

## UNDERTAKINGS OF GARTH BUITENHUIS

I, **GARTH BUITENHUIS**, a Lawyer of Saskatoon, Saskatchewan, hereby agree to the following Undertakings pursuant to the decision of the Conduct Investigation Committee, made September 1, 2016 and undertake as follows:

### **Law Office Management Review**

1. I will, at any time, at the discretion of the Law Society of Saskatchewan (the "**Society**"), participate with a Law Society Practice Advisor in Law Office Management Review to assess the problems and deficiencies in my practice and come up with a written plan to address and improve or remedy same.

### **Monthly Trust Reconciliations**

2. I will provide a copy of all monthly reporting, including, but not limited to, trust bank reconciliation(s), client trust listing(s), trust journal, and corresponding bank statements (including cheque images) to the Society Auditors within 30 days after the end of the period to which it pertains, **commencing immediately**.
3. I will provide any other information the Society Auditors request under Part 15 of the Rules within 2 weeks of receiving the request. All information provided will be in proper form and with appropriate details and supporting documents.
4. I will work with my Practice Supervisor to ensure the *Rules* and *Code* are being complied with in regard to all trust and general accounts.

### **Practice Supervisor**

5. I will, at my own expense, practice under the supervision of **JACOB WATTERS**, as another practicing member of the Law Society of Saskatchewan (the "**Practice Supervisor**"), and under a Plan of Supervision. Both the Practice Supervisor and the Plan of Supervision must be approved by the Chair of the Conduct Investigation Committee and must comply with the following:

#### **Conflicts and Confidentiality**

- (a) I will ensure that file protection mechanisms are in place to protect against any conflict concerns;
- (b) Upon execution of these undertakings, I will compile a list of all current open files, setting out the name of the client, the file number, area of law and current status of the matter (the "**File List**"), and provide same to the Society;
- (c) If upon execution of these undertakings, I should have a file or files with the Practice Supervisor's Law Firm, I will clearly identify the conflict of interest on the File List;
- (d) Prior to commencing work on a new file, I will request and receive a conflicts search from the Practice Supervisor. If there is a conflict on the potential file, I will not commence work on the file and will refer the matter to another lawyer;

#### **Frequency of Contact**

- (e) I will meet with the Practice Supervisor in person once every two weeks at my office at an agreed upon time. If extenuating circumstances arise that prevent me

from meeting with the Practice Supervisor in person, we will have a telephone conference (or conference via other comparable form of telecommunication, i.e. Teams, Zoom or Facetime) at an agreed upon time;

- (f) After two months under the Plan of Supervision, the Practice Supervisor, in his sole discretion, may determine that the in-person meetings are only required once monthly. If the Practice Supervisor makes such a determination, I will comply with this contact schedule. Such a determination does not prevent the Practice Supervisor from later requiring more frequent in-person meetings, if he determines they are required;
- (g) I undertake to be available should the Practice Supervisor require more frequent contact with me.

### **Member Obligations**

- (h) I agree to cooperate with the Society, the Conduct Investigation Committee, and the Practice Supervisor, keeping the Practice Supervisor apprised of all aspects of my practice;
- (i) Prior to each meeting with the Practice Supervisor, I will update the File List for new and closed files and to describe the current status of each matter (the "**Review List**"), and provide the Review List to the Practice Supervisor. Upon request, I will provide the Review List to the Society;
- (j) Unless by reason of a conflict between myself and my Practice Supervisor, I will not, at any time, deny the Practice Supervisor access to any of my files, whether open or closed;
- (k) Outside of the scheduled in-person (and telephone/video conference attendances), I shall seek the advice of the Practice Supervisor any time a problem or a potential problem arises;
- (l) I will ensure that each file:
  - (i) is in chronological order;
  - (ii) has file materials separated into logical sub-folder (i.e. pleadings, medical information, financial information, correspondence, etc. are separated);
  - (iii) only contain appropriate file material and that I will refile any misfiled material on the correct file;
  - (iv) is clearly and properly identified (i.e. colour-coded by area of law, appropriate file covers and labeled front cover and side tab with appropriate file identifying information);
  - (v) has a file opening sheet;
  - (vi) has proper client identification and verification, if required;
  - (vii) contains records of all telephone attendances with clients or counsel, with dates and appropriate notes made;
  - (viii) contains records of all personal attendances, with date and proper notes made;
  - (ix) contains records of all written correspondence exchanged with clients or counsel, with dates and appropriate notes made;
  - (x) demonstrates I have provided clients with correspondence and relevant material received;
  - (xi) meets any other criteria deemed appropriate by the Practice Supervisor;

### **Meetings**

- (m) At my meetings with the Practice Supervisor, I will:

- (i) review with the Practice Supervisor any files the Practice Supervisor selects from the Review List to ensure I am abiding by my professional responsibilities and obligations, as well as these Undertakings. Which files are reviewed at any meeting will be in the sole discretion of the Practice Supervisor. I will ensure that the Practice Supervisor reviews no less than five files at each meeting;
- (ii) discuss with the Practice Supervisor any and all problems or potential problems that exist on any of my files;

### **Reporting to Law Society**

- (n) In the event that a potential or actual significant problem appears on any file I am working on, I shall provide the details thereof, to the Practice Supervisor, the Society and, if applicable, to the Saskatchewan Lawyers' Insurance Association;
- (o) Upon request, I will provide a periodic report to the Society concerning the progress under the Plan of Supervision. Such reports will provide a level of detail satisfactory to the Society;

### **Retirement**

- 6. I will create a firm timeline for retirement and advise the Society on this timeline, in writing, by March 31, 2026;
- 7. I will put in place a Successor Plan and advise the Society of same by April 30, 2026;

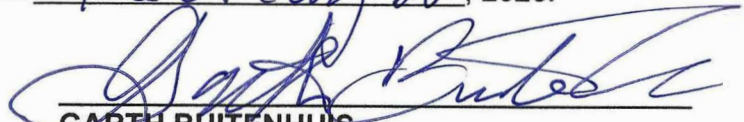
### **Amendments to Undertakings**

- 8. In the event that I wish to amend my approved practice arrangement or Practice Supervisor, I will obtain the prior approval of the Chair of the Conduct Investigation Committee for the amendment. All of the within terms and conditions will continue to apply to such arrangement or Practice Supervisor;
- 9. After the expiry of one year from the date these Undertakings are approved by the Chair the Conduct Investigation Committee, I may apply, with supporting materials, to the Society for consideration by the Chair of the Conduct Investigation Committee for a determination as to whether or not some or all of the conditions or terms of supervision should be continued, be amended, or be removed; and

### **Breach of Undertakings**

- 10. I understand that if I breach any of the foregoing Undertakings I may be subject to discipline by the Society.

DATED at Saskatoon, Saskatchewan, on February 20<sup>th</sup>, 2026.

  
**GARTH BUITENHUIS**  
 Effective March 19, 2026