

### We're Not Gonna Take It ANYMORE

2010 08 11 Part One

• Civil Action • Desired Lawn Care Results • Liability • Sale of Equipment • Underground Operations • Value of Lawn Care Companies • Weed Control • White Grub Control •



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Damage to the Lawn Care Industry is EXTENSIVE CLASS ACTION SUIT will be started in late August

### M-REP Update

Jeffrey P. Lowes August 11<sup>th</sup>, 2010 Media Release M-REP Communications Selected and adapted excerpts

### CIVIL ACTION TO RECOVER LOSSES

Please be advised that M-REP Communications will be putting together groups of companies by regions and commencing civil action to recover losses.

The Professional Lawn Care Industry is too fractured to launch a single class action for Ontario.

A single CLASS ACTION would also allow companies not involved in defending the industry to profit from our actions.

ACTION WILL BE STARTED BEFORE THE END OF AUGUST [ 2010 ].

DAMAGES TO THE INDUSTRY ARE EXTENSIVE AS THE VALUE OF THE INDIVIDUAL COMPANIES HAS BEEN DECIMATED.

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Most companies now have LITTLE VALUE

Many have fired their entire staff, and have reduced their operations to a single truck

### VALUE OF PROFESSIONAL LAWN CARE COMPANIES IN ONTARIO

Currently, if you were selling a lawn care business, the offers are in the \$0.25 to \$0.35 per dollar gross earnings.

Having licensed staff and a client base are the only advantages over starting a new business.

The only thing of value in any lawn care business at this point is « *good will* » which on a good day might add 10 per cent to the value of a business ( hence the range from 25 to 35 per cent ).

The merger and acquisition of competitors is a HUGE RISK for a lawn care company. Current companies purchased on a discounted cash flow, in hopes that the industry could recover.

MOST COMPANIES HAVE LITTLE VALUE AS THE BUSINESS MODEL IS NO LONGER IN EFFECT.

SOME OF THE SMALLER COMPANIES HAVE RELEASED (I.E. FIRED) THEIR STAFF, AND REDUCED THEIR OPERATIONS TO LOYAL CUSTOMERS AND A SINGLE TRUCK.

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There is a glut of used equipment for sale because of the EXODUS of small lawn care companies

### Underground Operations, Liability, and Sale of Equipment

It is our understanding that there are some companies OPERATING UNDERGROUND (i.e. without a license) with products from outside the Province of Ontario.

This is a huge issue for any size company, who can no longer produce the same results, or compete without breaking the rules.

A company could face fines in the thousands of dollars, and lose their ability (i.e. license) to operate if they try to use Health-Canada-Approved pest control products.

In addition, most companies are not aware of PENDING INVESTIGATIONS for operations in 2008 and 2009 by the Ontario Ministry of the Environment.

The owner of the company may not be aware of the ACTIONS OF HIS EMPLOYEES, but is still legally responsible, and financially responsible, for their actions.

Currently the disposal of equipment at Auction depends on the region.

OVERALL, THERE IS A GLUT OF EQUIPMENT AS MANY OF THE SMALL OPERATORS EXIT THE INDUSTRY. Current market prices on equipment are subjective at best.

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Professional Lawn Care Companies are NO LONGER able to reproduce the results obtained prior to prohibition

### DESIRED LAWN CARE RESULTS

Pesticide inventories have zero-value as the Ontario Government made it illegal to sell any excess stock of product.

Service contracts that are renewable year over year are still non-contractual by the serviced client, and are non-transferable.

Prior to the ban, the companies built up a client list BASED ON RESULTS by having access to Health-Canada-Approved pest control products.

Currently, the Professional Lawn Care Industry in Ontario is restricted by the province's Ministry of the Environment, and is UNABLE TO REPRODUCE THE RESULTS IN PAST YEARS.

So, the client list is an INTANGIBLE ASSET because you would not be able to reproduce the same results.

Earnings Before Interest and Taxes are in a STATE OF FLUX as the cost and availability of products is in question.

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Fiesta Herbicide requires MUCH HIGHER COSTS

MORE service calls because of re-growth

### WEED CONTROL

For example prior to the ban the cost of product per 1000 square feet for weed control could run \$0.10 to \$0.20 for a 2,4-D-based product.

