

**In Search of the Common Denominator -  
Could this be Fasken Martineau's Game Plan??  
Analysis & Informed Intuition**

March 2, 2013

It appears to us that Fasken Martineau has played this game before. The protests and the lawsuits. Funny how the same thing happens every time Fasken Martineau is involved.

There are at least 30 Fasken Martineau lawyers working on "aboriginal law". The stakes are extremely high.

**Names that Come Up**

**1. Neal Slitherman, From Frontenac Ventures to DeBeers**

Fasken Martineau partner, Neal Smitheman, represents DeBeers in its psychological warfare against the Swampy Cree Anishnaabek near its illegal James Bay diamond mine on Anishnaabe Cree territory. DeBeers wants to sue Attawapiskat FN members over a recent blockade to the mine site.

**SHARBOT LAKE**

In 2007, at Sharbot Lake, the show was extra spectacular. The protest was not only phoney but police - led. It was hard to tell the actors from the real people. Living in the community gave us a ring side seat.

A uranium mining exploration company, Frontenac Ventures Corp. FVC needed funds to drill some holes, a very expensive thing to do back in the bush here. They were trying desperately to raise funds on the TSX-V, Toronto Stock Exchange Venture, a sleazy legal scam to raise high risk money from not-so-hip investors like middle class working people who have a little extra money and fancy they'll make more money by investing in mining.

The owner of the company, George White had a cottage not far from a big Indian chief, Harold Perry who was involved in an Algonquins of Ontario AOO land claim. The chief was part of a band that was pretty well all chiefs and almost no indians. One of the other chiefs was OPP narc, Randy Cota, well known for his own brushes with the law. Somehow, a protest led by Cota, was concocted to pretend to fight the uranium mine. Impressive phrases were used like "unceded Algonquin territory" and "blockades".

The two chiefs and a third spokesperson, Robert Lovelace appeared to be running the show.

Frontenac Ventures FVC was represented by Fasken Martineau's Neal Smitheman who was then also representing Platinex who wanted to explore for minerals on Kitchenuhmaykoosib Inninuwug land. KIFN resisted with the usual blockades and media campaigns.

FVC decided to sue some of the Algonquins for \$77 million in lost revenue. Meanwhile the company had only started to dig exploration holes. The price of uranium was skyrocketing due to the flooding of the Cigar Lake Mine in Saskatchewan in October 2006. It would soon stabilize again to a lower figure which made the Frontenac project economically not viable. It is not clear if there was a secret settlement after the lawsuit dissolved. We have no documentation but we must ask questions. What role did Smitheman really play in private meetings with various Algonquin reps like Doreen Davis, Randy Cota et al. Key players seemed to disappear into the sunset after the 100 day protest raged in the media eye.

#### KITCHENUHMAYKOOSIB INNINUWUG

The KI were already engaged in protests when the Sharbot Lake debacle started. Algonquin spokesperson Robert Lovelace, a sly old dude from California, soon took time out to visit them. On whose behalf was he acting?? He whispered in the KI Chiefs ears, fine tuning the protest into a compelling spectacle. The media referred to Lovelace as a "political prisoner". He should've been nominated for an Oscar.

We bluntly ask, "Was Fasken Martineau's Smitheman orchestrating the protests in both communities??" "Was Lovelace some kind of messenger or agent?"

## **2. Tracy Pratt - Platinex and the Sky's the Limit**

Fasken Martineau partner, Tracy has been tagging along with Neal Smitheman for so long she's leading him now. She was with him at Sharbot Lake, representing Frontenac Ventures, at Kitchenuhmaykoosib Inninuwug First Nation, representing Platinex and continues at Wahgoshig First Nation representing Solid Gold Resources. All three corporations were or are in the exploration stage where they needed startup money. In every case there has been some kind of feeble protests, so-called blockades, media attention and ridiculous court performances. The end result is always a big payoff to the corporatists and their minions and no mine, at least for the time being.

