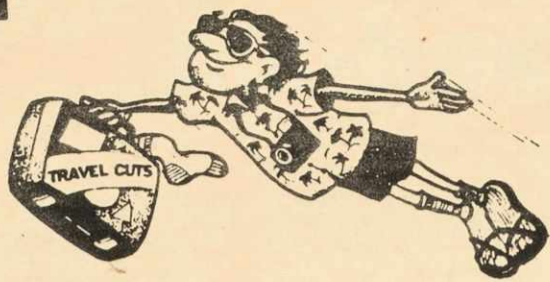


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# UNB council in court

BY STEPHEN SHAY

**VANCOUVER (CUP)** — Student unions are always running into problems but for the council at the University of New Brunswick, it may mean a day in court.

Last year's elected council executive is suing the existing appointed council over who has the legal right to govern the student body at UNB.

The problem started last April when a petition circulated on campus gathered 882 signatures asking for then council president, John Bosnitch's resignation.

Bosnitch chose to ignore the petition, as well as an impeachment motion passed by his own council.

The council then felt it had no choice but to seek the university administration's help in ousting Bosnitch.

"Council had no control over the executive, yet we were getting the blame for the mismanagement. It was felt there was only one option — replace the executive," says Stephen Smith, a council member last year who is now the appointed interim council president.

With the help of the university campus police, Bosnitch and three executive members were

forced from their offices in the student union building. After their belongings were removed from the offices, the locks were changed "to ensure the safety of student union property", says Smith.

The 14 members of council then appointed an interim president as well as replacements for two of the three vacated positions.

The new executive asked for, and was granted, official recognition from the university administration "It was a sad state of affairs... the students had lost faith in their council and all those involved felt the executive had to be replaced," says James Downey, UNB president.

Now Michael Bennet, last year's council vice president, and the two ousted executives, have filed a law suit to regain legal control over the council.

"The procedures and the legality of our 'impeachment' is, without a doubt, questionable", says Bennet.

Smith disagrees. "We've been going through the discovery part of the suit and so far I haven't been impressed with their arguments."

The 'discovery' part of the suit determines if the plaintiffs' case is worth pursuing and also if an

out-of-court settlement can be reached.

Although Bosnitch is not named as one of the plaintiffs in the suit, he is still around campus, presumably waiting the outcome of the legal wrangles. This would have been the third year Bosnitch would have served as council president in the last four years.

Both sides agree that a court appearance to settle the dispute is inevitable.

"The way things are going, it looks as if this (the suit) will drag out until a late January court date," says Smith.

A second lawsuit against the councillors who had the executive removed from office has also been launched by Bennet and the other two ex-executives, Hugh Brown and Tony English. This suit wants the councillors to make good the money they authorized spending after the plaintiffs were ousted. This suit may be combined with the first one and if so, Smith thinks the court appearance will be moved back to an even later date.

Meanwhile, the interim council has called a new election for October 23, and a new council will face the problem created by an old executive.

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