THE CURRENT REPLACEMENT FOR WEED CONTROL IS FIESTA, WITH A COST OF \$12.00 TO \$25.00, PLUS THE ADDITIONAL SERVICE CALLS, SINCE THERE IS REGROWTH OF THE WEEDS.

Fiesta was not made available until after the start of this season, and the costs have eroded any margins for profit.

The current demand for Fiesta has out-stripped the supply.

The manufacturer is not expected to increase production levels until late 2011 to meet current demand.

The costs are expected to increase and the availability of the product will also be reduced next year as additional regions come under new pesticide restrictions — most notability the State of New York.

In addition, it is our understanding the home-owner may have access to the product at a HIGHER CONCENTRATION than Professional Lawn Care Companies.

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Since there have NOT been ANY studies on the environmental impact of nematodes, who will be liable in the event of damage?

### WHITE GRUB CONTROL

Another example is grub control.

For 1000 square feet with Merit would cost around \$3.60.

In Ontario, there is NO registered product for grub control allowed by the Ministry of the Environment. Merit is still allowed in Quebec.

The current offering of « nematodes » is the ONLY solution, which is NOT a registered pest control product.

There are currently over 28,000 species of nematodes, and the lack of oversight by a governing agency raises legal issues of liability.

The current species offered for sale in Ontario are from Europe.

There have NOT been ANY studies as to the impact on the environment from introducing a « foreign species » on a massive scale.

In the event there are issues or environmental damage as a result of their use; who is going to be liable?

### Background Information from an Independent Perspective

### The Voice of the Lawn and Tree Care **Industries in Government Circles**

My children will benefit from the work I do today.



Jeffrey P. Lowes is Director of Government and Industrial

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### Background Information from an Independent Perspective

### THE MALICIOUS PROHIBITION IN THE PROVINCE OF ONTARIO

Prohibition legislation DESTROYED the Modern Professional Lawn Care Industry

On April 22<sup>nd</sup>, 2009, the Government of Ontario implemented legislation for the « *Cosmetic Pesticides Ban Act* ».

An Exception Status was provided to golf courses, some sports fields, specialty turf, forestry, and agriculture.

The legislation was a NEEDLESS, SENSELESS, and MALICIOUS PROHIBITION of pest control products.

The legislation specifically targeted the Professional Lawn Care Industry.

The legislation was implemented despite the fact that the prohibited pest control products were still FEDERALLY LEGAL, SCIENTIFICALLY SAFE, and TOTALLY IRREPLACEABLE.

There were serious issues with the Ontario Minister of the Environment, John Gerretsen who was responsible for implementing prohibition.

Gerretsen was INDISCREET with his CLOSE PUBLIC ASSOCIATIONS with RADICAL and SUBVERSIVE Enviro-Maniac-Activists.

Gerretsen's associations raised questions about the RADICAL and SUBVERSIVE interests of prohibitionists taking precedence in shaping public policies in Ontario.

### THE HORRENDOUS CARNAGE IN ONTARIO

Prohibition legislation DESTROYED the Modern Professional Lawn Care Industry.

There were NO valid economical alternatives to replace the prohibited products.

VIRTUALLY ALL Green Alternatives were almost TOTAL INEFFECTIVE except under very specific circumstances.

There were also questions about their TOXICITY.

Consequently, Professional Lawn Care Companies were UNABLE to provide adequate weed and insect control, and were UNABLE to keep their customers satisfied.

In 2009, the Ontario Professional Lawn Care Industry lost over 300,000,000 DOLLARS.

In 2010, observers expected losses to reach 500,000,000 DOLLARS.

### Background Information from an Independent Perspective

By late 2009, 40 to 70 PER CENT of Professional Lawn Care customers were ANNIHILATED.

By late 2009, OVER 5,000 HAPLESS VICTIMS were UNEMPLOYED (full time employees and summer students).

In 2010, observers expected 8,300 to 12,500 UNEMPLOYED.

Several dozen companies were forced to exit from the market by late 2009.

By 2010, observers expected 780 BUSINESS FAILURES or BANKRUPTCIES within 36 months after prohibition.

