



Affidavit of Michael Cave #1
Sworn on April 26, 2013

No. QSL-S-S-15196
Quesnel Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SYLVIA BATTLE, WAYDE BATTLE, LARRY DUNN, JEAN GELINAS, JAN MCKINNEY,
WALLY MCKINNEY AND LINDA BUXTON

PETITIONERS

AND:

MICHAEL CAVE, JOHN BRISCO, ED COLEMAN, SCOTT ELLIOT,
and LAUREY-ANNE ROODENBURG

RESPONDENTS

AFFIDAVIT

I, Michael Cave, Councillor of the City of Quesnel, c/o Municipal Hall, 410 Kinchant St., Quesnel, British Columbia, V2J 7J5, AFFIRM THAT:

1. I am a Councillor of the City of Quesnel (the "City"), and as such have personal knowledge of the facts and matters hereinafter deposed to, and swear that all such matters are true.
2. I was elected to Quesnel City Council in 2011.
3. I have read the Petition in this matter, and the Affidavits of Meriel Wild sworn March 13, 2013, and Sylvia Battley sworn March 18, 2013 (the "Battley Affidavit").
4. In response to paragraphs 7 through 9 of the Battley Affidavit, Council did not make any decision at its closed meeting of April 16, 2012 to terminate the employment of Mr. Stecyk. Instead, a direction was given to advise Mr. Stecyk that Council was considering the termination of his employment without cause, but that he would first be given an opportunity to be heard.
5. On April 19, 2012, Mr. Stecyk provided a letter (the "Letter") to the Mayor and Council of the City containing a proposal by which Mr. Stecyk's employment would end

immediately. The Letter is not attached to this Affidavit because of the terms of a release (the "Release") provided by the City to Mr. Stecyk to maintain confidentiality. A copy of the Letter is available for disclosure if ordered by the Court.

6. In response to paragraphs 10 through 15 of the Battley Affidavit, I voted at the Closed Council meeting of April 23, 2012 to accept Mr. Stecyk's resignation on the terms in the Letter, with some minor exceptions. Among the terms accepted was payment to Mr. Stecyk of severance pursuant to his employment contract with the City.

7. I agreed to support the proposal presented by Mr. Stecyk for the following reasons:

- I was expecting to vote to terminate Mr. Stecyk's position as City Manager on a without cause basis;
- I understood that if the City terminated Mr. Stecyk on a without cause basis that he would be entitled to be paid severance;
- Under the proposal made by Mr. Stecyk, he would receive the same severance as if Council terminated his position on a without cause basis;
- Mr. Stecyk was offering his immediate resignation, which allowed the matter to be resolved soon. I believed at the time and continue to believe that it was in the City's interest that the matter be resolved.

SWORN BEFORE ME at Quesnel, British Columbia this 26th day of April, 2013.



A Commissioner for taking Affidavits within British Columbia

Gina Albers, Deputy
Corporate Administrator
Commissioner for taking
Affidavits in British Columbia
410 Kinchant Street, Quesnel, BC
V2J 7J5 250.991.7471



Michael Cave