



Bob Uttl <uttlbob@gmail.com>

Your ex parte secret submissions to the BC Human Rights Tribunal

Bob Uttl <uttlbob@gmail.com>
To: kylebboone@gmail.com

Sun, Sep 14, 2025 at 9:33 PM

Dr. Kyle Brauer Boone

VIA EMAIL TO

kylebboone@gmail.com

Re: Your ex parte secret submissions to the BC Human Rights Tribunal dated July 22, 2025

Dear Dr. Boone:

It has been brought to my attention that you wrote an email and a declaration, with numerous attachments, to the BC Human Rights Tribunal (BCHRT). In the email, you stated that you were "contacted by Dr. J. Braxton Suffield, PhD, R. Psych., in March and June of this year asking for advice regarding how to protect psychological test materials from exposure in legal proceedings." Although you did not disclose what your advice to Dr. John Braxton Suffield was, as the result of Dr. John Braxton Suffield's repeatedly contacting you, you made your extensive secret ex parte submission to the BC Human Rights Tribunal.

In the 10 page long declaration that you stated you made "under penalty of perjury" (Declaration, para 22), you wrote at para 13 the following:

13. Dr. Uttl claimed that test authors and test publishers publish test items "for anyone around the world to see", but this is not accurate. He cites a book published by Butcher, the author who revised the Minnesota Multiphasic Personality Inventory, and while it is true that test items were contained in the book, the book was published in 1990...

Dr. John Braxton Suffield apparently also provided you with information as to which case he wanted you to interfere with including "BCHRT ORDER" number, "File" number, and the case manager's name, in addition to my name and what I, Dr. Bob Uttl, allegedly stated or claimed. However, you did not attach with your submissions any of the materials/information provided to you by Dr. John Braxton Suffield and that you relied on to make your submissions to the Tribunal.

There are some serious issues raised by your ex parte secret submissions.

First: Your False Accusations About Myself

As you may appreciate, knowingly and falsely accusing another professional – myself – of making false ("not accurate") claims to the court/tribunal in a live judicial proceedings is not only grossly improper but also serious unprofessional conduct.

Clearly, as per your under oath Declaration, you knew that Butcher et al. (1990) did publish the items for the world to see and that the world can see those items at any time by buying Butcher et al.'s (1990) book titled *Development and Use of the MMPI-2 Content Scales* on amazon, Minnesota University Press or merely borrowing it from the local library. Even though you knew my statement was true, **you decided to lie to the Tribunal in an attempt to secretly influence live judicial proceedings.**

As you may appreciate, this is nothing short of scandalous conduct for someone who claims to be "Board Certified in Clinical Neuropsychology, ABPP", "Fellow, American Psychological Association (Division 40)", and "Fellow, National Academy of Neuropsychology".

Second: Your Ex Parte Secret Attempt To Influence Live Judicial Proceedings

As a clinical forensic neuropsychologist you present yourself to be, you ought to know that it is grossly inappropriate to send ex parte emails, letters, declarations, and other materials to judges or tribunal members that can have no other intent except to attempt to influence judicial proceedings. Sending ex parte secret submissions to judges and tribunal members is just as inappropriate as sending them suitcases of cash, expensive bottles of wine, and other bribes.

You know that the right to cross-examine any witness is paramount in both Canadian and US judicial system (at least your writings suggest that you do). You must know that your ex parte secret submissions cannot even be accepted by judges or tribunals unless the judges and tribunal members want to risk having their career terminated for judicial bias.

Again, your ex parte secret attempt to influence live judicial proceedings is astonishingly improper and unprofessional conduct that is affront to fundamental fairness as well as open court principle.

Third: Your Attempt To Influence Judicial Proceedings In Support of Dr. John Braxton Suffield -- an expert witness -- and the School District No. 5 Southeast Kootenay

You did not attach with your ex parte secret submissions materials and information that Dr. John Braxton Suffield provided you with and that you relied on. But I presume you did your due diligence and asked Dr. Suffield what his role in the proceedings was, and presumably, he disclosed to you that he has been "an expert witness" called by the School District No. 5 Southeast Kootenay.

You have known for a long time that an expert witnesses cannot function as an advocate for the retaining side (In your book, Boone (2012) Clinical Practice of Forensic Neuropsychology, you criticized some other neuropsychologist and you stated: "This plaintiff neuropsychologist apparently did not appreciate that the role of an expert is not to function as an advocate for one side or the other...").

Accordingly, you must have appreciated that Dr. John Braxton Suffield, an expert witness, contacting you and providing you with the information in an attempt to get you to write your ex parte secret submissions to the BC Human Rights Tribunal made Dr. John Braxton Suffield an advocate for himself and the School District No. 5 Southeast Kootenay (Respondents/Defendants).

Your support of the expert witness -- Dr. John Braxton Suffield's -- secret advocacy on behalf of the School District No. 5 Southeast Kootenay is astonishingly improper and unprofessional.

Fourth: How Much Did You Charge For Your Services And Who Paid Your Bill?

How much did you charge for your work on this file, including your ex parte secret submissions to the BC Human Rights Tribunal?

I see that your fees "Consultation (per hour)" is "\$800" (<https://www.kyleboonephd.com/services-fees/>). If you spent at least 10 hours on the two consultations with Dr. John Braxton Suffield, and the extensive submission to the BC Human Rights Tribunal, your fee schedule suggests that you billed someone at least USD 8,000 or more for your services.

What did you charge for these services? Who did you invoice? Did Dr. John Braxton Suffield personally or through his corporation pay you (or agreed to pay you) for your services? Did someone else pay you? Did someone else agree to pay for your services?

It seems to me that you have never considered a possibility that Dr. John Braxton Suffield might be one of those neuropsychologists who you criticized in your writings, and that his motive in seeking your support is not protection of test materials but (a) to advocate for the party that retained him (and pays him a lot of money for his services), and (b) to keep his incompetence and unprofessional conduct secret.

As you may appreciate, your conduct violates a number of ethics codes that you are subject to, for example, Ethical Principles of Psychologists and Code of Conduct, 5.01 Avoidance of False or Deceptive Statements.

Accordingly, please:

1. Please apologize, in writing and under penalty for perjury, for your false accusation about myself.
2. Please provide the materials and information that Dr. John Braxton Suffield or anyone else provided you that led to your ex parte secret submissions to the BCH Human Rights Tribunal.
3. Please clarify whether Dr. John Braxton Suffield informed you (or whether you did ask him) that his role was that of an expert witness called by the School District No. 5 Southeast Kootenay.
4. Please clarify how much you charged for your services in this matter, who paid for your services (Dr. John Braxton Suffield, the School District No. 5 Southeast Kootenay), and provide related records.
5. Any explanation you may have for your conduct (e.g., someone blackmailed you into making your secret ex parte submissions supporting Dr. Suffield and the School District No. 5).

Please do so at your earliest convenience. If I do not hear from you and do not receive the requested apology, clarifications, and materials promptly, at the latest by Thursday September 18, 2025, I will assume you are unwilling to apologize for your falsehood, and unwilling to provide requested clarifications regarding your ex parte secret submission to the BC Human Rights Tribunal.

Best regards,

Dr. Bob Uttl

Agent for the Claimant/Plaintiff

Email: uttibob@gmail.com