

# SAVE JAZZ.FM91

February 4, 2019

**YOU HAVE JUST RECEIVED AN EMAIL FROM THE STATION.**

**THAT EMAIL DEMONSTRATES A NEW LOW FOR THE JAZZ.FM91 BOARD**

**HERE'S WHAT HAS JUST HAPPENED!**

- On January 25, 2019, after receiving support from 220 members, Save JAZZ FM sent the Board a requisition for a General Meeting to remove the Board and replace it with an alternate slate of nominees.
- In the requisition letter, we undertook to work constructively with the station to ensure Members can make an informed decision and to protect the integrity of the election results. We specifically proposed that the annual and general meetings be held together.
- On January 30, 2019 legal counsel for Save JAZZ.FM91 and legal counsel for JAZZ.FM91 and Charles Cutts had a without prejudice meeting to discuss how and when the general meeting should be held. This meeting occurred after JAZZ.FM91's legal counsel informed us that the Board believed that holding both the annual and general meetings on the same date made the most sense.
- Since the January 30 meeting, there have been no substantive responses to follow up emails from us.

**Without any warning or discussion with us, the Board sent a notice of meeting to Members for the general meeting only – i.e. the meeting to determine whether the Save JAZZ.FM91 proposed board would be elected only, not the annual meeting. What changed since last week? Why did the Board reverse course?**

It is not in the best interest of the station to:

- hold two separate meetings on different dates
- spend the station's funds and other resources organizing and holding two meetings
- hold the general meeting *before* the annual meeting when members have still not received up-to-date financial statements of the station
- prevent members from, *before* voting, being full informed about the station's affairs, including its financial condition, and effectively seeking to shield the Board from questions about the same
- compromise any new Board members elected at the general meeting by making them responsible for financial statements from the old Board's tenure.

In their letter to Members, David McGown states that Save JAZZ.FM91 is "being funded by someone or some group with deep pockets." Mr. McGown knows that I have sworn under oath that is not true. He also knows that I told him that immediately after the AGM. He knows it is untrue, and yet, he continues to spread that misinformation. That's shameful.

**This is disrespectful behaviour to all Members. Regretfully it has become the norm for this Board. They continue to act like a Board desperate to hold on to power at all costs. By acting as they have, the Board has forced us to consider initiating litigation to ensure that the meeting proceeds in a fair and efficient manner.**

**PLEASE, DO NOT return the proxy form you have just received from the JAZZ.FM91 board. Save JAZZ.FM will provide you with its blue proxy form for you to sign and return to us.**

Thank you

Sincerely,

Brian Hemming