

Court File No.

CV-11-5201

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:



Derek Dunlop

Plaintiff

-and-

*Justice Peter J. Wright, Steven R. Sager, Marcy Segal, Amit Ghosh, Paul Tait, Saara Wilson,
Attorney General, Chris Bentley, John D. Ayre, Pamela A. Thompson, Carol P. Smith,
Catherine Barker and the Canadian Legal Information Institute*

Defendants

STATEMENT OF CLAIM

TO THE DEFENDANTS

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the plaintiff. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Ontario lawyer acting for you must prepare a statement of defence in Form 18A prescribed by the Rules of Civil Procedure, serve it on the plaintiff's lawyer or, where the plaintiff does not have a lawyer, serve it on the plaintiff, and file it, with proof of service in this court office, WITHIN TWENTY DAYS after this statement of claim is served on you, if you are served in Ontario.

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your statement of defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a statement of defence, you may serve and file a notice of intent to defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your statement of defence.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

IF YOU PAY THE PLAINTIFF'S CLAIM, and \$2 000.00 for costs, within the time for serving and filing your statement of defence you may move to have this proceeding dismissed by the court. If you believe the amount claimed for costs is excessive, you may pay the plaintiff's claim and \$400 for costs and have the costs assessed by the court.

Date June 24, 2011 Issued by [Signature]
Local registrar
Address of court office
Civil and Family Division
North Bay Courthouse
360 Plouffe Street
North Bay, Ontario
P1B 9L5

TO Justice Peter J. Wright, 50 Eagle Street West, Newmarket, Ontario, M5H 2M4
AND Steven R. Sager, 76 Holmcrest Trail, Scarborough, Ontario, M1C 1V5
AND Marcy Segal, 500-70 Bond Street, Toronto, Ontario, M5B 1X5
AND Amit Ghosh, 50 Eagle Street West, 2nd Floor, Newmarket, Ontario, M5H 2M4
AND Paul Tait, 50 Eagle Street West, 2nd Floor, Newmarket, Ontario, M5H 2M4
AND Saara Wilson, 3 Catherine Avenue, Aurora, Ontario, L4G 1K4
AND Attorney General, Chris Bentley, 720 Bay Street, 11th Floor, Toronto, Ontario, M7A 2S9
AND John D. Ayre, 720 Bay Street, 6th Floor, Toronto, Ontario, M7A 2S9
AND Pamela A. Thompson, 50 Eagle Street West, Newmarket, Ontario, M5H 2M4
AND Carol P. Smith, 50 Eagle Street West, Newmarket, Ontario, M5H 2M4
AND Catherine Barker, 50 Eagle Street West, Newmarket, Ontario, M5H 2M4
AND Canadian Legal Information Institute, World Exchange Plaza, 1810-45 O'Connor Street,
Ottawa, Ontario, K1P 1A4

CLAIM

1. The plaintiff claims against the Defendants, Justice Peter J. Wright, Steven R. Sager, Marcy Segal, Amit Ghosh, Paul Tait, Saara Wilson, Attorney General, Chris Bentley, John D. Ayre, Pamela A. Thompson, Carol P. Smith, Catherine Barker, the Canadian Legal Information Institute or anyone else of any of their affiliates who become implicated by this process for:
 - (a) general and special damages in the amount of \$ 15 000, 000.00
 - (b) punitive, aggravated and exemplary damages in the amount of \$ 15 000, 000.00
 - (c) damages for false imprisonment in the amount of \$5 000, 000.00
 - (d) prejudgment and postjudgment interest on the above pursuant to the Courts of Justice Act, R. S. O. 1990. Ch. C-43, ss. 127-130
 - (e) the Plaintiff's costs of this action on a substantial indemnity basis, or on such further and other basis as this Honourable Court allows.

- (f) reimbursement of any previous legal fees that the Plaintiff has incurred in relation to this matter.
- (g) reimbursement of any travel expenses to and from court that the Plaintiff will incur.
- (h) reimbursement of any previous research fees and future research fees that the Plaintiff will incur.
- (i) an order for the appointment of an inspector and/or investigation order into the entire affairs and management of the Newmarket Crown Attorney's Office, the Newmarket Court Reporter's Office, Justice Peter J. Wright, Steven R. Sager, Marcy Segal, Amit Ghosh, Paul Tait, Saara Wilson, Attorney General, Chris Bentley and John Ayre.
- (j) a declaration that Plaintiff's rights under sections 7, 9, 10, 11(b), 11(d), 11(e), 12, 15(1) and 24(1) of the Canadian Charter of Rights and Freedoms have been infringed upon by some, all or some combination of all of the Defendants.
- (k) such further and other relief as this Honourable Court deems just.

