



## Rutherford College

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July 31, 2007

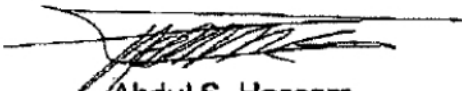
Secretary of Education  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Mr. Secretary:

We are required by the British Columbia Ministry of Advanced Education to inform you that Rutherford College and Rutherford University in British Columbia by BC law are not permitted to:

- a) Grant or confer degrees in British Columbia;
- b) Offer a program in British Columbia leading to a degree to be conferred either inside or outside British Columbia

Yours sincerely,



Abdul S. Hassam  
President  
Senior University Inc.  
dba Rutherford College

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#200- 2900 Simpson Road, Richmond B.C. Canada V6X 2P9

08/03/07 FRI 13:03 [TX/RX NO 5053]



## Rutherford College

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July 31, 2007

Program Coordinator  
Wyoming Department of Education  
2300 Capital Avenue  
Hathaway Building Second Floor  
Cheyenne, WY 82002-0050

Dear Sir,

We are required by the British Columbia Ministry of Advanced Education to inform you that Rutherford College and Rutherford University in British Columbia by BC law are not permitted to:

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Yours sincerely,

A handwritten signature in black ink, appearing to read 'Abdul S. Hassam'.

Abdul S. Hassam  
President  
Senior University Inc.  
dba Rutherford College

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08/03/07 FRI 13:03 [TX/RX NO 5053]



# Rutherford College

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July 31, 2007

Ministry of Education  
Govt. of Swaziland  
P.O. Box 39  
Mbabane, Swaziland

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08/03/07 FRI 13:03 [TX/RX NO 5053]



# Rutherford College

---

July 31, 2007

Jane Tipping  
Clearmind (Toronto)  
134 Bingham Ave  
Toronto ON M4E 3R3

Dear Ms. Tipping:

We are required by the British Columbia Ministry of Advanced Education to inform you that Rutherford College and Rutherford University in British Columbia by BC law are not permitted to:

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dba Rutherford College

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#200- 2900 Simpson Road, Richmond B.C. Canada V6X 2P9

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08/03/07 FRI 13:03 {TX/RX NO 5053}



# Rutherford College

---

July 31, 2007

Duane O'Kane  
Clearmind  
22778 72nd Ave  
Langley, B.C. Canada  
V2Y 2K3

Dear Mr. O'Kane:

We are required by the British Columbia Ministry of Advanced Education to inform you that Rutherford College and Rutherford University in British Columbia by BC law are not permitted to:

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08/03/07 FRI 13:03 [TX/RX NO 5053]



## Rutherford College

---

July 31, 2007

Prof. Dr. YAP Thoo Chai  
Corbiz Consultancy Sdn Bhd  
18-19, Wisma Zelan, Bandar Tun Razak  
56000 Kuala Lumpur, Malaysia

Dear Sir,

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President  
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#200- 2900 Simpson Road, Richmond B.C. Canada V6X 2P9

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08/03/07 FRI 13:03 [TX/RX NO 5053]



## Rutherford College

---

July 31, 2007

Lead Academic Sdn Bhd  
45-8 & 47-8, The Boulevard, Mid Valley City,  
Lingkaran Syed Putra, 59200 Kuala Lumpur.

Dear Sir,

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President  
Senior University Inc.  
dba Rutherford College

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#200- 2900 Simpson Road, Richmond B.C. Canada V6X 2P9

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08/03/07 FRI 13:03 [TX/RX NO 5053]



# Rutherford College

---

July 31, 2007

Erickson College Head Office  
2021 Columbia Street,  
Vancouver, BC, Canada, V5Y 3C9

Dear Sir,

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Abdul S. Hassam  
President  
Senior University Inc.  
dba Rutherford College

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#200- 2900 Simpson Road, Richmond B.C. Canada V6X 2P9

---

08/03/07 FRI 13:03 [TX/RX NO 5053]





# Rutherford College

---

July 31, 2007

Hampton College  
40 Moore Road  
Durban 4001

Dear Sir,

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President  
Senior University Inc.  
dba Rutherford College

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#200- 2900 Simpson Road, Richmond B.C. Canada V6X 2P9

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08/03/07 FRI 13:03 [TX/RX NO 5053]

