

1 Transcript of Victor Toews' recorded comments he made at a public meeting held
2 on Saturday July 13, 2013, at 7:00 pm, at the Day's Inn hotel in
3 Stephenville, Canada. Present with invitees were lawsuit defendant's Theresa
4 Keeping and Dale Merkel. Included is a copy of the meeting's emailed invitation.
5

6 **VICTOR TOEWS:**

7 "(Inaudible) ... a lot better things to do sometimes than, ah, attend a meeting like
8 this, but, ah, I think this is a meeting that is very important for, ah, the future community.

9 My role here today, not ah, to make it clear, that I'm not representing Vinking. Ah,
10 I'm representing the major shareholders in that company, and, ah, they certainly are,
11 ah, no strangers to the people here, Theresa, ah, Keeping and Dale Merkel, ah, thank
12 you for having me, ah, here.

13 Ah, most of you know, ah Theresa, ah, she has been, ah, I think very active in the
14 community, a longtime member of this community, dedicated to this community,
15 involved in a number of businesses in this community: TS Signs Printing and Promo,
16 Oceanview Estates, ah, the, ah, there's, ah, a an Alberta company that she's involved
17 with that was formed thirteen years ago and, ah, which, ah, owns industrial buildings in
18 Fort McMurray, Alberta; ah, Enjoy Ventures which is a vacation rental business with
19 rental homes in St. Johns, Port au Port, and Kippens; and, ah, a number of other
20 businesses including, um, Port Harmon Authority which, ah, she has, ah, a very
21 substantial interest in.

22 And so I'm here today to, ah, basically, to, ah, just talk a bit about Theresa and
23 Dale and their view for what, ah, what should be happening to the Port Au Port. The
24 Port is a very important, ah, part of, ah, this area and Theresa and Dale see huge
25 benefits in the development of that port.

26 Theresa, through another corporation, is the single largest shareholder of Vinking
27 Marine. As I indicated; I am not here representing Vinking.
28

1 I'm here representing Theresa and Dale. She is, ah, the primary financier of
2 Vinking Marine, being having invested approximately four million dollars in the business.
3 Dale & Theresa have, ah, some disputes that are executives in VinKing, as a result of
4 that dispute, they have demanded the repayment of the loan due to various actions that
5 they felt have been detrimental to their interest as shareholders, ah, of that particular
6 company.

7 Ah, some of these matters included, and I point these things out from a affidavit
8 that was filed in the Supreme Court of Newfoundland, so I'm simply reading Court
9 documents ah, here. But the, ah, the allegations that were sworn to by, ah, Theresa
10 Keeping where that there was ah, ah, she was terminated as the Executive VP of
11 Vinking Marine, ah, her signing authority was terminated, and attempts have been made
12 to displace the priority of her loans to the company with new loans and that obviously
13 caused her a lot of concern.

14 There's an exhaustive list of concerns which Theresa Keeping has sworn to, that
15 are set out in this affidavit filed in the Supreme Court of Newfoundland and Labrador. If
16 anyone, ah, wants to, ah, see this, I can make, ah, some copies of, ah, this affidavit
17 available which basically sets out, ah, the basis for a motion that was made, ah, in front
18 of a judge in a Court here in the Providence.

19 The concerns, ah, I, I, I've, ah, basically set out, are detailed in the affidavit and
20 they're summarized at paragraph 21, and, ah, they, they, the allegations here are that,
21 ah, Theresa felt that her shares at Vinking Marine, ah, would be diluted to the point of
22 being worthless. That the loans to Vinking that she has made, and being the largest,
23 ah, financier of that company would not be replaced or repaid, and, ah, there were
24 concerns that there were loans being taken out by the company, or applied for that, ah,
25 may lose her the priority status that her have as a, ah, secure lender.

26 Ah, so in any event the, the um, concerns are all set out in this particular affidavit.
27 (inaudible) ... and if people want to read them later on. And so the lawyers, and I'm not
28 acting as a lawyer here for Theresa or Dale. I'm acting as a consultant.