The Parties

2. The Plaintiff, Derek Dunlop is an individual resident in the District of Nipissing in the City of North Bay, Ontario.
3. The Defendant, Steven R. Sager is an individual resident of City of Scarborough, Ontario and he has legally represented the Plaintiff in the past.
4. The Defendant, Marcy Segal is an individual resident of the City of Toronto and area.
5. The Defendant, Amit Ghosh, is an individual resident of the City of Toronto and area and is employed as an Assistant Crown Attorney with the Newmarket Crown Attorney's Office.
6. The Defendant, Paul Tait is an individual resident of the City of Toronto and area and is employed as the Senior Crown Attorney with the Newmarket Crown Attorney's Office.
7. The Defendant, Saara Wilson is an individual resident of the City of Toronto and area and she has legally represented the Plaintiff in the past.
8. The Defendant, Pamela A. Thompson is an individual resident of the City of Toronto and area. She is/was employed as a court reporter with the Newmarket Courthouse in Newmarket, Ontario.
9. The Defendant, Carol P. Smith is an individual resident of the City of Toronto and area. She is/was employed as a court reporter with the Newmarket Courthouse in Newmarket, Ontario.
10. The Defendant, Catherine Barker is an individual resident of the City of Toronto and area. She is/was employed as a court reporter with the Newmarket Courthouse in Newmarket, Ontario.
11. The Defendant, Attorney General, Chris Bentley is an individual resident of the City of Toronto and area and is employed by parliament and the Ministry of the Attorney General - Ontario. The Ministry of the Attorney General is located in the City of Toronto, Ontario. The Defendant, Attorney General, Chris Bentley is supposed to adhere to specific principles and certain responsibilities which include the following:
 - a) The Ministry of the Attorney General delivers justice services to Ontarians by: prosecuting crime and preserving public order and personal safety; supporting victims of crime throughout the criminal justice system; providing decision-making and justice support services to vulnerable people; providing criminal, civil and family courts and related justice services that are fair, timely and accessible; providing legal advice and services to government.

- b) The Ministry delivers and administers a wide range of justice services including: administering approximately 115 statutes; conducting criminal proceedings throughout Ontario; providing legal advice to, and conducting litigation on behalf of, all government ministries and many agencies, boards and tribunals; providing advice on, and drafting, all legislation and regulations; and coordinating and administering court services throughout Ontario.

The Defendant, Attorney General, Chris Bentley has failed, ignored and neglected to take the serious and significant concerns of the Plaintiff, seriously. The Defendant, Attorney General, Chris Bentley has neglected to respond adequately and sufficiently to the correspondences of the Plaintiff. The Defendant, Attorney General, Chris Bentley has dealt with the Plaintiff's issues with a reckless abandoned and disgusting disregard. This on-going purposeful and intentional negligence of the Defendant, Attorney General, Chris Bentley holds himself and their organization (the Ministry of the Attorney General of Ontario) as equally responsible and legally liable for the on-going collusion, cover-ups, crimes, illegal actions, transgressions and improprieties that continue to grow and expand against the Plaintiff.

12. The Defendant, John D. Ayre is an individual resident of the City of Toronto and area. He is employed as the Assistant Deputy Attorney General with the Ministry of the Attorney General.

The Defendant, John D. Ayre has also failed, ignored and neglected to take the serious and significant concerns of the Plaintiff, seriously. The Defendant, John D. Ayre has neglected to respond adequately and sufficiently to the correspondences of the Plaintiff. The Defendant, John D. Ayre has dealt with the Plaintiff's issues with a reckless abandoned and disgusting disregard. This on-going purposeful and intentional negligence of the Defendant, John D. Ayre holds himself and their organization (the Ministry of the Attorney General of Ontario) as equally responsible and legally liable for the on-going collusion, cover-ups, crimes, illegal actions, transgressions and improprieties that continue to grow and expand against the Plaintiff.