## MacLean, Madeline AVED:EX

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**From:** Rogers, Dorothy AVED:EX  
**Sent:** Thursday, August 16, 2007 7:54 AM  
**To:** Pearce, Deborah A PAB:EX  
**Cc:** Loughran, Tony D AVED:EX; Thiessen-Wale, Katherine AVED:EX; Simmons, Vicki AVED:EX  
**Subject:** FW: Rutherford

FYI

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**From:** Jim Wright [mailto:jwright@pctia.bc.ca]  
**Sent:** Thursday, August 16, 2007 7:23 AM  
**To:** Rogers, Dorothy AVED:EX  
**Cc:** Melody Hainsworth; Debbie Roche  
**Subject:** Rutherford

Hi Dorothy:

In response to your voice message, there are about 20 students currently registered with Rutherford in what we believe to be a Rutherford business diploma program. These are all international students, primarily from India. Rutherford's lawyer claims these students have not been promised a degree upon completion of the College program.

For any students registered with Rutherford University in a degree program, we will not regard them as being eligible for a PCTIA tuition refund. This may get complicated in situations where degree bound students (like those from Clearmind) are registered with both the College and the University.

Please give me a call if you need any further information.

Jim

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail.



## Rutherford College

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July 31, 2007

Program Coordinator  
Wyoming Department of Education  
2300 Capital Avenue  
Hathaway Building Second Floor  
Cheyenne, WY 82002-0050

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President  
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dba Rutherford College

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#200- 2900 Simpson Road, Richmond B.C. Canada V6X 2P9

---

08/03/07 FRI 13:03 [TX/RX NO 5053]

## **Nichols, Beth AVED:EX**

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**From:** Simmons, Vicki AVED:EX  
**Sent:** Monday, September 17, 2007 11:31 AM  
**To:** 'ps@education.gov.sz'  
**Subject:** Senior University Inc. (dba Rutherford University and Rutherford College)

To whom it may concern,

The Ministry of Advanced Education in British Columbia recently directed the principals of Senior University Inc. (dba Rutherford University and Rutherford College) to notify a number of jurisdictions and affiliated institutions that they are not permitted to grant or confer degrees or programs leading to a degree either inside or outside British Columbia. The Swaziland Ministry of Education was one of these jurisdictions.

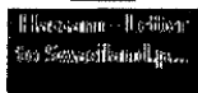
I am following up with you to ensure that you have received this letter to determine if Senior University Inc. (dba Rutherford University and Rutherford College) has met these conditions. They provided us with a copy of a letter dated July 31, 2007 (attached) addressed to:

Ministry of Education  
Govt. of Swaziland  
PO Box 39  
Mbabane, Swaziland

I look forward to hearing from you as to whether your department has received the original letter.

Thank you for your assistance.

Sincerely,  
Vicki Simmons



**Vicki Simmons**, Policy Analyst  
Policy and System Quality Branch  
1st Floor, 835 Humboldt St  
PO Box 9177 Stn Prov Govt  
Victoria BC V8W 9H8  
Phone: (250) 356-2067  
Fax: (250) 356-8851



## Rutherford College

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July 31, 2007

Ministry of Education  
Govt. of Swaziland  
P.O. Box 39  
Mbabane, Swaziland

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Abdul S. Hassam  
President  
Senior University Inc.  
dba Rutherford College

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#200- 2900 Simpson Road, Richmond B.C. Canada V6X 2P9

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08/03/07 FRI 13:03 [TX/RX NO 5053]

## Simmons, Vicki ALMD:EX

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**From:** Simmons, Vicki AVED:EX  
**Sent:** Monday, September 17, 2007 12:47 PM  
**Subject:** Senior University Inc. (dba Rutherford University and Rutherford College)  
**Attachments:** Hassam - Letter to Swaziland.pdf



Hassam - Letter to  
Swaziland.p...

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Ministry of Education  
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PO Box 39  
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Thank you for your assistance.