"Blondie" Pratt counsels De Beers against the Attawapiskat Anish. Fasken Martineaux' web site describes her,

*"Tracy also has significant experience in the growing area of aboriginal law. Her expertise includes litigation arising out of blockades, work stoppages and occupations, including injunctions and contempt proceedings. Tracy advises industry and corporate clients (particularly exploration/mining companies and municipalities) respecting aboriginal and treaty rights, government obligations and the nature, scope and requirements of the duty to consult. She has participated in various consultation tables, mediations and negotiations among industry, First Nation communities and government. She has drafted and negotiated exploration, impact and benefits and similar agreements. Tracy was co-counsel in the Platinex Inc. dispute that recently resulted in a \$5 million settlement paid to Platinex by the government."*

In the Platinex case,

*"the Ontario government has [agreed to] pay Platinex Inc. \$5-million. In return, the Toronto-based exploration company will drop its lawsuit against the province and the Kitchenuhmaykoosib Inninuwug First Nation and surrender all of its mining claims near Big Trout Lake...In addition to the financial payment, Platinex would also receive royalties totalling 2.5 per cent of mining revenues if the province issues new exploration claims and a mine is developed on the property in the next 25 years."*

And that's just the part that went public. Do Tracy Pratt and other Fasken Martineau lawyers own shares in companies they work for??

It is our strong suspicion as local observers that Frontenac Ventures got an undisclosed payoff from the Ontario government while other actors got various payoffs. If we don't have the documentation, how can we prove it?? Meanwhile, the ripoff continues. Somebody knows something. How can these people sleep at night??

Tracy "Dollar Signs in her Eyes" Pratt is becoming more and more of a mouthpiece of mining corporations. In a Wall Street Journal article, she is quoted, *"This is a political, legal and practical issue that is big and getting bigger,"* says Tracy Pratt, speaking about Indigenous resistance to mining projects.

The article also reveals to its American readers, *"After bypassing indigenous peoples in Canada, who inhabit some of the richest lands in the world, mining companies increasingly*

*are realizing that they can't just hand out blankets and begin drilling. That is creating frustrations among some miners who believe that their commercial rights are being subverted to aboriginal rights, adding cost and inconvenience.*

*"The companies are under new pressure to comply with a 2004 Supreme Court of Canada ruling giving the country's aboriginal peoples the right to review land-use decisions by mining companies that might affect their legal right to harvest, hunt and fish on lands they don't own. Mining companies say the best strategy is to avoid court battles by getting aboriginal groups to agree in writing to mining projects before drilling begins."*

DeBeers is now considering suing the people at Attawapiskat.

Some people figure that if the people at Attawapiskat have no money, then there's no point in suing them. It's not that simple. Like all band councils, Attawapiskat First Nation is a corporation. It can be sued for the entire rez. Attawapiskat also got a special trust fund when De Beers transferred \$10.5 million to the fund in January 2011. DeBeers wants to expand their Victor Mine so they would love to get the money back from this "junior partner". Talk about "indian giver".

Our suspicion is that Theresa Spence et al are in way over their heads. Hunters, beware when a trap is being set for you.

### **3. Charles "Chuck" Willms, Delgamuukw and Gustafsen Lake**

We can go even further back to the 1990's and the famous case of Delgamuukw. This sovereignty/jurisdiction matter is still not settled due to the corruption of individuals like Gordon Sebastian who along with other collaborators, set up the Gitksan Treaty Society GTS and signed deals with Enbridge.

Sebastian is a BC lawyer, a Gitksan political leader and was also a member of the Shuswap Liaison Group which was working with the RCMP to effectively obtain the surrender of the Ts'Peten Defenders during the 1995 siege of sacred burial and Sundance grounds at Gustafsen Lake.

Chuck Willms, now a Vancouver-based partner at Fasken Martineau, has long been involved in the legalized ripoff of Indigenous lands and resources and the destruction of Indigenous sovereignty, culture and people. According to a 1997 interview with lawyer, Bruce Clark,  
*"One of the other participants in the June 16-17th SCC Delgamuukw*

hearings was an R.C. Willms. He was representing an intervener - Repap Carnaby which is a BC forest products multi-national. [BC's then NDP Forests Minister Dan Miller was connected to this company and was on leave of absence from it while acting as Minister.] When we attended a hearing in the BC Court of Appeal a week later, lo and behold there was Mr. Willms representing the Province of British Columbia against traditional-sovereignist Harold Pascal of the Lil'Wat Nation who is a client of yours. Is this a common practice?

