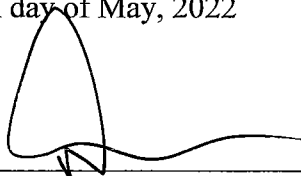


This is Exhibit "SS" referred to in the affidavit of
Vivian Krause sworn before me at Vancouver, B.C.
this 20th day of May, 2022

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line and a small flourish.

A Commissioner for taking Affidavits within British Columbia

Alan A Frydenlund, QC**
Harvey S Delaney*
Paul J Brown*
Heather E Maconachie
Michael F Robson*
Paul A Brackstone* *
Pamela E Sheppard*
Jocelyn M Bellerud*
Heather A. Frydenlund**
Georgia Barnard
Yasmin D'Costa

Allison R Kuchta*
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Patrick J Haberl*
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James H McBeath*
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Brian Y K Cheng***
Lucky D Johal

Jeffrey B Lightfoot*
Christopher P Weafer*
Gregory J Tucker, QC** ** **
Harley J Harris*
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Scott H Stephens*
David W P Moriarty
Katharina R Spotzl*
Steffi M Boyce
Brittney S Dumanowski

Daniel W Burnett, QC*
Ronald G Paton*
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Daniel H Coles* *
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Rose-Mary L Basham, QC, Associate Counsel*
Josephine M Nadel, QC, Associate Counsel*
James D Burns, Associate Counsel*
Duncan J Manson, Associate Counsel*
Hon Walter S Owen, OC, QC, LLD (1981)
John J Bird, QC (2005)

* Law Corporation
* Also of the Yukon Bar
** Also of the Alberta Bar
*** Also of the Ontario Bar
** Also of the Washington Bar

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Our File: 33554/0001

May 6, 2021

VIA ELECTRONIC MAIL

Allen/McMillan Litigation Counsel
1550 – 1185 West Georgia Street
Vancouver, BC V6E 4E6

Attention: Greg J. Allen

Dear Sirs/Mesdames:

Re: Vivian Krause and Scott Cousens

We have had an opportunity to review the complaint set out in your letter of April 21, 2021 on behalf of Scott Cousens.

The highly publicized claim that your client made a \$23 Million “donation” to the Fortius Foundation is contradicted by the documents Ms. Krause has unearthed. Those documents show the Foundation was begun with a loan of about \$17M loan, not any \$23M donation. For over a year, Ms. Krause has been requesting an explanation and any documents to the contrary. In my email to you of April 29, 2021 I repeated the request. No explanation or documents have been provided, suggesting there is none. If there are, Ms. Krause has throughout been willing and remains willing to publicly correct the record.

Until then, the best information indicates the claim of a \$23M donation was false or deceptive. A person could and Ms. Krause does honestly hold the view that it is a sham, a scam and a fraud.

More broadly, the three charities involved with funding Fortius Sport & Health Centre (New Dimensions Foundation, Fortius Foundation and Imladris Foundation) have, according to tax filings, been the recipient of some \$109M in tax-receipted donations and charitable gifts from various entities which are connected to Mr. Cousens as he or his family or associates are directors. However, if this money had actually gone to the Foundation as a gift, it would be difficult to understand why the Foundation required a high interest loan or why in 2020 the Foundation was some \$24M in debt. Again, Ms. Krause has been requesting an explanation and supporting documents for over a year. Again, she would be happy to correct the record if such were provided. Again, her honest view on the information she has unearthed and in the absence of an explanation from your client, is that these “gifts” are a deception, a scam, a sham and a fraud.

May 6, 2021
Page 2

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Why would your client, instead of simply producing such documents, threaten litigation in which they will be compelled in any event? That only makes sense if the purpose of threatening litigation is really to silence Ms. Krause.

Until a satisfactory explanation for what appear to be deceptive claims of donations and gifts is forthcoming, Ms. Krause will not be apologizing. We have instructions to accept service of Notice of Civil Claim from your client. In response, he can expect an anti-SLAPP motion for dismissal as well as full indemnity costs and damages against him.

Yours truly,

Owen Bird Law Corporation

A handwritten signature in black ink, appearing to read 'Daniel W. Burnett', with a large, stylized initial 'D' and a long, sweeping horizontal stroke extending to the right.

Daniel W. Burnett, Q.C.
DWB/chc

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Our File: 33554/0001

May 19, 2021

VIA ELECTRONIC MAIL

Allen/McMillan Litigation Counsel
1550 – 1185 West Georgia Street
Vancouver, BC V6E 4E6

Attention: Greg J. Allen

Dear Sirs/Mesdames:

Re: Vivian Krause and Scott Cousens

Thank you for your letter of May 12, 2021 with CRA documents attached. While we appreciate you compiling these, our client already had them, and they form part of the documentation that have given rise to her concerns about whether any \$23M actually changed hands. The New Dimensions return specifically identifies the \$13,000,500 as non-cash (last page), and the \$4,885,000 as “enduring property”. The Elysium return refers to a \$2,401,000 receipted donation that charity shows same amount as a receivable, not an asset. What has Mr. Cousens actually parted with in return for these very large tax receipts?

Our client remains dedicated to getting to the bottom of this matter and is happy to publish the truth, regardless of whether it vindicates what appears or whether documents to be produced show otherwise. The problem is that the documents are far from what would be needed for our client to publish – as you request – an unequivocal statement confirming your client’s version. Please provide us with the financial statements for all three charities for 2008 forward.

We also ask that you cut out the inflammatory rhetoric. Our client has been requesting this material since the start. If this was a case of genuine philanthropy, as opposed to an exercise in generating tax deductions, it is difficult to imagine why your client is reluctant to provide the



May 19, 2021

Page 2

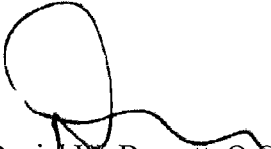
information to clear that up. Meantime, it does not lie in his mouth to deny information and then call Ms. Krause reckless for not having it.

A last and point, just to correct a typo: I noticed that our prior letter referred to \$109M, which should have said \$106M.

We look forward to hearing from you regarding the financial statements.

Yours truly,

Owen Bird Law Corporation

A handwritten signature in black ink, appearing to read 'Daniel W. Burnett', with a large, stylized initial 'D' and a long, sweeping horizontal line extending to the right.

Daniel W. Burnett, Q.C.
DWB/chc

From: Daniel W. Burnett dburnett@owenbird.com
Subject: FW: Letter to Scott Cousens
Date: June 15, 2021 at 3:44:39 PM
To: Greg Allen greg@amlc.ca

Greg,

My client continues to seek and be open to information regarding transactions she is researching. Attached is a letter from her to your client and others, which I am copying to you so it is no surprise.

Ms Krause. does not have a current email for Mr. Cousens, and is sending his copy to a physical address and also to him via this email through counsel. Kindly forward these to him. Could you please provide Mr. Cousens' email to save on the need for that in future? I would communicate with only you of course but our clients are free to communicate with each other directly.

As to the other discussions we were having, it was left with our client's request for financial statements and remains unanswered. Our client remains keen on uncovering and publishing the truth. It is difficult to understand why Mr. Cousens would not want to assist in that effort if he indeed made a true gift of \$23M.

Dan Burnett, QC

Owen Bird Law Corporation

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