Sincerely,

Vicki Simmons

Vicki Simmons, Policy Analyst  
Policy and System Quality Branch  
1st Floor, 835 Humboldt St  
PO Box 9177 Stn Prov Govt  
Victoria BC V8W 9H8  
Phone: (250) 356-2067  
Fax: (250) 356-8851



Our Ref. 61940  
File #: 60120-20/RUTH

Dr. Abdul Hassam, President  
Nobel College of Advanced Education Inc.  
(formerly Senior University Inc.)  
dba Rutherford University  
5290 Willow St  
Vancouver BC V5Z 3R9

Dear Dr. Hassam:

I am following up on the inspection of Senior University Inc., operating as Rutherford College/University (Rutherford) under the *Degree Authorization Act* (DAA) on May 17, 2007.

The report provided evidence that Rutherford is operating in contravention of the DAA. On July 27, 2007, a letter was sent to Mr. Mark G. Perry, as Rutherford's counsel, stating that we were prepared to refrain from seeking an injunction or publicly releasing the report if certain conditions were met and evidence provided to the Ministry. On August 2, 2007, Mr. Perry responded that Rutherford was prepared to adhere to the conditions set out and supplied evidence that Rutherford was in the process of meeting some of these conditions.

To date, Rutherford has not taken action on many of these agreed upon conditions, including but not limited to, evidence that all students, faculty, affiliated institutions and authorities in other jurisdictions have been notified in writing and via Rutherford's website ([www.rutherford.edu](http://www.rutherford.edu)) that Rutherford does not have authority to offer, grant or confer degrees in British Columbia.

The Ministry has also received several inquiries from Rutherford students and other parties, within British Columbia and internationally, suggesting that Rutherford and its partners continue to report its presence and authority to operate in British Columbia.

... /2

Ministry of  
Advanced Education

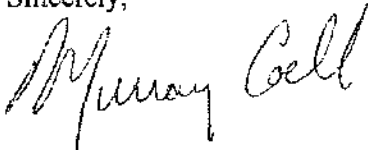
Office of the  
Minister

Mailing Address:  
PO Box 9059 Stn Prov Govt  
Victoria BC V8W 9E2

Location:  
Parliament Buildings, Victoria

This letter is to notify you that I will be releasing the attached factual synopsis of the status of the investigation and notifying all regulatory authorities in jurisdictions that have a connection to Rutherford to inform them of Rutherford's status in British Columbia. The report has also been shared with the Ministry of Attorney General to review for any potential legal action under the DAA.

Sincerely,



Murray Coell  
Minister



Attachment

pc. Ms. Susan Brown, Director  
Policy and System Quality Branch

Mr. Jim Wright, Registrar  
Private Career Training Institutions Agency



**Simmons, Vicki AVED:EX**

6020-201 Rutherford

**From:** Simmons, Vicki AVED:EX  
**Sent:** Wednesday, April 16, 2008 10:20 AM  
**Subject:** Rutherford University  
**Attachments:** Senior University Inc. (dba Rutherford University and Rutherford College)

To whom it may concern,

Please see attached message from the Ministry of Advanced Education in British Columbia Canada. This message was sent to the Ministry of Education, Government of Swaziland in September 2007 regarding Rutherford University.

To date we have not received a response from the Ministry of Education. Recently an article appeared in the Netherlands that referenced Mr. Percy Simelane, government spokesperson in the Prime Minister's Office, commenting on Rutherford University's status in Swaziland ([http://www.ad.nl/buitenland/2213915/Zelfs\\_de\\_minister\\_van\\_Onderwijs\\_in\\_Swaziland\\_weet\\_van\\_niets.html](http://www.ad.nl/buitenland/2213915/Zelfs_de_minister_van_Onderwijs_in_Swaziland_weet_van_niets.html)). From the translation it is unclear as to the status of Rutherford University in Swaziland.

Given that the Prime Minister's Office is aware of the situation, we thought it prudent to resend the attached message to Mr. Simelane's attention and request confirmation of the status of Rutherford University in Swaziland.

Thank you for your assistance.



Senior University  
Inc. (dba Ru...