1 The lawyers filed an application in the Superior Court, the Supreme Court of
2 Newfoundland. And what they did, they wanted an Order, that there, a special meeting
3 of the shareholders of Vinking Marine be called and held within 10 days of the date of
4 the Court's Order. They sought an Order restraining the Directors of Vinking from
5 holding or conducting a meeting of Directors of Vinking schedule for July 15th, and for
6 restraining the directors of Vinking from holding any meeting until such time a special
7 meeting of the shareholders of Vinking had been held.

8 The Court heard, in fact, the application, and yesterday, in fact, came out with the
9 Order. I have a copy of the Court's Order, and essentially, the Court gave Theresa
10 exactly what she asked for. The Court was convinced in this application that the
11 allegations in the affidavit had merit and therefore the Court could safely issue this
12 Order. And in fact, the Order reflects, almost, ah, verbatim, the requests that were made
13 by Theresa in her affidavit. So the concerns that Theresa and, ah, Dale had, they've
14 retained those lawyers (inaudible) Paulson out of Alberta, and the local firm here,
15 Steward McKelvey in St. Johns, and, ah, they received the Order yesterday. So
16 yesterday the Supreme Court, here, issued that Order that, I've, ah, just cited.
17 Essentially Dale and Theresa were granted everything by the Court they requested.

18 Theresa and Dale are not only here to explain that they were protecting their
19 investment, a substantial investment, I think all of us would agree, that's a substantial
20 investment, but they have a long terms commitment to this community and to this area.
21 More importantly, they have a long term commitment to the people in this area.

22 This has already been demonstrated by their past achievements. They have
23 specific plans for their investments here, including those subject to the present dispute.
24 Those plans include jobs, economic growth and stability for this area. I think we're, I
25 was talking to one of you this earlier, and, ah, I was remarking on how St. Johns has
26 changed, to almost virtually every year you come to St. Johns and there's new
27 development, something happened. One of you mentioned, well it's not happening
28 here.

1 And that might be correct, but Dale and Theresa are committed to seeing that
2 change. They want to take their investments and their assets and make as long term
3 commitment to this area, so, in fact, that we can see the same kind of beneficial
4 changes that have happened in St. Johns occur right here. And this is a really
5 remarkable part of the world.

6 The assets of Vinking, and some of the other assets of companies that Theresa
7 owns, are truly, very, ah, world class like, if I can use that expression. So this
8 development of Vinking, and of others, other initiatives that they've brought forward,
9 means a dynamic future, not only for Stephenville, but the greater geographical area.

10 So they're here to say that they're committed to this area. They are people who
11 are willing to put their money on the line. They have consistently demonstrated that
12 when there was a need for the investment they put their money on the line. And
13 Theresa has done so to the extent of four million dollars.

14 You know that I was the President of the Treasury Board for three years and I
15 dealt with the budget of Canada and that was essential \$250 billion dollars. Sometimes
16 you lose track of how much a billion dollars, or even a million dollars is. But I can tell
17 you that when you walk down the streets in the community here, and you talk about a
18 million dollars or two million dollars, three million dollars, people know that's a lot of
19 money. So, Theresa and Dale put their future together with their money, to make things
20 work in this community, whether it's Vinking or any of the other initiatives that they're
21 involved in.

22 So they're committed to the area; they're willing to put their money on the line,
23 and very importantly, we've had this conversation, they're willing to work in partnership
24 with the community. They want to see this area develop, and they know they can't
25 simply do it as a single organization, or as a couple on their own.

26 They need the cooperation of various levels of government and the people who
27 live here.

28 So that's, on that issue, that's a quick summary.

1 There's a second issue though, that doesn't relate to Vinking directly. But that
2 some of you might have heard of.

3 I think, I've said to Theresa and Dale. that this is something I think we should
4 address at this meeting as well.

5 I want to talk to you about what is a very unfortunate situation, where Theresa and
6 Dale have been subjected to fraud, false pretenses and attempted fraud to obtain their
7 money.

8 Again, I'm not talking about the issue related to Vinking. This is unrelated to
9 Vinking, but the fallout is also disturbing because it is essentially an attempt to paint two
10 decent, hardworking people, as not having lived up to a commitment to a charitable
11 cause.

12 The background is, and you people may have heard about this, and they're
13 wondering what's going on here.

14 Well, Theresa and Dale want to address this because the stories are not true in
15 terms of, ah, what has been alleged. It has a detrimental impact upon personal
16 relationships that they have with community members and others; it has a detrimental
17 impact on their broader economic outreach and relationship with this community.

