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Via email scott.mcleod@cpsa.ab.ca

College of Physicians and Surgeons of Alberta
2700, 10020 – 100 Street NW
Edmonton, AB T5J 0N3

Attention: Dr. Scott McLeod

Dear Dr. McLeod:

Re: Fraudulent Conduct of CPSA Investigators Jason McDonald and Dr. Jeff Robinson

Please be advised that I have been contacted by a patient of Dr. Daniel Botha, who is the mother of a child with Rhatt Syndrome.

The child is unable to sit unassisted and is in a constant state of respiratory distress. College investigators, without the consent of the child's parents, presumed to access this child's medical file simply on the basis that a mask exemption had been granted the child at the request of the child's Special Needs educational facility.

The mother advises that she has been traumatized by this gross violation of her family's medical privacy by College investigators purporting to act under the authority of s. 53 of the *Health Professions Act*.

I am further advised by Dr. Botha that the above-named College investigators, purporting to act under s. 53 of the *Health Professions Act*, accessed my personal medical file. Given my concerns of late with the grossly unethical conduct of the College of Physicians and Surgeons, I instructed Dr. Botha sometime ago to inform me immediately if someone from the College attempted to access my personal medical records.

Dr. Botha contacted me today and advised me of this gross violation of my medical privacy under the guise of a *Health Professions Act*, s. 53 investigation.

Please be advised that this letter constitutes a formal demand that the College initiate a criminal investigation into the conduct of CPSA investigators Jason McDonald and Dr. Jeff Robinson on

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the basis that they accessed my private medical files under False Pretences contrary to s. 361(1) of the *Criminal Code of Canada*.

Dr. Botha has over 10,000 patients. I am advised by Dr. Botha that this is now the second time that College representatives have accessed my private medical files under the pretence of a benign College review of Dr. Botha's practice unrelated to any complaint. The odds of this happening accidentally are astronomical. The criminal nature of this conduct is beyond any reasonable doubt.

I expect your immediate reply to this correspondence and that Dr. Jeff Robinson's licence to practice be immediately suspended on the basis of this gross violation of medical ethics, if not the criminal law of Canada.

Yours very truly,

RATH & COMPANY



Jeffrey R. W. Rath, B.A. (Hons.), LL.B. (Hons.)
Barrister and Solicitor