

**IN THE MATTER OF: Commission of Inquiry into the Circumstances
Surrounding the Death of Phoenix Sinclair**

**NOTICE OF MOTION TO STRIKE THE AFFIDAVIT OF JANET KEHLER
FILED BY
CANADIAN BROADCASTING CORPORATION, CTV WINNIPEG,
GLOBAL WINNIPEG AND THE WINNIPEG FREE PRESS
Hearing Date: July 4, 5 and 6, 2012 at 10:00 a.m.**

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File No. 1103444

IN THE MATTER OF: Commission of Inquiry into the Circumstances Surrounding the Death of Phoenix Sinclair

NOTICE OF MOTION

THE CANADIAN BROADCASTING CORPORATION, CTV WINNIPEG, GLOBAL WINNIPEG AND THE WINNIPEG FREE PRESS (the "Media), will make a motion before Commissioner Hughes, the Commissioner for the Inquiry into the Circumstances Surrounding the Death of Phoenix Sinclair, on the 4th day of July, 2012 at 10:00 a.m., in the Pan Am room at the Winnipeg Convention Centre, 375 York Avenue, Winnipeg Manitoba.

THE MOTION IS FOR:

1. an Order that the portions of the Affidavit of JANET KEHLER affirmed June 27, 2011 be struck in on the that they offend the Rules of Evidence on the following grounds:

Objected To	Grounds
Paragraph 5, last sentence	Irrelevant; inadmissible opinion
Paragraph 6	Irrelevant; inadmissible opinion; hearsay
Paragraph 7	Irrelevant; inadmissible opinion (MGEU opinion not relevant)
Paragraph 15, last sentence	Inadmissible opinion
Paragraph 16, last sentence	Hearsay; inadmissible opinion
Paragraph 17	Hearsay; inadmissible opinion
Paragraph 18	Hearsay; inadmissible opinion
Paragraph 22	Inadmissible opinion
Paragraph 23	Hearsay
Paragraph 24, 1 st sentence and last sentence	Inadmissible opinion
Paragraph 25	Hearsay; irrelevant
Paragraph 26; 1 st and 2 nd sentence	Inadmissible opinion; hearsay
Paragraph 27, 1 st sentence	Inadmissible opinion
Paragraph 29, last phrase of the last sentence	Inadmissible opinion
Paragraph 32	Inadmissible opinion; irrelevant
Paragraph 33	Inadmissible opinion; irrelevant

Paragraph 34, 2 nd sentence	Inadmissible opinion; irrelevant
Paragraph 36	Hearsay
Paragraph 38	Inadmissible opinion; hearsay
Paragraph 39	Argument; irrelevant
Paragraph 40	Irrelevant
Paragraph 41	Inadmissible opinion
Paragraph 42	Inadmissible opinion
Paragraph 43	Inadmissible opinion
Paragraph 44	Inadmissible opinion; hearsay
Paragraph 45	Hearsay; irrelevant
Paragraph 46	Inadmissible opinion; hearsay
Paragraph 47	Inadmissible opinion; hearsay
Paragraph 48	Inadmissible opinion; hearsay

THE FOLLOWING DOCUMENTS will be used at the hearing of the motion:

1. the Affidavit of Janet Kehler, affirmed June 27, 2011;
2. the cross examination of Janet Kehler, May 22, 2012; and
3. such further and other material as counsel may advise and this Honourable Commission of Inquiry may permit.

June _____, 2012

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