13. The Defendant, the Canadian Legal Information Institute is a not-for-profit organization launched by the Federation of Law Societies of Canada with the goal of making primary sources of Canadian Law accessible at no charge on the Internet.
14. The Defendant, Justice Peter J. Wright is a provincially appointed Judge in the Province of Ontario and is gainfully employed as a Judge in our court system in Newmarket, Ontario. Provincially Court-Appointed Judges are supposed to adhere to, uphold and maintain:
- a) A strong and independent judiciary that is indispensable to the proper administration of justice in our society. Judges must be free to perform their judicial duties without fear of reprisal or influence from any person, group, institution, or level of government. In turn, society has a right to expect those appointed as judges to be honourable and worthy of its trust and confidence.
 - b) The judges of the Ontario Court of Justice recognize their duty to establish, maintain, encourage, and uphold high standards of personal conduct and professionalism so as to preserve the independence and integrity of their judicial office and to preserve the faith and trust that society places in the men and women who have agreed to accept the responsibilities of judicial office.
 - c) The following principles of judicial office are established by the judges of the Ontario Court of Justice and set out standards of excellence and integrity to which all judges subscribe. These principles are not exhaustive. They are designed to be advisory in nature and are not directly related to any specific disciplinary process. Intended to assist judges in addressing ethical and professional dilemmas, they may also serve in assisting the public to understand the reasonable expectations that the public may have of judges in the performance of judicial duties and in the conduct of judges' personal lives.

The Judge in Court

d) Judges must be impartial and objective in the discharge of their judicial duties.

Commentaries:

Judges should not be influenced by partisan interests, public pressure, or fear of criticism. Judges should maintain their objectivity and shall not, by words or conduct, manifest favour, bias, or prejudice toward any party of interest.

e) Judges have a duty to follow the law.

Commentaries:

Judges have a duty to apply the relevant law to the facts and circumstances of the cases before the court and to render justice within the framework of the law.

f) Judges will endeavour to maintain order and decorum in Court.

Commentaries:

Judges must strive to be patient, dignified, and courteous in performing the duties of judicial office and shall carry out their role with integrity, appropriate firmness, and honour.

The Judge and the Court

g) Judges should approach their judicial duties in a spirit of collegiality, co-operation, and mutual assistance.

h) Judges should conduct Court business with due diligence and dispose of all matters before them promptly and efficiently, having regard, at all times, for the interests of justice and the rights of the parties before the court.

i) Reasons for judgment should be delivered in a timely manner.

j) Judges have a duty to maintain their professional competence in the law. Commentaries: Judges should attend and participate in continuing legal and general education programs.

k) The primary responsibility of judges is the discharge of their judicial duties.

Commentaries:

Subject to applicable legislation, judges may participate in law-related activities such as teaching, participating in educational conferences, and writing and working on committees for the advancement of judicial interests and concerns, provided such activities do not interfere with the judge's primary duty to the Court.

The Judge in the Community

l) Judges should maintain their personal conduct at a level that will ensure the public's trust and confidence.

m) Judges must avoid any conflict of interest, or the appearance of any conflict of interest, in the performance of their judicial duties.

Commentaries:

n) Judges must not participate in any partisan political activity. Judges must not contribute financially to any political party.

o) Judges must not abuse the power of their judicial office or use it inappropriately.

- p) Judges are encouraged to be involved in community activities, provided such involvement is not incompatible with their judicial office.

Commentaries:

- q) Judges should not lend the prestige of their office to fundraising activities.

Justice Peter J. Wright

The Defendant, Justice Peter J. Wright committed numerous intentional acts of misconduct against the Plaintiff. Justice Peter J. Wright possesses an abundance of biases, prejudices and discriminations against the Plaintiff. Justice Peter J. Wright is unwilling to admit to any of these biases, prejudices and discriminations that he possesses against the Plaintiff. Justice Peter J. Wright was involved in collusion against the Plaintiff. The Defendant, Justice Peter J. Wright even possesses a high level of animosity toward the Plaintiff that he would also be unwilling to admit to. The extent of Justice Peter J. Wright's misconduct, errors, omissions, prejudices, biases, discriminations, unfair and unjust treatment of the Plaintiff, administering unfair and unjust judicial processes towards the Plaintiff, violating numerous rights of the Plaintiff and administering improper judicial management of the matter is further outlined specifically in the body of this statement of claim. The Defendant, Justice Peter J. Wright has failed miserably and neglected to adhere to his obligations and responsibilities while presiding as a Judge throughout the duration of this matter. The Defendant, Justice Peter J. Wright has extensively abused his powers as it relates to the Plaintiff and to this matter.

