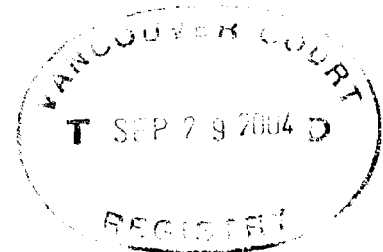
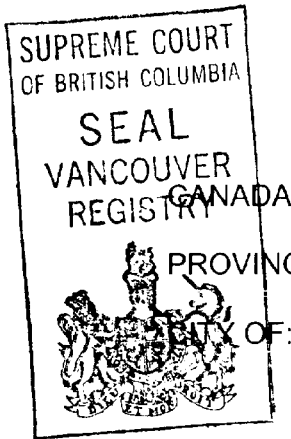


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FORM 1

INFORMATION TO OBTAIN A SEARCH WARRANT
(Pursuant to Section 487 of the Criminal Code)



PROVINCE OF: British Columbia
CITY OF: Vancouver

This is the Information of:

Corporal Andrew Thomas Cowan

A member of the Royal Canadian Mounted Police, Peace Officer, of the City of Victoria, in the said Province of British Columbia, hereinafter called the "informant", taken before me, the undersigned Judge in and for the Province of British Columbia.

The informant says that indictable offences have been committed, namely,

THAT, on or between April 01, 2002 and December 31, 2003, at or near Victoria, British Columbia, Udhe Singh BASI, being an official, specifically a Ministerial Assistant for the Minister of Finance, Provincial Government of British Columbia, did accept from Erik BORNMAN, for himself a benefit, to wit in connection with a matter of business relating to the government, contrary to Section 121(1)(a) of the *Criminal Code* of Canada.

THAT, on or between April 01, 2002 and December 31, 2003, at or near Victoria, British Columbia, Udhe Singh BASI, being an official, specifically a Ministerial Assistant for the Minister of Finance, Provincial Government of British Columbia did commit a Breach of Trust in connection with the duties of his office, contrary to Section 122 of the *Criminal Code* of Canada.

The informant says that recovery of the following things at TD Canada Corporate Security and Investigations Department, TD Bank Financial Group. [REDACTED] will afford evidence with respect to the commission of the above offences and that the informant has reasonable grounds for believing the said things, or some part of them are at the location set out:

- (a) Documents relating to cheques written by Erik BORNMAN (Pacific Public Affairs Group) and deposited to TD Bank accounts held by Aneal BASI [REDACTED]
- (b) Documents relating to transfers of funds between the TD Bank accounts of Aneal BASI and David BASI held in the TD Bank accounts of Aneal BASI [REDACTED] between the dates of May 2002 to January 2004.

I: GROUNDS FOR BELIEF:

That I, Corporal A.T. COWAN, am a Peace Officer and Regular Member of the Royal Canadian Mounted Police, hereinafter referred to as the RCMP. My current duties are with the Commercial Crime Section, Victoria, BC. I have personal knowledge of the matters hereinafter save and except where on information received, in which case I believe this information to be true.

II: SYNOPSIS:

1. That based on the information detailed in this Information to Obtain, I believe the following is an accurate synopsis of this complex and ongoing investigation.
2. That on or about October 07, 2003, I became actively involved in RCMP Island District Drug Section investigation identified as Project "Everywhichway", hereinafter referred to as the Project. My Project duties were the monitoring of telephone intercepts relating to named target Udhe Singh BASI.
3. That Udhe Singh BASI (B:1966-08-07) is also known as, and referred to in the investigation as David BASI or Dave BASI (hereinafter referred to as "BASI") by targets, friends, family and associates. BASI was, at the investigations onset, a Ministerial Assistant, Ministry of Finance, Provincial Government of BC.
4. That BASI was an identified person named in a Part VI Authorization (P. 67/2003 and P.73/2003, Vancouver Registry) for the period of October 13, 2003 to December 11, 2003. These Authorizations included BASI's residence, BC Government office, and BC Government cellular telephones, as well as BASI's home computer internet account. BASI's business telephone number could not be intercepted due to technical problems. These Authorizations included several other identified targets and relate to investigations in the following alleged criminal offences: drugs, proceeds of crime, conspiracy and breach of trust.