Prohibition legislation DESTROYED the Modern Professional Lawn Care Industry.

### STOPPING THE CARNAGE CAUSED BY MALICIOUS ENVIRO-MANIACS

In January 2010, the Green Space Industry outlined the list of CHARGES against the Government of Ontario and the Ministry of the Environment.

Additionally, individual members of Environmental–Terror–Organizations also faced CHARG-ES under the Canadian Criminal Code.

The legal proceedings were organized by Jeffrey P. Lowes and M-REP Communications.

### SUMMARY OF ALLEGED OFFENCES BY PROHIBITIONIST ENVIRO-MANIACS

• 133 charges and 29 culprits • Conspiring to prevent the supply of approved pest control products • Defrauding access to products • Impeding access to approved pest control products • Misleading with peer—reviewed assessments, reports, and studies • Presenting false and misleading information • Undermining the people and companies in Green Space Industry.

### ORGANIZATIONS RESPONSIBLE FOR PROHIBITION IN ONTARIO

There are fifteen principal Environmental—Terror—Organizations that operate in the Province of Ontario • Canadian Association of Physicians for the Environment ( CAPE ) • Canadian Cancer Society ( CCS ) • Canadian Environmental Law Association ( CELA ) • Children's Hospital of Eastern Ontario ( CHEO ) • David Suzuki Foundation • Ecojustice Canada • Environmental Defence • Ontario College of Family Physicians ( OCFP ) • Ontario Medical Association ( OMA ) — Pediatrics Section • Ontario Public Health Association ( OPHA ) • Organic Landscape Alliance ( OLA ) • Coalition For Pesticide Reform Ontario • Prevent Cancer Now • Registered Nurses' Association of Ontario ( RNAO ) • The Learning Disabilities Association of Canada ( LDAC ).

# Pest control products are LEGAL, SAFE, and IRREPLACEABLE

# The Vermin of Environmental Terror CAN Be STOPPED

Force Of Nature presents THE WHOLE TRUTH FROM AN INDEPENDENT PERSPECTIVE from National Organization Responding Against Huje that seek to harm the Green Space Industry (NORAHG). It is a series of Reports destined for the Green Space Industry, the Environmental Terror Movement, Governments, and the Media, nationwide across Canada, the United States, and overseas. The information presented in Force Of Nature has been developed for the education and entertainment of the reader by providing a sequence of historical events WITH COMMENTARY. The neutrality of these Reports might be disputed.

Huje is a term used to describe Enviro Maniac Activists that routinely concoct FEAR MONGERING, FRAUDULENT LIES, MISCONCEPTIONS, COERCION, THREATS, DECEPTIONS, TERROR, and PARANOID CONSPIRACIES that are DESIGNED to SCAM and DECEIVE the public into believing there is some NON-EXISTENT danger with conventional pest control products. Huje also SCAM and DECEIVE Government Officials into the NEEDLESS, SENSELESS, and MALICIOUS PROHIBITION of conventional pest control products that are FEDERALLY LEGAL, SCIENTIFICALLY SAFE, TOTALLY IRREPLACEABLE, and ABSOLUTELY INDISPENSABLE.

All information, excerpts, and pictures contained in this Report were found somewhere on the Internet, and may be considered in the public domain, serving one of the following purposes — archive, education, promotion, publicity, or press release. The events, characters, companies, and organizations, depicted in this Report are not always fictitious. Any similarity to actual persons, living or dead, may not be coincidental. Force Of Nature is TOTALLY INDEPENDENT of any trade association or business operating within the Green Space Industry. Don't thank us. It's a public service. And we are glad to do it.

