

Ministry of the
Attorney General

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Ministry of Agriculture,
Food and Rural Affairs

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Ministère du
Procureur général

Direction des services juridiques
Ministère de l'Agriculture,
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des Affaires rurales

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1 Stone Road West
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Tél.: (519) 826-3588
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January 29, 2009

DELIVERED

Alan Wiebe
Tribunal Assistant
Agriculture, Food and Rural Affairs Appeal Tribunal
1st Floor NW
1 Stone Road West
Guelph ON
N1G 4Y2

Dear Sir:

Re: Ontario Farm Products Marketing Commission's Decision concerning the appropriate role of Ontario Pork, dated October 6, 2008

Re: Appeals by Rein Minnema, Field Farms Ltd. & Huron County Pork Producers Association

Thank you for your letter of January 26, 2009.

This will confirm that the Ontario Farm Products Marketing Commission consents to the simultaneous hearing of these three appeals. Furthermore, the Commission's counsel is available everyday within the week of February 16, 2009 for a pre-hearing conference.

Please be advised that at the pre-hearing conference the Commission will request that the Tribunal exercise its authority pursuant to section 16(4) of the *Ministry of Agriculture, Food and Rural Affairs Act* to refuse to hear all of the appeals on the grounds that they are not made in good faith and that the appellants have not demonstrated sufficient interest in the subject matter of the appeals. Alternatively, the Commission will request that the Tribunal, for the same reasons, exercise its authority pursuant to section 25(1)(b) of the *Statutory Powers Procedure Act* to revoke the stay of the implementation of the Commission's decision. In the further alternative, the Commission will request that the Tribunal exercise its authority pursuant to section 16(6) of the *Ministry of Agriculture, Food and Rural Affairs Act* to limit or define the scope of the stay. We will deliver written submissions to this effect in the near future.

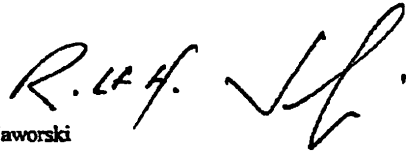


Pick Ontario Freshness
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I trust that this is satisfactory.

Sincerely,

A handwritten signature in black ink, appearing to read "R.H. Jaworski". The signature is written in a cursive style with a large, sweeping flourish at the end.

Robert H. Jaworski
Counsel

- c. A. Machan, OFPMC
J. Fitzgerald, OMAFRA
S. Blake, MAG
Rein Minnema (& Elbert van Donkersgoed)
Field Farms Ltd.
Huron County Pork Producers Association

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