15. Any other employees of the Newmarket Crown Attorney's Office, the Newmarket Court Reporter's Office, the Ministry of the Attorney General- Ontario, any other judges and any of their affiliates, relatives or friends who become implicated by this process.

The Intentional, Calculated, Pre-meditated, Deliberate and Purposeful Injustices of Justice Peter J. Wright towards Mr. Derek Dunlop

16. Justice Peter J. Wright erred as he has failed to lend any credence to the fact that there has been prosecutorial misconduct in this matter. The Judge erred as he is unwilling to acknowledge the improprieties that the Newmarket Crown Attorney's Office has intentionally directed towards the Plaintiff.
17. Justice Peter J. Wright erred as he has failed to acknowledge the significance of the numerous miscarriages of justices that the Plaintiff has experienced throughout the duration of this entire related criminal matter.
18. Justice Peter J. Wright erred as he neglected to recognize how these miscarriages of justices have drastically affected the entire administration of justice in the related criminal matter.
19. Justice Peter J. Wright erred as he has not adhered to upholding specific fundamental principles of justice as they relate to this matter and to the Plaintiff.
20. Justice Peter J. Wright erred in some of his comments and as a result he has deprived the Plaintiff of a fair, unbiased, impartial and just judicial process in the related criminal matter.
21. Justice Peter J. Wright erred as he has minimized the importance of any prospective defence witnesses' testimony for the Plaintiff's defence in this matter. Justice Peter J. Wright ensured that only Ms. Saara Wilson would testify in order to cover-up for Justice Peter J. Wright and many other legal and government officials.

22. Justice Peter J. Wright erred as his perceptions and views of this matter are definitely skewed by other additional motives to try and protect his own credibility, integrity and reputation.
23. Justice Peter J. Wright erred as his perceptions and views of this matter are definitely skewed by other additional motives to attempt to protect the credibility, integrity and reputations of Steven R. Sager, Marcy Segal, Amit Ghosh, Paul Tait, Saara Wilson, Attorney General, Chris Bentley, John Ayre, Pamela A. Thompson, Carol P. Smith, Catherine Barker, the Newmarket Crown Attorney's Office, the Newmarket Court Reporter's Office and other members of the legal community.
24. Justice Peter J. Wright erred as his perceptions and views of this matter are definitely skewed by additional motives to uphold the entire administration of justice and the entire judicial process in this matter. The entire judicial process and entire administration of justice had already been compromised and jeopardized as a result of the unethical conduct exhibited by Justice Peter J. Wright, Steven R. Sager, Marcy Segal, Amit Ghosh, Paul Tait, Saara Wilson, the Newmarket Crown Attorney's Office, the Newmarket Court Reporter's Office and by numerous other legal professionals who have had involvement in this matter.
25. Justice Peter J. Wright erred as his perceptions and views of this matter are skewed by external pressures from questions and concerns raised by other legal professionals, other individuals associated with this matter and anyone else in the public who has a vested interest in the proceedings.
26. Justice Peter J. Wright erred as he attempted to intentionally manipulate and shift all the blame towards the Plaintiff for all the wrongdoings, transgressions, improprieties, misconduct and acts committed by Justice Peter J. Wright throughout the duration of the entire judicial proceedings in the related criminal matter.
27. Justice Peter J. Wright erred as he is extremely and thoroughly displeased with the fact that in the process of the Plaintiff defending himself in this matter that the Plaintiff has uncovered, unveiled and exploited some of the collusion that has occurred in this matter. That the Judge has erred by doing everything imaginable to try to conceal this evidence and ignore that the evidence ever existed.
28. Justice Peter J. Wright erred as he and the Newmarket Crown Attorney, Mr. Amit Ghosh and other legal professionals are obviously trying to suggest and portray that there is positively **no** way that all of these highly reputable legal professionals would involve themselves in a case of collusion, conspiracy, cover-ups and corruption against the Plaintiff.
29. Justice Peter J. Wright erred as he and all of these legal professionals will stop at nothing to convince the Ontario Court of Justice, the public and others that there is **no** possible way that a case of collusion, conspiracy, cover-ups and corruption would ever occur against the Plaintiff.
30. Justice Peter J. Wright erred as he and Newmarket Crown Attorney, Mr. Amit Ghosh, other legal officials and others do **not** have the courage to admit to any and/or all of their transgressions against the Plaintiff. In turn, they are individually and/or collectively using all of their legal knowledge, expertise and training to attempt to shift all the blame for everything that is