18 What is the background? Now I'm not going to get into any names here because
19 there's a number of investigations going, so I don't want to step out of line so, I'm not a
20 lawyer, ah, I'm not acting as a lawyer here. I am a lawyer, but I'm not acting as a lawyer
21 here.

22 What is the background? Two individuals, one in United States and another here,
23 they're pursuing Theresa to make a donation to charitable cause, or an alleged
24 charitable cause, that doesn't seem to exist.

25 The American has a long history of perpetuating fraudulent schemes for which he
26 has been convicted and sent to prison on a number of occasions. This is a type of
27 activity that stretches back to 1978 ... and in addition to criminal action, he has engaged
28

1 in numerous, numerous frivolous and vexatious lawsuits in an effort to essentially extort
2 money out of his victims.

3 Theresa and Dale unfortunately provided this individual with over \$50,000 dollars
4 for the building of a, and this is somehow apt, a pirate ship.

5 Now, this was for a very good cause it appeared. It's the WishCruise Navy that
6 would see terminally children to enjoy a last wish on this ship. It was called Addison's
7 Dream. Ostensibly named after a young child who lost his fight to cancer.

8 And so they were approached by a person here from Newfoundland who
9 introduced the fraudster to Theresa and Dale, and things didn't go well.

10 The ship was to cost, in its various estimates, depending upon how much these
11 people thought they could get out of Theresa and Dale, but anywhere from \$1,000,000
12 to \$1,500,000 million dollars. And so they needed the money for the plans. And they
13 also assured Theresa & Dale that there were other investors on board.

14 Theresa and Dale became suspicious after the initial commitment of \$50,000 and,
15 in fact, and in fact, none of the other investors showed up. There weren't no other
16 investors.

17 They decided to cut their loses, but that wasn't good enough for those who are
18 pressuring them for the money.

19 The American attempted to wrongfully remove one-point-four million dollars from
20 the bank account belonging to a company of Theresa's, after utilizing information that
21 he wrongfully obtained from a bank employee.

22 Fortunately, that attempt was stopped, but investigation by appropriate authorities
23 are continuing and any and all perpetrators will be held accountable.

24 When Theresa refused to provide this individual with any more money, the
25 individual commenced a lawsuit for \$1,500,000, approximately, in one of the States
26 where the fraud, ah, was - where this pirate ship was to be built.

27 The activity of this individual in terms of the scheme he brought forward, and the
28 launching then of frivolous and vexatious lawsuits is something that he had involved

1 himself in before, using vary similar ploys. So this is nothing new to this individual.
2 Unfortunately it was new to Theresa and Dale.

3 Theresa and Dales lawyers will vigorously opposed the lawsuit, and are taking a
4 number of steps to do so. In the meantime, that Court case continues.

5 Theresa expects to get served here for that case, in that State, and her lawyers
6 are prepared to meet that case. In the meantime, this individual, and it's quite shocking
7 what is being done, but um, there are numerous false stories being circulated on the
8 internet.

9 I can maybe read a paragraph from the legal documentation:

10 ' This individual filed a lawsuit, placed paid stories on a number of internet sites,
11 claiming them to be legitimate news stories, communicated to Theresa and Dale's
12 business partners, threatening the business partners may also be liable, sent notices to
13 government officials and officials in Canada, and claimed that Theresa and Dale had
14 committed crimes in the United States.'

15 As I indicated, his person has a history of targeting investors and corporate and
16 private with his claimed good causes and praying upon the good nature of others. And
17 this is a classic case of this.

18 So those of you who might hear this things from the internet. Take it with a grain
19 of salt. In fact, take it much more than a grain of salt. Because repeating those stories
20 is actionable and liable. And the lawyers, the same lawyers that represent Vinking are
21 fully aware of this matter, and they are prepared to deal with these individuals who are
22 circulating these false stories.

23 Those involved in any way in committing these acts against Theresa and Dale,
24 whether in Canada or the U.S., will be held accountable.

25 I want to conclude by saying Theresa and Dale are well respected members of
26 communities they reside, both here and in Alberta. Both are dedicated to creating jobs
27 and growing business in Alberta, and here in Newfoundland.