**Vicki Simmons**, Policy Analyst  
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1st Floor, 835 Humboldt St  
PO Box 9177 Stn Prov Govt  
Victoria BC V8W 9H8  
Phone: (250) 356-2067  
Fax: (250) 356-8851

## Nichols, Beth AVED:EX

---

**From:** Simmons, Vicki AVED:EX  
**Sent:** Wednesday, April 16, 2008 10:32 AM  
**To:** 'sec-tocab@realnet.co.sz'  
**Subject:** Rutherford University

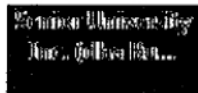
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Microsoft Word  
ps@education.gov.sz

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# Rutherford College

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July 31, 2007

Ministry of Education  
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#200- 2900 Simpson Road, Richmond B.C. Canada V6X 2P9

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08/03/07 FRI 13:03 [TX/RX NO 5053]

**KERR REDEKOP LEINEBURD & BOSWELL**  
ASSOCIATES IN THE PRACTICE OF LAW

BARRISTERS &amp; SOLICITORS • TRADEMARK AGENTS

410-1333 West Broadway, Vancouver, British Columbia, Canada  
V6H 4C1 Telephone: (604) 734-4554 • Facsimile: (604) 734-5182

August 2, 2007

Ministry of Attorney General  
Legal Services Branch  
P.O. Box 9280 Stn. Prov. Govt.  
Victoria, B.C. V8W 9J7**VIA: Facsimile 1-250-953-3557****Attention: A. K. Fraser, Barrister & Solicitor**

Dear Mr. Fraser:

**Re: Senior University Inc., operating as Rutherford College**

Thank you for your letter dated July 27, 2007. I am pleased to advise that my client is fully prepared to adhere to the extensive and comprehensive conditions set out in your letter.

Indeed I advise that my client is pleased to receive such a comprehensive letter which avoids the ambiguities and vagueness which has in the past plagued my client's efforts to comply with the ever changing regulatory scheme.

As evidence of my client's intentions to abide by the conditions set out in your letter, I enclose:

1. a declaration signed by Abdul and Nusri Hassam, both in their personal capacity and on behalf of Senior University Inc. doing business as Rutherford College, declaring their intention to abide by the conditions set out in your letter;
2. a copy of a Ministry of Finance Name Request plus receipt for the application filed on July 31, 2007 to change the corporate name; and
3. copies of letters sent to the organizations you referred to in parts 9 and 10 of your letter save and except for the following organizations:
  - a) East-West University
  - b) Mid West College
  - c) Stratford Educational Management PVT Ltd.

1

*Kerr Redekop Leineburd & Boswell is an association of independent lawyers & law corporations.*

I advise that corporate seals and unused degree certificates are being forwarded to your office by courier.

In view of the constructive nature of your letter, the problems with Ms. Lovett's report referenced in my July 20, 2007 letter, and my client's confirmation of their willingness to comply with the conditions set out, it is our assumption that Ms. Lovett's report will not be made public.

In closing, please advise as to when the suspension of Rutherford College will be lifted.

Yours truly



Mark G. Perry

MGP/lbg

P00020/07Aug2

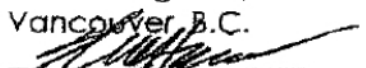
Enc.


**DECLARATION OF ABDUL & NUSRAT HASSAM  
SENIOR UNIVERSITY INC. AND RUTHERFORD UNIVERSITY INC.**

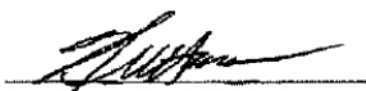
We, Nusrat and Abdul Hassam in our personal capacities and as authorized signatories on behalf of Senior University Inc., and Rutherford University Inc. do hereby declare that we accept the conditions set out in the July 27, 2007 letter from A. K. Fraser to our legal counsel, attached to this declaration. We further declare that we will fully abide by these conditions. Specifically we declare that:


1. the "teach out" program referred to in A. K. Fraser's letter has been terminated;
2. with respect to the 8<sup>th</sup> condition in A. K. Fraser's letter, we advise the requested statement has been added to the website [www.rutherford.edu](http://www.rutherford.edu) and as soon as the suspension is lifted, the college website [www.rutherford.ca](http://www.rutherford.ca) will be reactivated with the statement;
3. with respect to the 10<sup>th</sup> condition, letters have been sent to each institution save and except:
  - i) Mid West College because while discussions occurred a few years ago regarding a relationship, no relationship materialized;
  - ii) Stratford Educational Management PVT Ltd., because all communications with this company terminated a few years ago; and
  - iii) East-West University because apart from Abdul Hassam's role as a board member of East-West University, there has never been a relationship between East-West University and Rutherford College and Rutherford University.


Dated August 3, 2007 at  
Vancouver, B.C.