"Clark: This is a grotesque conflict of interest. But not only did Mr. Willms appear as counsel against Mr. Pascal, in the Gustafsen Lake trial he was brought in to address Shuswap elder Wolverine's objection to court jurisdiction. He was the ringer brought in to speak for the BC Attorney-General. [Wolverine was denied Clark - his counsel of choice - and was forced to argue against Willms unaided.]"

In his monumental autobiography, Dacajeweah describes how Canadian judges, politicians, law enforcement, military and media conspired to destroy Indigenous resistance. "Dac" writes, "...It is our duty to critique the real conspiracy of the Crown prosecutors and judges in the Gustafson Lake trials, and to expose the cover-up of the federal government's involvement in ordering the Canadian forces to violate their own mandate and rules of engagement...De Chastelain was one of the Canadian Generals that condoned the ramming of the red truck with an 18 ton APC, installation of trip wires for defective explosives and Government approved use of the JTF 2 against Indians in an undeclared, illegal war at Gustafson Lake...The attorneys for the sellouts...were only too eager to assist the Crown Attorneys and Judge in the larger cover-up..."

"The Fact that Judge Josephson refused to allow any witnesses to testify for the Federal Gov, and only a couple of military soldiers were called by the Crown to give testimony on one of their selective incidents against Wolverine, proves that he was orchestrating the cover up with high level backbenchers and his intimidating tactics mean absolutely nothing to me. We still assert the Crown has no jurisdiction in our unsundered territories."

## **Worth More than Diamonds and Gold**

The Attawapiskat Anishnaabek and all Swampy Cree are vulnerable to encroachments worse than diamond mining. It's about the

water. Drought in the USA is becoming more and more widespread. It's only a matter of time before the price of and demand for water is such that the Grand Canal water diversion will begin. The project will change the course of rivers flowing into James Bay where communities like Attawapiskat, Kashechewan, Fort Albany and Moosonee are located. US military planners have been preparing for it for decades.

Though adept traders from early contact, Swampy Cree original people do not have a big military history. There is little in our relatives' culture that prepares them for warfare. Swampy Cree Anishnaabek are some of the most peaceful and polite people on Mother Earth. Their tendency is to disperse out onto the land to wait it out for a better day. This does not suit the corporatist agenda.

If DeBeers cannot provoke resistance, they may very likely create a pretext. Watch out people. Study the paper trail, especially where it involves money. Who is manipulating you into a desperate corner??

Wouldn't the emails between Tracy Pratt and Theresa Spence be interesting?

#### **4. "MainMan" Raymond Chretien and the NWO**

Fasken Martineau senior advisor is none other than global governance advocate, "MainMan" Raymond Chretien. A Canadian representative at the Trilateral Commission, he had a long career with the Canadian Gov, mostly at External Affairs, was an ambassador to several different places including in Africa where he would be in a very good position to get his palm greased. Who would be the wiser?? Ray is a busy lawyer. He represented the Canadian Gov against the James Bay Cree already. He knows all the ins and outs of government and the law. His uncle is the better known cretin, former Prime Minister of Canada, Jean Chretien.

"Dac" says this about Jean, *"Chretien knew that it was only a matter of time before his covert war at Gustafsen Lake would surface, and instead of defending Indian rights according to international law, he chose to rattle his saber in his secret war room, to the applauses of Louise Flechette, Dave Collenette, Lloyd Axworthy and Alfred E. Newman."*

## 5. Howie Hampton SleepWalks

Speaking of politicians, former Ontario NDP leader Howard Hampton is now practising Aboriginal Law at Fasken Martineau too. He's part of the Toronto squad along with Pratt and Smitheman. If phoney sympathy is called crocodile tears, what is the word for phoney indignation?? After bashing Platinex at Queens Park, Howie moved on to the very same law firm that represents Platinex.

We're talking about some of the world's biggest bigshots who are zooming in on little communities like Attawapiskat who always seem to be in dire straits. The public is torn, some sympathetic about horrific living conditions, some ashamed and some always finding a way to blame Indigenous. Anti Indigenous sentiment is growing.

