



SASKATCHEWAN
HUMAN RIGHTS
COMMISSION

April 17, 2017

Sean Sinclair
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Suite 600, 105 21ST East
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Via email: s.sinclair@rslaw.com

Dear Sir:

Re: Lekic, Lekic, and Yue v. College of Dental Surgeons of Saskatchewan
File: 15-16-163

I am now near completion of my investigation into this matter and I will soon forward the information to the Chief Commissioner to determine the next step in the process. Whether the Commission takes forward this complaint or not is ultimately decided by the Chief Commissioner. The information contained in the attached Disclosure Report will form the basis of the report to the Chief Commissioner.

Based on this information, you are asking the Chief Commissioner to dismiss this complaint because: Section 5 of *The Saskatchewan Human Rights Code* does not allow for the Saskatchewan Human Rights Commission to prosecute the College of Dental Surgeons of Saskatchewan (the "CDSS") for an alleged breach of freedom of expression; the CDSS has the authority to regulate advertising within the profession under the terms of the *Dental Disciplines Act*; and the complainants' advertising in question was not compliant with the CDSS's rules and regulations and they did not challenge this allegation within the regulatory framework of the CDSS.

Before I move this file along to the Chief Commissioner, I would like to ask you to respond. **Please send me a written letter** (via regular mail or e-mail) indicating whether you agree or disagree with this information, and whether there is any further investigation required from your perspective. We will then assess whether this information will affect the outcome. If we do not hear from you, we will conclude that you accept these findings so far.

Of course the parties are always able to settle this complaint at any point in time and you may still consider this alternate option.

Please respond to the attached Disclosure Report **by May 1, 2017**. At that point, I will pass the file to the Chief Commissioner for consideration. He could dismiss the complaint, refer it for adjudication, direct mediation or ask for further investigation. You will hear from the Chief Commissioner directly in due course.

I look forward to hearing from you.

Sincerely,

Robin Burlingham
Investigator

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