Force Of Nature, and its various incarnations, is the brainchild of William H. Gathercole and his entourage. Mr. Gathercole is a principal FOUNDER of the Modern Professional Lawn Care Industry in BOTH Ontario and Quebec. He holds a degree in Horticulture from the UNIVERSITY OF GUELPH, and another pure and applied science degree from McGILL UNIVERSITY. He has worked in virtually all aspects of the Green Space Industry, including GOLF, PROFESSIONAL LAWN CARE, and CHEMICAL INDUSTRY, and has served in public affairs, workplace safety, and environmental compliance. Mr. Gathercole has supervised, consulted, programmed, and/or overseen the successful and safe execution of HUNDREDS OF THOUSANDS of pest control applications in the urban landscape. He has trained, instructed, and consulted with THOUSANDS of turf managers and technicians. Mr. Gathercole has also been an agricultural agronomist. For many years, Mr. Gathercole was a contributing columnist for TURF & Recreation Magazine, Canada's Turf and Grounds Maintenance Authority. Mr. Gathercole is now retired from Force Of Nature, although his name continues to appear as the FOUNDER. Mr. Gathercole is personally credited for crafting the Golf Industry Exception Status, that endures to this day. He is also the creator of the signs that are now used for posting after application. His vast knowledge of our long journey with Environmental Issues is UNDENIABLE — hopefully! For FIFTEEN YEARS, the strategies designed and implemented by Mr. Gathercole and his colleagues guaranteed the control of Environmental Terror for the entire Modern Green Space Industry across Canada. Mr. Gathercole's involvement in Environmental Evil in the Town of Hudson Otteber. Mr. Gathercole is the ONLY TRUE RELIABLE WITNESS of the Hudson Affair.

Mr. Gathercole and his entourage have followed the evolution of ENVIRONMENTAL TERRORISM for over a quarter century. Through Force Of Nature, Enviro Maniac Activist Huje are identified on the basis of their statements, activities, affiliations, and whereabouts. Even though each Enviro Maniac Culprit is a misguided adversary, each still deserves our respect. The use of the terms Maniac, Culprit, Terrorist, or Basterd are not accusations of any legal wrong doing. Force Of Nature is simply holding Enviro Maniac Activists accountable for conspiring to change public policies that TERRORIZE, HARM, and THREATEN the Green Space Industry. Their pretentious prohibitionist rants have created LOSS OF REVENUES, BUSINESS FAILURES, BANKRUPTCY, and UNEMPLOYMENT, inflicting DESPAIR and DESTITUTION for THOUSANDS of hapless victims throughout the Green Space Industry. The DEPRAVED INDIFFERENCE of Maniac Culprit Terrorist Basterd Huje is viewed as a form of TERROR, HARM, and THREAT against the Green Space Industry.

The following Force Of Nature Reports are currently available — • A Look At • Alberta Conspiracy • British Columbia Conspiracy • Canadian Association of Physicians for the Environment • Canadian Cancer Society • Canadian Environmental Law Association • Carnage • Collision Course • Consequences • Culprits • David Suzuki Foundation • Dating Services for Enviro Maniacs • DDT and Politicized Science • Death and the Environmental Terror Movement • Enviro Profit • Environmental Terrorists Unmasked • Famous Quotations • Fertilizer Terror • Global Warming • Heroes • June Irwin, the Clown of Junk Science • Kazimiera Jean Cottam • Landscape Trades Capitulate • Lying Sac of Enviro—Maniac Cwap • Myth—Busting • Needless Hysteria • New Brunswick Conspiracy • Newfoundland Conspiracy • Nova Scotia Conspiracy • Ontario Conspiracy • Organic Fertilizers • Paranoid Theories • Pesticide Free BC • Pets and Lawn Care Chemicals • Positive Waves • Prince Edward Island Conspiracy • Quebec Conspiracy • Rachel Carson, the Queen of Junk Science • Reining a Terrorist Reaction • Saskatchewan Conspiracy • Satire • Terror NeVER Ends • Terror Talk • The 9/11 Era of the Green Space Industry • The Bin Laden of Enviro Terror, Paul Tukey • The Failure of Integrated Pest Management • The Looming Golf Industry Shipwreck • The Industry Strikes Back • The Misconceptions About Cancer • The National Annihilation of the Modern Green Space Industry • The Wisdom of Bill Bell • The Wisdom of Drysdale • The Wisdom of Health Canada • The Wisdom of Heapworth • The Wisdom of Holland • The Wisdom of Lowes • The Wisdom of Mains • The Wisdom of The Solomons • The Wisdom of Whelan • Update • Warning •



There are, in nature, neither rewards nor punishments, there only are consequences