

September 15, 2022

File No. 3540-005

VIA EMAIL

BC Human Rights Tribunal  
1270 – 605 Robson Street  
Vancouver, BC V6B 5J3

**Attention: Dan Varnals  
Case Manager**

Dear Mr. Varnals:

**Re: *Glynnis Kirchmeier and Glynnis Kirchmeier obo others v. University of British Columbia* (Case Number CS-001093 / 14965)**

We write further to the Tribunal's correspondence of August 31, 2022 regarding the Complainant's witness list and statement of remedy.

The Respondent had intended to make a with prejudice settlement offer, followed by an application to dismiss if the offer was not accepted, following receipt of the Complainant's statement of remedy. Such an offer was not possible because the statement of remedy failed to identify the damages sought by the Complainant and the number of class members on behalf of whom such remedies were sought. Further, the Complainant failed to provide any documentation related to expenses or wage loss that may have factored into an offer.

While we appreciate that the Complainant has now been directed to file a proper statement of remedy and disclose documents related to those remedies, the deadline for that filing is September 30, 2022. This deadline does not allow the Respondent to make an application to dismiss at least four months prior to the start of the hearing, as required by the Tribunal's Rules. The ordinary deadline for such an application to dismiss would be September 16, 2022.

By this letter, the Respondent puts the Complainant and the Tribunal on notice that it intends to make a with prejudice settlement offer following receipt of the Complainant's statement of remedy and related disclosure, followed by an application to dismiss if that offer is not accepted.

The Respondent will be applying to have the Tribunal accept a late application to dismiss in this respect based on the Complainant's late statement of remedy and disclosure. The Respondent should not be deprived of its opportunity to seek dismissal of the Complaint by

the Complainant's failure to meet her obligation to file a statement of remedy and disclose relevant documents.

Yours very truly,

**Roper Greyell LLP**

Per:

Jennifer Devins

JRD:JD

Encl.

cc. Client

A handwritten signature in black ink, appearing to read "J Devins", is written over the typed name and initials.