5. That the criminal investigation of BASI initially concerned proceeds of crime and corruption.
6. That during the investigation, Erik BORNMAN (B:1976-05-20), hereinafter referred to as BORNMAN, an associate of BASI's became a person of interest. BORNMAN is a partner with a Victoria and Vancouver based lobby firm known as Pilothouse Public Affairs Group, hereinafter, and commonly referred to as Pilothouse. He had contact with BASI and received information and documents from BASI in exchange for payments which were made to Aneal Basi for forwarding to BASI.
7. That during the investigation, Aneal BASI (B:1980-11-15) became a person of interest. Aneal BASI is the cousin of BASI and is employed by the Provincial Government of British Columbia as a Public Affairs Officer, Ministry of Transportation.
8. That this Information to Obtain a Search Warrant pertains to items and grounds for belief based on Aneal BASI's involvement in the passage of funds from Erik BORNMAN to BASI. These funds were in the form of cheques written to Aneal BASI, deposited to the account of Aneal BASI and it is believed, dispersed to BASI as part of the arrangement with Erik Bornman.
9. This Information to Obtain arises from evidence recovered from search warrants executed on July 22, 2004 (the supporting Information to Obtain dated July 22, 2004 has been attached as Appendix 1) and August 04, 2004 (the supporting Information to Obtain has been attached as Appendix 2). Both search warrants were executed on TD Canada Trust and relate to the accounts of Aneal BASI.
10. That information received during this investigation pertaining to Aneal BASI and BASI has been the result of intercepted telephone conversations, open source inquiries, interviews and investigation from reviewing documents.
11. That due to the complexity of the investigation and the Project, facts are still being gathered.

III: OFFENCES:

12. That, I believe that criminal offences pursuant to Sections 121(1)(a), 121(1)(e) and 122 of the Criminal Code of Canada have occurred.
13. That pursuant to Section 121(1)(a) of the Criminal Code of Canada, I believe that:

- a. BASI is an official as defined by Section 118 of the Criminal Code of Canada;
14. That pursuant to Section 122 of the Criminal Code of Canada, I believe that:
- a. BASI is an official, as defined by Section 118 of the Criminal Code of Canada;

IV: AUTHORIZATION TO INTERCEPT COMMUNICATIONS:

15. That unless otherwise stated, all Authorizations referred to were granted at the Vancouver Registry by Associate Chief Justice DOHM:
- (c) Authorization P. 32 was granted and valid for the period from and including June 17, 2003, up to and including August 15, 2003. BASI was not a named target in this investigation.
 - (d) Authorization P. 53/2003, Vancouver Registry, was granted by Justice PITFIELD and was valid for the period from and including August 15th, 2003, up to and including October 12th, 2003. Authorization P.53/2003 resulted in BASI being named as a main target and subject of an Authorization identified as P. 67/2003, Vancouver Registry, hereinafter referred to as P. 67.
 - (e) Authorization P. 67 was granted and valid for the period from and including October 13, 2003 up to and including December 11, 2003. Authorization P. 67 was amended and replaced by Authorization P. 73/2003, Vancouver Registry, hereinafter referred to as P. 73.
16. Authorization P. 73 was valid for the period from November 07, 2003, up to and including December 11, 2003 and allowed interception of BASI's communications at:
- i. [REDACTED] Residence of BASI, [REDACTED]
 - ii. [REDACTED] Cellular telephone of BASI, subscribed to by Ministry of Finance
 - iii. [REDACTED] Business telephone of BASI, subscribed to by Ministry of Finance

