

International Union of Operating Engineers Local 115  
4333 Ledger Avenue  
Burnaby BC V5G 3T3

March 22nd, 2007

Ronald and James Malange  
130 Mundy Street  
Coquitlam, BC V3K 5L8

REGISTERED MAIL

Sirs:

**Re: Comments published by you regarding Ron and Jim Malange at page # 76 of the publication, "Firing Iron 2006"**

It appears from the referenced comments that; the late Fred Randall's legacy is still alive and well in our local union, particularly the late Fred Randall's legacy of October 1984. You may recall that; in dealing with a union member, Brother Roland Jean in Prince George BC that year, the local union's Business Manager, the late Fred Randall, managed, in addition to himself and the local union, to have two other ranking officers (Kroeker and Tennessy) of our local union named as defendants in a Supreme Court of British Columbia libel action (No.4920/85 Prince George Registry) involving Brother Roland Jean of Prince George who, as a plaintiff without sufficient financial resources to retain professional legal assistance, was obliged to represent himself in the Supreme Court of British Columbia in order to prosecute the libels against him while the membership of our local union paid for two lawyers to defend Randall et al and, as far as we know, in addition to the legal costs, a twenty thousand dollars (\$20,000) judgment against him, awarded by the court in favour of Brother Roland Jean for the libelous, malicious statements made against him and published by the late Fred Randall in the October 1984 edition of 'THE OPERATING ENGINEERS NEWS'.

Ironically, some of the late Fred Randall's court testimony was crocodile tears, and blatantly hypocritical regarding, to quote from the court transcript, "the amount of members' union dues that are being spent going through this ongoing process" (meaning the court process) blah! blah! blah!

You may also recall that the Honourable Judge Cohen found, and again we quote from the court transcript, "that the publication of the August 7<sup>th</sup> letter in the October newsletter was made with actual malice towards the plaintiff. I do not accept the defendant Randall's evidence that he did not have any malice towards the plaintiff. In my opinion, the defendant Randall's dominant motive for publishing the August 7<sup>th</sup> letter in the October newsletter was to destroy the plaintiff's character and credibility in the eyes of the union membership", the Honourable Judge then went on to explain why he came to the conclusion that he did, etc.

With reference to the above paragraph, we submit that; the current union administration published, or caused to be published, the comments about us at page #76 of the publication, "Firing Iron 2006", because, to use the Honourable Judge's words quoted above, its "dominant motive" was to destroy our characters and reputations in an obvious conspiracy to achieve that end.

Had publishing significant major historical events or milestones of our local union been your principal purpose or reasoning, we suggest there are a number of larger and more significant matters of interest to the membership than the mundane events involving us that you've published; examples of some of these events are:

- (a) The attempted stuffing of ballots, and its aftermath, in a local union election of the 1950's, whereby, the perpetrator was caught 'red-handed'; both of us played no small part in foiling that attempt to 'steal' a local union election.
- (b) The theft of a significant amount of union funds, and its aftermath, by a union shop steward, appointed by the local union, at a major construction project in northern BC, also in the early 1950's; it was brother Ron Malange, a rank and file member of the local union at that time, who initially uncovered this fraud.
- (c) The theft of union funds by a ranking union officer in the 1960's, and its aftermath. We were both instrumental, along with others, in revealing this theft.
- (d) The Fred Randall et al, libel action in the BC Supreme Court in the 1980's, held in Prince George and Vancouver, and its aftermath, pertaining to the local union business manager's, namely the late Fred Randall, malicious libels of a badly injured, financially strapped rank and file union member in Prince George. Which action cost the local union an inordinate amount of time and money not to mention what it cost our brother, Roland Jean. This action was ongoing and preoccupied brother Jean's life from October 1984, when the late Fred Randall committed his libels against this brother, until the Judgement was handed down in September 1990.

There are, in addition to the examples cited above, other larger and more significant events that could have been published in the interest of informing members about some of the local union's history than the relatively trifling and grossly inaccurate portrayal of matters published by the local union concerning us. To add a more interesting and spicy flavour to the relevant publication, "Firing Iron 2006", you could have published juicy, more interesting and titillating information about some of the office love affairs and liaisons between female office staff of the local union, its related plans and some local union officers.

Accordingly, we are demanding a written apology without reservation, its content, style and method of dissemination to be approved by us, regarding the comments you published about us and referred to here. This apology to be disseminated to those who received the current "Firing Iron 2006" in early 2007.

If we do not hear from you in writing within 14 days from the date of this letter, indicating your intention in this matter, we'll assume you are ignoring our demand for an apology and we'll proceed accordingly.

You may do well to note and be cognizant of the fact that; it was the local union, through its officers or agents, who opened 'this can of worms' to provoke a response from us by publishing lies, half truths, innuendo, etc. about us as explained above.

The consequences of your refusal to issue the apology we've demanded will be your responsibility.

Yours truly,

James Malange (Member, Local 115)

And

Ronald Malange (Former Member, Local 115)