  
Nusrat Hassam

  
Abdul Hassam

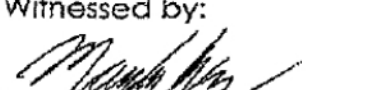
  
Senior University Inc.

  
Senior University Inc.

  
Rutherford University Inc.

  
Rutherford University Inc.

Witnessed by:

  
Mark G. Perry



July 27, 2007

Kerr Redekop Leinburd & Boswell  
Barristers & Solicitors  
#410 - 1333 Broadway W  
Vancouver BC V6H 4C1

Attention: Mark G. Perry

Dear Mesdames/Sirs:

**Re: Rutherford College/Senior University Inc ats AE**

---

I am instructed by the Minister of Advanced Education, Murray Coell and the Attorney General of British Columbia. Your letter of July 20, 2007 in response to Ms Lovett's inspection report has been passed to me.

I am instructed to commence proceedings against Senior University Inc. and Abdul and Nusrat Hassam, for an injunction pursuant to s. 8 of the *Degree Authorization Act* ("the Act"). It is clear to us, and apparently acknowledged by your client, that Senior University Inc. has been operating in violation of the Act

In particular it is important to note that any program for students under the teach out authorised by PPSEC in 2001 could not continue beyond 2002. To the extent that the transitional provisions in section 3(4) and (5) of the Act have any relevance they have expired on 11<sup>th</sup> April 2007. It is also important to note that students enrolled by Clearmind appear to be on a course in British Columbia leading to a degree to be conferred outside of British Columbia, contrary to the Act.

Given your proposal that "in the future there will be no University related administration in BC", the Minister is prepared to refrain from seeking an injunction in the circumstances if the following conditions are met.

1. Senior University Inc. will, within 7 days, apply to the Registrar of Companies to change its corporate name so that the word "university" or any derivation thereof does not appear in the corporate name. Under section 67(1) of the *University Act* no person (which includes a corporation) other than a university may use or be known by the name of a university.
2. Senior University Inc., and any other person doing business under the name of Rutherford College or Rutherford University, shall forthwith, cease to grant or confer degrees (within the meaning of the Act), directly or indirectly within British Columbia. Specifically, without limiting the generality of the foregoing, this means that:

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Ministry of  
Attorney General

Legal Services Branch  
Civil Litigation

Mailing Address:  
PO BOX 9280 STN PROV GOVT  
Victoria BC V6W 9J7

Location:  
1001 Douglas Street  
Victoria BC

Telephone: 250 356-9296  
Facsimile: 250 953-3557



- a) No degree certificate issued by Senior University Inc. or by any other person doing business under the name of Rutherford College or Rutherford University shall indicate that the degree was conferred in British Columbia;
  - b) No degree certificate issued by Senior University Inc., or by any other person doing business under the name of Rutherford College or Rutherford University, shall be signed, sealed, delivered, posted, or given to a courier firm in British Columbia;
  - c) No degree shall be granted or conferred by Senior University Inc or any other person doing business under the name of Rutherford College or Rutherford University, on persons at ceremonies attended by the persons on whom they are conferred held within British Columbia.
3. Senior University Inc., and any other person doing business under the name of Rutherford College or Rutherford University, will within British Columbia forthwith cease to advertise or otherwise offer to persons for sale a diploma, certificate, document or other material that indicates or implies the granting or conferring of a degree within the meaning of the Act, within British Columbia, directly or indirectly. Specifically, without limiting the generality of the foregoing, this means that
- a) No person shall in British Columbia upload or instruct to be uploaded onto a website any material which indicates that a degree certificate is available for the payment of a fee, whether or not any conditions or prerequisites for the sale of the certificate are required, if the certificate indicates or implies that the degree was conferred in British Columbia
  - b) No person shall in British Columbia place or instruct to be placed in any media, print, radio, television or otherwise, any material which indicates that a degree certificate is available for the payment of a fee, whether or not any conditions or prerequisites for the sale of the certificate are required., if the certificate indicates or implies that the degree was conferred in British Columbia
  - c) No person shall in British Columbia, in correspondence or other form of communication, oral, written, electronic or paper, indicate that a degree certificate is available for the payment of a fee, whether or not any conditions or prerequisites for the sale of the certificate are required, if the certificate indicates or implies that the degree was conferred in British Columbia.
4. Senior University Inc. and any other person doing business in British Columbia under the name of Rutherford College or University shall forthwith in British Columbia cease to sell or provide by agreement for a fee, reward or other remuneration, a diploma, certificate, document or other material that indicates or implies the granting or conferring of a degree within the meaning of the Act, within British Columbia, directly or indirectly. Specifically, without limiting the generality of the foregoing, this means that no degree certificate shall be provided to any person in return for any payment, whether or not any conditions or prerequisites have been met as well as the condition of payment.
5. Senior University Inc and any other person doing business in British Columbia under the name of Rutherford College or University shall forthwith surrender to the Ministry of

