

IN THE MATTER OF THE *TERRITORIAL COURT ACT*, RSNWT 1988, c. T-2
AND IN THE MATTER OF A COMPLAINT REGARDING
THE CONDUCT OF THE HONOURABLE JUDGE DONOVAN MOLLOY

PRE-HEARING CONFERENCE REPORT

February 20, 2023

A Pre-hearing Conference was held on February 20, 2023 during which a number procedural issues were discussed *in camera* and directions issued. The directions are contained in this report.

In Attendance

In addition to the five panel members, the following individuals attended:

Robert Bradbury, counsel for Judge Molloy

Simon Renouf, KC and Leah Anaka, Presenting Counsel

Kent Teskey, KC, counsel for the Complainant

Martha Chertkow, Complainant

Jon Rossall, KC and Erik Holmstrom, Panel Counsel

Further Pre-hearing Motions

Mr. Bradbury may bring a motion respecting the Panel's jurisdiction and a motion to determine whether Judge Molloy is fit to participate in the hearing. If he brings either or both motions, the Panel has directed he will file and serve notice of each of them, along with supporting materials such as submissions, affidavits, experts' reports, and

statements of experts' professional qualifications on Panel Counsel and on Mr. Renouf and Mr. Teskey no later than April 21, 2023.

In the interests of efficiency, and recognizing these potential motions raise new issues, Mr. Teskey is granted leave to file materials in response. The Panel will decide whether he will be granted leave to make submissions when the motions are argued.

Mr. Renouf and Mr. Teskey will file and serve any responding submissions and materials on Panel Counsel and Mr. Bradbury no later than April 28, 2023.

If the parties wish to make oral submissions in addition to written submissions on the motion respecting jurisdiction, they will advise Panel Counsel in writing no later than May 3, 2023. Argument on one or both motions, should they come forward, will take place on May 15, 2023.

DATED at Yellowknife, Northwest Territories, February 22, 2023.



Justice Karan Shaner
Chair of the Judicial Council Hearing Panel

c. Simon Renouf, KC and Leah Anaka, Presentation Counsel

Robert Bradbury, counsel for Judge Molloy

Kent Teskey, KC, counsel for the Complainant

Jon Rossall, KC and Erik Holmstrom, Panel Counsel