happening towards the Plaintiff. These legal professionals are proceeding to great lengths in order to do so.

31. Justice Peter J. Wright erred in his personal judgment by refusing to recuse himself from presiding over any further and future Honourable Court proceedings in this matter.
32. Justice Peter J. Wright erred as he personally became involved in the related criminal matter.
33. Justice Peter J. Wright erred by misapprehending the evidence that was presented before him during the motion for his recusal on Friday May 8th, 2009.
34. Justice Peter J. Wright erred by excluding significant material evidence that was presented to the Honourable Court during the motion for recusal on Friday May 8th, 2009.
35. Justice Peter J. Wright erred and failed to recognize the significance of the landscape that initially shaped the unjust foundations toward the Plaintiff in this matter. These unjust and unfair foundations commenced and were initially formed as a result of the Plaintiff being represented by Mr. Steven R. Sager.
36. Justice Peter J. Wright erred as the Plaintiff was not afforded the basic principles of procedural fairness at certain junctures of this matter.

The appearance of fairness and the trial judge's corresponding duty to exercise restraint and remain neutral is especially critical in the criminal context where the accused takes the stand: Brouillard at page #48. Since a criminal trial is an adversarial process between the prosecution and defence, and not an investigation by the trial judge, the examination and cross-examination of witnesses is, for the most part, the responsibility of counsel: Valley at page #231. Although the trial judge is justified in occasionally intervening for one of the legitimate purposes indicated above, the trial judge must be careful not to usurp the role of counsel because otherwise the overall impression created may be fatal to the appearance of trial fairness.

***R. v. Stucky*, [2009] O. J. No. 600.**

The Plaintiff maintains that Justice Peter J. Wright made a number of serious errors that denied and deprived the Plaintiff of jurisdiction to proceed and undermined the Plaintiff's right to a fair and just trial. Fundamental to the position of the Plaintiff he is stating that Justice Peter J. Wright purposely dismissed evidentiary rulings as it related to the Plaintiff's defence in the related criminal matter. This evidence was necessary to the presentation of the Plaintiff's case at trial in the related criminal matter. As a result, this omission by Justice Peter J. Wright has improperly interfered in the conduct of the Plaintiff's case.

***R. v. Felderhof*, [2003] O. J. No. 4819.**

37. Justice Peter J. Wright erred as he was reluctant to take the time to hear further evidence on Friday May 8th, 2009 in the possession of the Plaintiff that was relevant to the recusal application. Justice Peter J. Wright erred as he became impatient with the court proceedings.

38. Justice Peter J. Wright erred as he has failed to recognize and acknowledge that he possesses an unfavourable inclination toward the Plaintiff and the Judge possesses a favourable inclination toward the defendant, Newmarket Crown Attorney, Mr. Amit Ghosh, the defendant, Newmarket Crown Attorney, Paul Tait, the defendant, Steven R. Sager, the defendant, Marcy Segal, the defendant, Saara Wilson, the Newmarket Crown Attorney's Office, the Newmarket Court Reporter's Office as well as other legal and judicial officials.

It has been noted that bias denotes a state of mind that is in some way predisposed to a particular result, or that is closed with regard to particular issues. An explanation of this concept was provided by Scalia J. in *Liteky v. U. S.* [1994] 114 S. Ct. 1147 at page 1155:

"The words [bias or prejudice] connote a favourable or unfavourable disposition or opinion that is somehow wrongful or inappropriate, either because of it is undeserved, or because it rests upon knowledge that the subject ought not to possess (for example, a criminal juror who has been biased or prejudiced by receipt of inadmissible evidence concerning the defendant's prior criminal activities), or because it is excessive in degree (for example, a criminal juror who is so inflamed by properly admitted evidence for a defendant's prior criminal activities that he will vote guilty regardless of the facts)."