Advanced Education any degree certificate form, and any seals or other material used to seal, stamp or otherwise issue degree certificates.

6. Senior University Inc and any other person doing business in British Columbia under the name of Rutherford College or University shall forthwith in British Columbia cease to provide any program leading to a degree to be conferred either inside or outside British Columbia. Specifically, without limiting the generality of the foregoing, this means that

- a) any students enrolled on a program in British Columbia leading to a degree of Rutherford University, or any other university, shall forthwith be informed that their program or course does not lead to a degree, but some other certificate of completion less than a degree
- b) any student on being informed as set out in (a) be given the option of withdrawing from the course with a full refund of tuition or other fees or charges paid;

7. Senior University Inc and any other person doing business in British Columbia under the name of Rutherford College or University shall forthwith in British Columbia cease to advertise a program in British Columbia leading to a degree to be conferred either inside or outside British Columbia. Specifically, without limiting the generality of the foregoing, this means that

- a) no person shall in British Columbia upload or instruct to be uploaded onto a website any material which indicates that a degree program, or part of a degree program, is available in British Columbia
- b) no person shall in British Columbia place or instruct to be placed in any media, print, radio, television or otherwise, any material which indicates that a degree program, or part of a degree program, is available
- c) no person shall in British Columbia, in correspondence or other form of communication, oral, written, electronic or paper, indicate that a degree program, or part of a degree program, is available

8. Senior University Inc and any other person doing business in British Columbia under the name of Rutherford College or University will within 7 days, post a statement on the website [www.rutherford.edu](http://www.rutherford.edu), and on any other website which advertises Rutherford College or University, and which is operated within or from British Columbia by such person doing business in British Columbia under the name of Rutherford College or University, to the effect that Rutherford University or College is not permitted by British Columbia law to

- a) grant or confer degrees in British Columbia; The website shall be amended so far as is necessary to ensure that no material is inconsistent with the statement just mentioned.
- b) offer a program in British Columbia leading to a degree to be conferred either inside or outside British Columbia. The website shall be amended so far as is necessary to ensure that no material is inconsistent with the statement just mentioned.

9. Senior University Inc and any other person doing business in British Columbia under the name of Rutherford College or University shall within 7 days write to the United States Department of Education, the Wyoming State Department of Education, and the Swaziland Government Ministry of Education to the effect that they have been required

by the British Columbia Ministry of Advanced Education to inform them that they are not permitted by British Columbia Law to

- a) grant or confer degrees in British Columbia;
  - b) offer a program in British Columbia leading to a degree to be conferred either inside or outside British Columbia.
10. Senior University Inc and any other person doing business in British Columbia under the name of Rutherford College or University shall within 7 days write to any institution or person with whom they have any agreement or arrangement under which instruction is provided to students by the other party to the agreement or arrangement, under which credit is given for instruction to students provided by the other party, or under which the educational services of the other party are advertised or promoted. The letter should be to the effect that they have been required by the British Columbia Ministry of Advanced Education to inform them that they are not permitted by British Columbia Law to
- a) grant or confer degrees in British Columbia;
  - b) offer a program in British Columbia leading to a degree to be conferred either inside or outside British Columbia.

In the Ministry's view letters should be written to Clearmind International Institute (All locations), Corbiz Consultancy, LEAD Training Centre, Erickson College International, East-West University, Mid West College, Stratford Educational Management PVT. Ltd, Hampton College.

If I do not receive within 7 days evidence satisfactory to my client that the conditions referred to above have been complied with proceedings will be issued by the Minister under the Act and by the Attorney General under the University Act.

Yours faithfully,



A. K. Fraser  
Barrister and Solicitor

AF/ns