- iv. [REDACTED] email address of BASI at the residence of [REDACTED]

V: SOURCES OF INFORMATION:

17. That Erik Bornman is a witness in the investigation. Mr. Bornman has provided the RCMP with information with respect to this investigation which I believe to be true and correct.
18. That Pierre Mcconnell is an employee with TD Canada Trust Bank. Mr. Mcconnell's specific duties are that of Corporate Security. I believe information provided by Mr. Mcconnell to be true and correct.
19. That Sgt. Ray Harriman is a member of the Organized Crime Agency of BC (OCA BC). Sgt. Harriman is part of Project Everywhichway tasked with duties relating to Proceeds of Crime (IPOC) with respect to BASI and the associated drug targets of the Project. I believe information provided by Sgt. Harriman to be true and correct.
20. That Cst. Chouinard is a member of the RCMP and part of Project Everywhichway with duties relating to Proceeds of Crime (IPOC). I believe information provided by Cst. Chouinard to be true and correct.
21. That Cst. Reece is a member of the RCMP and part of Project Everwhichway with duties relating to Proceeds of Crime (IPOC). I believe information provided by Cst. Reece to be true and correct.

VI: BANKING RECORDS:

22. That when referring to bank accounts in this Information to Obtain, unless otherwise stated, all accounts are held by TD Canada Trust, also referred to as TD Bank.
23. That all documents held by TD Canada Trust are stored in the care of Pierre Mcconnell of TD Bank Corporate Security, located at 1055 Dunsmuir Street, 8th Floor, Vancouver, BC, V7X 1P3.

VII: BREACH OF TRUST OFFENCES:

24. That on December 28, 2003, members of the RCMP Commercial Crime Section executed a series of search warrants in relation to this investigation. One of the locations searched was the residence and home office of Erik BORNMAN and Pilothouse Public Affairs Group (Vancouver).
25. That during this search, a number of cheques and cheque stubs payable during 2003 from Erik BORNMAN and his company, Pacific Public Affairs

Corporation were located. These cheques were payable to Aneal BASI for "Contract Writing Services".

26. That from the investigation and information received, it has been determined that Erik BORNMAN was writing cheques payable to Aneal Basi, which would be given by Erik BORNMAN to BASI. The funds were provided by Bornman to Basi for Basi's assistance in referring clients and his assistance on matters of government business.
27. Returned cheques not seized by the RCMP in December of 2003 were turned over by Erik BORNMAN to RCMP investigators in May of 2004.
28. That a review of the cheque stubs and cancelled cheques written by Erik BORNMAN showed that the monies were deposited into a TD Canada Trust bank account, identified by number [REDACTED]. This account was determined to be held in the name of Aneal BASI. Aneal BASI is the cousin of BASI and a BC Government employee. Further investigation and review of the cheques payable to Aneal BASI demonstrated a pattern of corresponding deposits or transfers into the accounts of BASI immediately or shortly after a cheque to Aneal BASI was written and cashed into TD Canada Trust [REDACTED]
29. That on March 24, 2004, when spoken to by Commercial Crime investigators, Aneal BASI declined to be interviewed.
30. That as part of the investigation, Commercial Crime investigators were granted a Search Warrant on July 22, 2004 for the bank account [REDACTED] held by Aneal BASI at TD Canada Trust.
31. That on July 22, 2004, Cpl.. Cowan executed the Search Warrant at TD Canada Trust Corporate Security located at [REDACTED]
32. That upon executing the search warrant, Cpl. Cowan reviewed the account statements and the account holder information received from Pierre MCCONNELL of TD Canada Trust Corporate Security.
33. That the information therein led investigators to obtain an additional search warrant for a second bank account held in the name of Aneal BASI. This search warrant was granted by Associate Chief Justice DOHM and was executed on August 04,2004.
34. That the evidence recovered from the two search warrants dated July 22, 2004 and August 04, 2004 respectively, issued by Associate Chief Justice DOHM, was reviewed by me. Based on this review of banking records from TD Bank accounts held by Aneal BASI [REDACTED]

specific information on deposits and transfers both in and out of the accounts was requested from TD Bank Security Officer Pierre Mcconnell.

