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REFERENCE NO: 118388-0001

Via Email

July 20, 2020

Surinder Pal

Dear Surinder,

**Re: 2011 Lake Manitoba Flooding**

Thank you for your quick response. In answer to Frank Clarke's request, I can advise as follows:

1. Attached is a claim package for each of claimants suffering a business loss (Business package) and residential loss (Residential package).
2. The email contacts are as follows:
  - a. Brian Meronek – bmeronek@ddwestllp.com
  - b. Catherine Litinsky – clitinsky@ddwestllp.com
  - c. Yolanda Woods – ywoods@ddwestllp.com
3. The geographic area is not as important. Claimants who suffered losses through direct flooding are eligible. It would include claimants who were not flooded but could not access their property or business due to flooded out roads or bridges or where there was an increase in salinity due to underground water, which caused damage to soil and/or crops. It excludes parties who suffered business losses due to customers being flooded, but where there was no flooding of the business.
4. All losses for which there has been no payment or damages are claimable. To the extent that there was payment received from the Government or private insurance, those amounts would have to be deducted. Examples of losses or damages include:
  - a. loss of property value (FMV of the property immediately before the flood issues versus the FMV now). If property was subsequently sold afterwards, the amount received would have to be deducted;
  - b. amounts of losses incurred above the MASC cap for residential and cottage property.
  - c. personal property;
  - d. loss of business income for 2011 and subsequent years;
  - e. (i) The list is not exhaustive; so if there are questions about what can be claimed, the claimant should contact us.  
(ii) There were many claimants, who did not receive full compensation either initially or on appeal, who may be able to claim the difference.  
(iii) There are others who had their claims rejected for one or more reasons.

Calgary

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- Depending upon the reasons, they may still have a claim.
- (iv) There were others who may not have made a claim for whatever reason, but they might be eligible.

Although there have been no negotiations yet, in order to approach the Government, we need to have a good estimate of the total damages; which is why this information is so important. This is not a request for fees; it is information gathering, in order to approach the Government's lawyers.

If you have any further questions, please do not hesitate to call.

Yours truly,

**DD WEST LLP**

Per:



**BRIAN J. MERONEK, Q.C.**

BJM /yw

atts.

c.c. W. Klym  
C. Litinsky