 12, 2016.  
19  
20  
21

22 **FOUR SEASONS REPORTING**

23 **91 Ashford Drive**

24 **Winnipeg, Manitoba R2N 1K7**

25 **(204) 256-2343**

1           THE CHAIR: We are in a position, not  
2           surprisingly, to provide you with our decision this  
3           afternoon, which I will read, subject to final editing as  
4           to form, but not substance.

5           Mr. Persad admits pursuant to a statement of  
6           agreed facts that he committed professional misconduct  
7           contrary to Rules 564(3) and (4) of The Law Society when he  
8           failed to respond to two "14-day letters" from legal  
9           counsel in respect to a complaint from a client.  
10          Accordingly, there will be a finding of guilty with respect  
11          to both failures to respond.

12          By way of a joint submission there is a request  
13          that Mr. Persad be reprimanded and pay the sum of \$1,500 as  
14          a contribution to the Society's costs.

15          It is to be noted that Mr. Persad has had no  
16          previous involvement with The Law Society discipline  
17          process, and in his submission readily acknowledged the  
18          importance of responding to The Law Society's request, his  
19          responsibility for his errors, and his determination not  
20          to repeat them.

21          We are in agreement with the joint  
22          recommendation. It is a reasonable outcome in the  
23          circumstances, and there are certainly no clear and cogent  
24          reasons for departing from it (see *R. v. Thomas*, 2000 MBCA  
25          148 at para. 5 and *Rault v. Law Society of Saskatchewan*,

1 2009 SKCA 81 at para. 28).

2 It is worthwhile to emphasize again, as has  
3 been done very recently by another discipline committee of  
4 the Society when dealing with a failure to respond to the  
5 14-day letter (see Wang, paragraphs 45, 48 and 50), that as  
6 a self-regulating profession in the public interest it is  
7 essential that The Law Society be able to rely on the full  
8 cooperation of all lawyers to provide information when  
9 requested. To hold otherwise would not be in the best  
10 interest of either the public or the profession itself.

11 So say we all.

12 MR. KRAVETSKY: Thank you. So we will have  
13 those reasons transcribed and then circulated?

14 THE CHAIR: Yes.

15 MR. KRAVETSKY: Thank you.

16 MR. SWAYZE: I guess my only question is, do  
17 you need time to pay the \$1,500 in costs?

18 MR. PERSAD: I had spoken with Mr. Kravetsky  
19 about that and, yes, I had asked for \$100 a month, just  
20 because, again, I just changed my practice, and things have  
21 been a little bit tight for the last few months, and I know  
22 that was something that was discussed.

23 THE CHAIR: Should that be in our order,  
24 Mr. Kravetsky?

25 MR. KRAVETSKY: Yes, it would be appropriate

1           that that be in the order. Thank you for raising it,  
2           Mr. Chairman.

3                         THE CHAIR: Thank you for raising it, yes,  
4           thank you. So our order will include a provision that  
5           Mr. Persad be entitled to pay the costs at the rate of  
6           \$100.00 per month, commencing February 1, 2016. Thank you.

7

8

9

(HEARING CONCLUDES AT 1:56 P.M.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

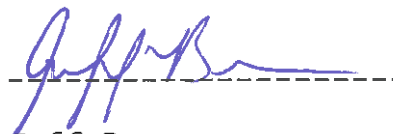
24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF REPORTER

I, JEFF BRUCE, Court Reporter, do hereby certify that the foregoing pages, numbered 1 to 4, are a true and accurate transcript of the proceedings herein as recorded by me to the best of my skill and ability.




Jeff Bruce

Court Reporter

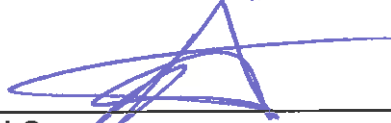
THE PRECEDING 5 PAGES CONSTITUTE  
THE DECISION AND REASONS FOR  
DECISION OF THE DISCIPLINE COMMITTEE  
OF THE LAW SOCIETY OF MANITOBA  
RENDERED THE 12<sup>th</sup> DAY OF JANUARY,  
2016, IN THE MATTER OF:

**ANAND VARUUN PERSAD**



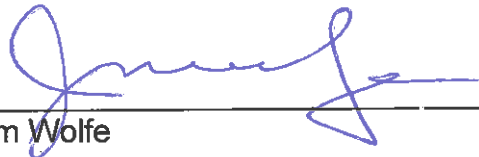
---

Honourable Richard J. Scott, Chair



---

David Swayze



---

Jim Wolfe