35. That on September 14, 2004, I viewed documents seized by IPOC investigators from a bank account held by BASI. This evidence supports the witness testimony about money paid to BASI via Aneal BASI supplied to investigators by Erik BORNMAN as well as other bank documents seized and reviewed. These documents were cheques written as payable to BASI by Aneal BASI:
 - a) #005 dated December 20, 2002 in the amount of \$2000
 - b) #009 dated April 28, 2003 in the amount of \$3000
 - c) #011 dated June 10, 2003 in the amount of \$1990
 - d) #012 dated June 16, 2003 in the amount of \$2000
 - e) #014 dated July 17, 2003 in the amount of \$1500
 - f) #015 dated August 20, 2003 in the amount of \$1500
 - g) #016 dated September 11, 2002 in the amount of \$4500
36. That on September 14, 2004, I spoke with both Sgt. Harriman and Cst. Chouinard of IPOC in relation to the bank accounts of BASI and Aneal BASI. I was advised that the bank records requested relating to Aneal BASI had been inadvertently provided by TD Bank to IPOC investigators as part of a large Search Warrant on the accounts held by BASI.
37. Cst. Chouinard advised me that the documents relating to Aneal BASI's accounts were noted and immediately sealed in an envelope, being taken into the care of Cst. Reece (IPOC).
38. That in speaking with Cst. Reece, he advised me on September 03, 2004 he executed a Search Warrant on TD Bank regarding accounts in the name of BASI, and served same on Diane Johnson of TD Bank Corporate Security. Cst. Reece advised me that he briefly examined the large package of documents containing several hundred documents without realizing that the approximately two dozen regarding Aneal BASI related to the Commercial Crime investigation.
39. Cst. Chouinard advised me that the documents relating to Aneal BASI were to the best of her knowledge:
 - a) Cheques from Erik BORNMAN and Pacific Public Affairs Group;

- b) Banking documents regarding account transfers from Aneal BASI to BASI; and
 - c) Some account statements or information relating to the account of Aneal BASI.
40. On September 14, 2004, I spoke with Cst. Reece and requested that he deliver the separated documents believed to hold account information regarding Aneal BASI, back to TD Bank security officer Pierre Mcconnell.
41. On September 14, 2004, I spoke with Pierre Mcconnell of TD Bank Security. I was advised that a large document request package was received by TD Bank Security as part of the Commercial Crime and IPOC investigations, specifically the accounts of BASI (IPOC) and the accounts of Aneal BASI (CCS). Pierre Mcconnell advised me that IPOC executed their search warrant prior to him being able to search the documents and separate any of the items relating to Aneal BASI, should they have been contained. Pierre Mcconnell advised me that upon receiving the documents back from Cst. Reece, he would review the package and confirm that these were the documents sought by Commercial Crime Investigators.
42. That Pierre Mcconnell confirmed that once the documents were received back, they would be held at TD Canada Corporate Security and Investigations Department, TD Bank Financial Group. 1055 Dunsmuir Street, 8th Floor, Vancouver, BC, V7X 1P3.
43. That Cst. Reece delivered the document package to Pierre Mcconnell personally on September 15, 2004 in Vancouver, BC.
44. That based on my conversations with Sgt. Harriman and Cst. Chouinard, I believe the documents delivered to, and now held by Pierre Mcconnell, are relevant to the Commercial Crime Investigation and are located at TD Bank Corporate Security offices.
45. That on September 21, 2004, I spoke with Pierre Mcconnell of TD Bank Corporate Security. I was advised that all documents sought by this warrant application are in Mr. Mcconnell's possession at the TD Bank Corporate Security Office.