### DEBEERS

Evidently, the big boys at DeBeers like Cynthia Carroll and Brian Beamish (both also at Anglo American), lawyer Bruce Cleaver, formerly a partner at Webber Wentzel and Canadian politicians like Tim Hudak, Charlie Angus and Gilles Bisson have no conscience about what they are doing, how they are robbing and destroying other people. They think they know what is best for everyone. They think their ideas and plans for development are the best possible outcome. They can't hear that we think differently.

Why do we want to let them dig up our territories, the last unspoiled areas so that rich people in China and India can have nice jewellery?? What good does this do for us?? especially in the long run? The diamonds won't last forever. And then what?? You can't eat money.

To top it all off, now the very same Fasken Martineau with over 700 lawyers in its cabal, has merged with a major South African lawfirm, Bell Dewar, gaining close to another 80 legalist snipers. It appears that mergers in law firms are very fashionable these days. The big just want to keep on getting bigger and fatter. How much longer can things go on like this??

DeBeers has more than a century long history in South Africa and Rhodesia (now Zimbabwe) where they mine out diamonds. Yet African people are mostly living in poverty. The big boys always like to blame the people they rob, displace and murder. How much longer can the pillage and plunder continue?? In many places in the world, people are taking great risks to resist the development. It isn't always about simply getting our share.

Sometimes the projects are just not worth it in terms of destruction to the land, water, air and the future generations. The mine sites are always so ugly. Why isn't beauty more a consideration from beginning to end??

#### Our Final Rant

Now we've got Ezra Levant interviewing Neal Smitheman on Sun News. The two old buddies discuss DeBeers' court-ordered injunction being ignored and the political bias of the OPP not enforcing the law. Is Neal working so very hard to inflame the conflict at Attawapiskat because he owns some big shares in DeBeers???

"Toxic Mouth" Ezra is totally onside with the OPP moving in to "remove this rag tag band of 6 unarmed ...bozos...6 hobos...why hasn't OPP moved them??"

It's pretty ugly! These guys are completely out of control. Smitheman agrees with Ezra, "Who is the victim here...DeBeers the sacrificial lamb??" As F\*\*cking if!!!

The legal system is so far out of hand that many people despair of ever finding justice. How many people simply don't want to be manipulated anymore?

Violent criminals are free to jet around the globe. Innocent people are locked away for petty victim-less crimes. One or two people live in a huge magnificent house while many intelligent, sensitive people are homeless. Families are packed into tiny houses where children are vulnerable to sexual predators who were themselves victims of church and state.

Now, as if we haven't lost all our innocence, we have to ask whether protests are real or staged!!! We have reviewed some of the historical and current events in search of a common denominator. We are confident that many people are eye witness to corruption in many places. The time for full disclosure is now.

Kittoh

#### Some Notes and Sources

From the Eagle Watch #301  
The Quickening and Idle No More January 16, 2013  
<http://www.storm.ca/~kittoh/QuickeningINM.pdf>

Inspiring Native Music:

Shebastik "The Artist Carries the Dream through Times of Great Adversity"

Hand Drum

<http://www.youtube.com/watch?v=fitQApqKceE>

Ontario settles long-running land-claims dispute

karen howlett

Globe and Mail Monday, Dec. 14, 2009

<http://kilands.org/2011/10/24/platinex-surrenders-claims/>  
Platinex Surrenders Big Trout Lake Claims

Ezra Levant interviewing Neal Smitheman on Sun News:

<http://cnews.canoe.ca/CNEWS/Canada/2013/02/21/20598001.html#>

Here's another Sun report:

<http://cnews.canoe.ca/CNEWS/Canada/2013/02/24/20604281.html>

IT'S A FAMILY TRADITION

Fasken family has been involved in the colonial experiment for well over 125 years. David Fasken was called to the bar in 1888 in Ontario. He worked with some of the originals like Cassels, Beatty and TreatyMan, Alexander Morris.