R. v. R. D. S., [1997] 3 S. C. R. 484.

39. Justice Peter J. Wright erred as he not only possesses a reasonable apprehension of bias towards the Plaintiff, but Justice Peter J. Wright possesses biases against the Plaintiff that far exceed the threshold of a reasonable apprehension of bias.

Real and Perceived Apprehension of Bias

The Plaintiff submits that the Judge lost jurisdiction because he failed in his obligation to restrain the uncivil attacks by the Newmarket Crown Attorney and this conduct interfered with The Plaintiff's presentation of his case. The Plaintiff submits that the combined effect of these various errors produced unfair and unjust judicial court proceedings and also created a reasonable apprehension of bias in the trial Judge.

R. v. Felderhof, [2003] O. J. No. 4819.

Regardless of the precise words used to describe the test, the object of the different formulations is to emphasize that the threshold for a finding of real or perceived bias is high. It is a finding that must be carefully considered since it calls into question an element of judicial integrity. Indeed an allegation of reasonable apprehension of bias calls into question not simply the personal integrity of the judge but the entire administration of justice. See Stark, *supra*, at paragraphs. 19-20. Where reasonable grounds to make such an allegation arise, counsel must be free to fearlessly raise such allegations. Yet, this is a serious step that should not be undertaken lightly.

R. v. R. D. S., [1997] 3 S. C. R. 484.

40. Justice Peter J. Wright erred as he had a purposeful intent to try to embarrass the Plaintiff during the Ontario Court of Justice proceedings in this matter. This was highly evident during the Judge's address to the Ontario Court of Justice in Newmarket, Ontario on Friday May 15th, 2009.
41. Justice Peter J. Wright erred as he possesses a personal dislike toward the Plaintiff. That Justice Peter J. Wright erred as he developed a personal vendetta against the Plaintiff in the related criminal matter.
42. Justice Peter J. Wright erred as he did not uphold adjudicative neutrality as it related to the criminal matter and to the Plaintiff.
43. Justice Peter J. Wright erred in some of his comments and as a result he deprived and denied the Plaintiff of a fair, just, unbiased and impartial judicial process in the related criminal matter.
44. Justice Peter J. Wright erred as the Plaintiff was not afforded the opportunity to make a full answer and a full defence in the related criminal matter.

The Right to Make Full Answer and Full Defence

45. The Plaintiff contends that he was not afforded the appropriate opportunity to make full answer and defence in this matter. It must be noted that Section 650(3) of the Criminal Code of Canada states:

"An accused is entitled, after the close of the case for the prosecution, to make full answer and defence personally or by counsel."

Martin's Annual Criminal Code of Canada, Section 650(3).

The Plaintiff's right to make full answer and defence are guaranteed by the Canadian Charter of Rights and Freedoms. The Plaintiff maintains that his right to make full answer and defence in accordance to Section 11(d) of the Canadian Charter of Rights and Freedoms were violated, denied and deprived. It must be noted that Section 11(d) of the Canadian Charter of Rights and Freedoms states:

"Any person charged with an offence has the right to be presumed innocent until proven guilty according to law in a fair and public hearing and by an independent and impartial tribunal."

Martin's Annual Criminal Code of Canada, Canadian Charter of Rights and Freedoms, Section 11(d).

The Plaintiff asserts that the right to make full answer and full defence as guaranteed by this section have been denied. The Plaintiff contends that Justice Peter J. Wright failed to permit necessary evidence to be entered into the Honourable Court record that would be highly important to the Plaintiff's defence in this matter.

46. Justice Peter J. Wright erred as specific sections of the Charter of Rights and Freedoms as applied to the Plaintiff in the related criminal matter have been abandoned, violated, deprived and denied.

Violations of the Charter of Rights and Freedoms

The Plaintiff asserts that his rights and freedoms as guaranteed by the Canadian Charter of Rights and Freedoms have been infringed and denied. The Plaintiff maintains this to be true in accordance to Section 24(1) of the Canadian Charter of Rights and Freedoms. It must be noted that Section 24(1) states:

"Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain and remedy as the court considers appropriate or just in the circumstances."

