

**IN THE MATTER OF THE LEGAL PROFESSION ACT, 1990
AND IN THE MATTER OF AN APPLICATION ON BEHALF OF
GEORGE COMBE, A LAWYER OF SASKATOON, SASKATCHEWAN**

Hearing Committee:

**Beth Bilson, Q.C. Chair
Tim McLeod
Ron Barsi**

Counsel for the Member:

Nicholas Stooshinoff, Q.C.

Counsel for the Conduct investigation Committee:

Karen Prisciak, Q.C.

Ruling of the Hearing Board

1. The Hearing Committee constituted to consider a complaint against George Combe, a lawyer of Saskatoon, Saskatchewan, convened by telephone on November 15, 2018, to hear an application for the adjournment of the hearing scheduled to begin on Monday, November 19.

2. Mr. Stooshinoff noted that complaints involving many of the same events forming the basis for the complaint filed with the Law Society of Saskatchewan had been filed with the Saskatchewan Human Rights Commission, and that the proceedings under the *Saskatchewan Human Rights Code* had not yet been completed. He argued that proceeding with the hearing of the complaint filed with the Law Society could have a prejudicial effect on the Member's position in relation to the human rights complaints should they proceed to a hearing in the Court of Queen's Bench.

3. Mr. Stooshinoff indicated that he was not asking that the hearing of the Law Society complaint be deferred indefinitely. He asked that it be postponed until June 2019, and undertook on behalf of his client that there would be no further requests for an adjournment, and that his client would waive any argument based on delay in the Law Society proceedings.

4. Finally, Mr. Stooshinoff indicated that he would not be ready to proceed on the now scheduled date of November 19, 2018.

5. Ms. Prisciak said that she had been instructed to oppose the application, but she was reassured by the willingness of the Member to shoulder the risk that the human rights complaints would not be concluded by June 2019, and to establish a fixed time limit for the Law Society proceedings to advance at that time nonetheless.

6. The Hearing Committee has concluded that the request for adjournment of the hearing of the complaint filed by the Conduct Investigation Committee should be adjourned until June 2019. Though we were somewhat taken aback to hear that counsel for the Member is not prepared to proceed on the scheduled opening date for the hearing, we recognize that the allegations in the complaint have serious implications for the Member, and we are of the view that it would be prejudicial to force him to proceed at that time.

7. The Hearing Committee was also influenced by the willingness of counsel on behalf of the Member to establish a time limit for the hearing of the complaint, rather than making an argument for an open-ended adjournment until the human rights proceedings are concluded.

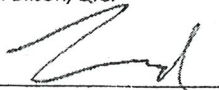
8. Given these considerations, we did not think it necessary to reach any conclusion on the issue of whether the proceedings with respect to the human rights complaints should trump the proceedings being conducted under the auspices of the Law Society. As Ms. Prisciak noted, the issue of whether there is some hierarchy of administrative proceedings is a complex one, and must be decided in the context of each case. Since we have found other reasons that suffice for our ruling, we did not enter into an examination of this matter. We should say in this respect that we did not consult the case authorities listed by Mr. Stooshinoff.

9. In keeping with the undertaking given at this hearing by Mr. Stooshinoff, we will direct that arrangements be made to schedule the hearing of the complaint against the Member in June, 2019.

DATED AT SASKATOON, SASKATCHEWAN, THE 15TH DAY OF NOVEMBER, 2018.



Beth Bilson, Q.C.



Tim McLeod



Ron Barsi