[http://biographi.ca/009004-119.01-e.php?id\\_nbr=8129](http://biographi.ca/009004-119.01-e.php?id_nbr=8129)

1921-1930 (Volume XV) FASKEN, DAVID, ...Fasken's entrepreneurial spirit also placed him in the front rank of financiers determined to tap the mineral and recreational potential of the Precambrian Shield in "New Ontario." During the construction of the Temiskaming and Northern Ontario Railway in 1903, silver was discovered at Long (Cobalt) Lake. A stampede followed and a town sprang up, but despite the promise, Canadian banks by and large refused finance. The following year Fasken acted quickly with Ellis P. Earle and other New York investors to form the Nipissing Mining Company Limited, which acquired claims covering 846 acres at the centre of the camp. For many years Nipissing's president and a director, Fasken was, as well, a director and substantial shareholder of La Rose Consolidated Mines Limited and Trethewey Silver-Cobalt Mine Limited. In 1909 the Montreal Daily Star listed him among the 17 Canadians and 8 Americans whom Cobalt had turned into millionaires.

Fasken Martineau is a leading international business law and litigation firm. With more than 770 lawyers, the firm has offices in Vancouver, Calgary, Toronto, Ottawa, Montréal, Québec City, London, Paris and Johannesburg.

Fasken Martineau lawyers in Aboriginal Law  
<http://www.fasken.com/en/lawyers/List.aspx?AdvancedServices=9daced8a-592b-46e0-8146-7397af44ab6f>  
Aboriginal Law

Pierre B. Meunier is a partner and strategic advisor at Fasken Martineau. He's the guy who knows how to do damage control and take the teeth out of enviro legislation. He's represented corporations against Indigenous many times over. He was Deputy Minister of the Environment in Quebec. How much you wanna bet he had a hand in the twisted mega deals over James Bay Hydro.

The Autobiography of Dacajeweah/Splitting the Sky/John Boncore Hill, From Attica to Gustafsen Lake: Unmasking the Secrets of the Psycho-sexual Energy and the Struggle for Original Peoples' Title with Iskwatem Ekanawetak/She Keeps the Door/Sandra Bruderer"

Who Rules South Africa? An Anarchist/Syndicalist Analysis of the ANC, the Post-Apartheid Elite Pact and the Political Implications by Lucien van der Walt; Zabalaza: a journal of southern African revolutionary anarchism, no. 13, pp. 7-13  
<http://lucienvanderwalt.files.wordpress.com/2013/02/van-der-walt-who-rules-south-africa-anarchistsyndicalist-analysis-of-anc-post-apartheid-elite-pact-implications.pdf>

<https://response.fasken.com/rs/vm.ashx?ct=24F76F18D7E14EA9CCDD89ACD32B9719D8F255B2DF8E0BD15EE5636069FFCB1CDB7A3A9C6>  
Friday, February 1, 2013  
Fasken Martineau completes merger with leading South African law firm Bell Dewar

<http://business.financialpost.com/2013/02/01/fasken-martineau-completes-south-african-merger/>  
Fasken Martineau completes South African merger  
Julius Melnitzer | Feb 1, 2013 1:35 PM ET

Another much earlier merger:  
<http://www.thelawyer.com/montreal-merger/94914.article>  
Montreal merger 17 February 1998

[http://en.wikipedia.org/wiki/Fasken\\_Martineau](http://en.wikipedia.org/wiki/Fasken_Martineau)  
Fasken Martineau

[http://www.youtube.com/watch?v=zrYsBvs\\_Whk&feature=em-share\\_video\\_user](http://www.youtube.com/watch?v=zrYsBvs_Whk&feature=em-share_video_user)

NDP Leader Howard Hampton on mining rights for Platinex

<http://www.youtube.com/watch?v=bBHzuFSUnm0>

Free Bob Lovelace and the KI 6: Ryerson Rally - April 9 '08

<http://www.youtube.com/watch?v=kgYdMqzzrEU>

Canadian Political Prisoner Robert Lovelace

<http://www.fasken.com/en/neal-smitheman/>

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<http://gitxsanagainstenbridge.com/pages/background>

<http://www.gitxsangc.com/images/uploads/GTS%20petition%20G%20Sebastian%20affidavit.pdf>

p.15 lists board of directors for GTS