1 Yet, attacks continue in order to obtain money from them. Now I'm basically
2 telling them to don't give them any more money, because there is no charitable cause
3 this money is going to.

4 And what I'm asking you to do, is that if you hear about these stories, and are
5 concerned about them. I ask you to contact me and tell me about them, because some
6 of these seem very truthful if you hear one side of the story.

7 I will listen to you. I will get the information you need in order to dispel what these
8 stories are doing. That will of course help us in pursuing these individuals in terms of
9 liable or other kinds of suits.

10 Because the damages that they can create, not simply to the reputation which
11 perhaps is the most serious thing but it's also – this has a negative impact on their
12 ability to invest and to make this area a better place.

13 If you have any questions, let me know, and this may have a negative impact
14 upon Vinking, but that's certainly not the fault of my clients, Theresa and Dale, They
15 are the victims here.

16 (Inaudible) ... and so I just want to say to the people who are committed,
17 hardworking, good people who (inaudible) ... again, that you for your attention. I can
18 answer some questions, but at this point I can probably keep your questions and if I
19 don't have the answers, I'll, ah, get back to you, if I can.

20 I'm very sensitive that there's a lawsuit going on and I don't want to in anyway
21 interfere with that so that why I stuck very closely as to what is on the public record in
22 terms of what we know and what the Court has decided. And the reason I'm not trying
23 to avoid answering any questions is the fact is that I retired on Monday.

24 On Tuesday, I was in Calvary visiting my brother and I got called into an office of
25 the lawyer who said I want you to listen to this story here about a couple who had some
26 very hard situation so I listened, and it was, I had not met Theresa or Dale before so I
27 listened ...” **(Recording ended)**

1 **From:** Theresa Keeping <theresa.artist@icloud.com>
2 **Date:** 12 July, 2013 [TIME REDACTED] NDT
3 **To:** [RECIPIENT NAME REDACTED]
4 **Subject:** Chamber Invite.docx

5 July 12, 2013

6 35 Carolina Ave. Stephenville NL A2N 3P8

7 RE: Invitation to Information Session with Mr. Vic Toews for Saturday, July 13, 2013 – Status of
8 VinKing Marine

9 Dear: President of the Bay St. George Chamber of Commerce, Debbie Brake-Patten And all Members

10 This Saturday, July 13 we are pleased to announce that the Honourable Victor (Vic)
11 Toews will be our guest. Mr. Toews has just announced his retirement from public life on
12 Tuesday, July 9, 2013. He was the Regional Minister for Manitoba, Minister of Public
13 Safety, and Member of Parliament for Provencher, as well as many other postings
14 throughout his long public service career.

15 Mr. Toews gives his reasons for leaving public life - to spend more time with family and
16 pursue his business in the private sector. He has accepted the position of Chair on our
17 Advisory Board and has asked that an information session be set up for all of you to join
18 him. This meeting will take place at 7 PM on Saturday, July 13, 2013 in person at the
19 Days Inn, formerly, Holiday Inn, Stephenville in the Banquet Room.

20 DISCUSSIONS

21 1. Recent events involving accusations that have impacted the reputation of local citizens and
22 VinKing Marine Enterprises Inc.

23 2. The business plan of Vinking Marine and Port Harmon Authority Limited.

24 It will be an honour to have the retired, Honourable Vic Toews as our guest. We are
25 excited about the opportunities in this region and look forward to job creation and growth
26 for the West Coast of Newfoundland.

27 Please RSVP by return email: ceo@mackaylinks.com if you have an interest in joining us.

28 Sincerely,

VinKing Marine

Cc: Honourable Tom O'Brien & Council
Honourable Cator Best & Council
Honourable Eileen Hann & Council
Honourable Brian Bennett & Council
MHA Tony Cornect
MP Judy M. Foote

**TRANSCRIPT OF COMMENTS BY VICTOR TOEWS ON JULY 14, 2013 AT THE DAY'S INN IN STEPHENVILLE,
NEWFOUNDLAND SPEAKING ON BEHALF OF ("REPRESENTING") THERESA KEEPING AND DALE MERKEL. ALSO
INCLUDED IS A COPY OF MEETING'S INVITATION EMAIL**