VIII: LOCATION TO BE SEARCHED:

46. TD Canada Corporate Security and Investigations Department, TD Bank Financial Group. [REDACTED]

IX: ITEMS SOUGHT:

47. Documents relating to cheques written by Erik BORNMAN (Pacific Public Affairs Group) and deposited to TD Bank accounts held by Aneal BASI [REDACTED]
48. Documents relating to transfers of funds between the TD Bank accounts of Aneal BASI and David BASI held in the TD Bank accounts of Aneal BASI [REDACTED] between the dates of May 2002 to January 2004.

X: REASON TO BELIEVE ITEMS SOUGHT AT A LOCATION:

49. That the accounts in question [REDACTED] are both held at the TD Canada Trust Branch located at Canwest Mall, 2945 Jacklin Road, Langford, BC.
50. That I have been advised by Pierre Mcconnell of TD Bank Corporate Security that the documents sought are currently stored and retained at TD Canada Corporate Security and Investigations Department, TD Bank Financial Group. [REDACTED]

XI: REQUIREMENT OF A SEALING ORDER

51. It is requested that public access to all records relating to and including the said Information(s) to Obtain, the Search Warrant(s), the Report(s) to a Justice and the Detention Order(s) referred to in this my Information to Obtain be denied for reasons that disclosure would:
- a. Compromise the nature and extent of the ongoing investigation; and
 - b. Prejudice the interests of an innocent person(s).

XII: OTHER SEARCH WARRANT APPLICATIONS:

52. [REDACTED]

- [REDACTED]
53. That, on August 7, 2003, Constable MOBBS swore an Information to Obtain for an application for a Dial Number Recorder Warrant and related assistance order for cellular telephone number [REDACTED] (subscriber: Ministry of Finance/ User Dave BASI). On that date the Honourable Judge EHRCKE denied the Dial Number Recorder Warrant on the basis of Cabinet or Parliamentary Privilege.
 54. That, on September 16, 2003, Constable MOBBS swore an Information to Obtain for an application for a Dial Number Recorder Warrant and related assistance order for cellular telephone number [REDACTED] (subscriber: Ministry of Finance/ User Dave BASI). On that date the Honourable Judge EHRCKE denied the Dial Number Recorder Warrant on the basis that she required an opinion on entry into the legislative precinct via electronic means.
 55. That on December 28, 2003, multiple Search Warrants relating to this investigation were executed. These warrants were issued by ACJ DOHM and are held under sealing order at the Vancouver Court Registry, BC Supreme Court.
 56. That on January 29, 2004, a search warrant was executed at the University of Victoria relating to the student records of BASI and Bob VIRK.
 57. That IPOC investigators have executed, and are continuing to execute as statements become available, Search Warrants on banking, trading and credit cards held by BASI. Most recently was a Search Warrant executed on September 03, 2004, evidence from which was used to support this application.
 58. That on July 22, 2004, a search warrant was executed at TD Canada Trust Corporate Security in relation to TD Canada Trust Account [REDACTED] held by Aneal BASI. (ITO attached as Appendix 1)
 59. That on August 04, 2004, a Search Warrant was executed at TD Canada Trust Corporate Security in relation to TD Canada Trust account numbers [REDACTED] held by Aneal BASI. (ITO attached as Appendix 2)

XIII: HOURS OF SEARCH

60. I am requesting that the hours of entry be between 10:00 am Thursday September 24, 2004 until 5:00 pm Thursday September 24 inclusive. It is necessary to travel from Victoria to Vancouver to both swear and execute

the Search Warrant. Such time parameters established on the warrant will allow flexibility with both travel and schedules on the part of the bank representative and the RCMP for the date in question.

SWORN BEFORE ME at, Vancouver
In the Province of British Columbia,
This 29 Day of September 2004
[Signature]
A Justice of the Supreme Court
for the Province of British Columbia

[Signature]
Signature of Informant
Andrew Thomas Cowan