Martin's Annual Criminal Code of Canada, Canadian Charter of Rights and Freedoms, Section 24(1).

47. Justice Peter J. Wright erred as this matter was not proven beyond a reasonable doubt.

The burden of proof was set out in *R. v. Lifchus* a decision of Justice Cory as follows:

"The standard of proof beyond a reasonable doubt is inextricably intertwined with that principle fundamental to all criminal trials, the presumption of innocence. The burden of proof rests upon the prosecution throughout the trial, never shifts to the accused. A reasonable doubt is not a doubt based upon sympathy or prejudice. It is based upon reason and common sense. It is logically connected to the evidence or absence of evidence. It does not involve proof to an absolute certainty. It is not proof beyond and doubt, nor is it an imaginary or frivolous doubt. And more is required than proof that the accused is probably guilty. A trier of fact which concludes only that an accused is probably guilty must acquit."

R. v. Maodus, [2008] ONCJ 109 (CanLII).

48. Justice Peter J. Wright erred by dismissing factual evidence contained within certified court transcripts of this matter that revealed the misconduct and previous wrongdoings committed by Justice Peter J. Wright in the related criminal matter. Some of this evidence was presented during the recusal proceedings of Friday May 8th, 2009. Instead of acknowledging this evidence Justice Peter J. Wright purposely erred by ignoring, contradicting, neglecting, obscuring, manipulating, disguising and outright denying that these transgressions were committed. The Plaintiff possesses copies of the Certified Court Transcripts that outline Justice Peter J. Wright's misconduct. The Plaintiff also possesses an assessment of specific aspects of Justice Peter J. Wright's improprieties contained within those Certified Court Transcripts that the Plaintiff intends to enter these documents into evidence in this matter in the future court proceedings.

49. Justice Peter J. Wright erred by dismissing factual evidence contained within certified court transcripts of this matter that revealed the misconduct and previous wrongdoings committed by Newmarket Crown Attorneys, Amit Ghosh and Mr. St. Michael. This evidence was also presented by the Plaintiff during the recusal proceedings of Friday May 8th, 2009. Instead of acknowledging this evidence Justice Peter J. Wright purposely erred by ignoring, contradicting, neglecting, obscuring, manipulating, disguising and outright denying that these transgressions were committed.
50. Justice Peter J. Wright erred as he failed to acknowledge that Newmarket Crown Attorney, Amit Ghosh was unwilling to testify in the related criminal matter, however, Justice Peter J. Wright and Amit Ghosh both ensured that the Honourable Court record of Friday May 8th, 2009 reflected that the Plaintiff exercised his legal right not to testify at that juncture of the proceedings.
51. Justice Peter J. Wright erred in rendering his oral judgment of the recusal motion in the related criminal proceedings on Friday May 15th, 2009 by barely acknowledging any of the inappropriate, disgraceful conduct and behaviours of Mr. Steven R. Sager.
52. Justice Peter J. Wright erred was unwilling to acknowledge the significance of the inappropriate transgressions of Mr. Steven R. Sager and the enormous impact that Mr. Steven R. Sager's despicable conduct had on the entire related criminal matter. These omissions of Justice Peter J. Wright were evident during his oral judgment to the court on Friday May 15th, 2009.
53. Justice Peter J. Wright erred as he dismissed crucial witnesses that the Plaintiff proposed and maintains to be highly important in uncovering the entire truth in this matter.
54. Justice Peter J. Wright erred as he intervened significantly throughout the judicial proceedings in this related criminal matter and assisted the Newmarket Crown Attorneys in their specific legal obligations, responsibilities and duties.

In Valley at pages 231-232, Martin J. A. listed types of interventions by trial judges which have resulted in the quashing of criminal convictions:

1. Questioning an accused or a defence witness to such an extent or in a manner which conveys the impression that the trial judge has placed the authority of his or her office on the side of the prosecution and conveys the impression that the trial judge disbelieves the accused or the witness.
2. Interventions which have effectively made it impossible for defence counsel to perform his or her duty in advancing the defence; and
3. Interventions which effectively preclude the accused from telling his or her story in his or her own way.

***R. v. Stucky*, [2009] O. J. No. 600.**

55. Justice Peter J. Wright erred as numerous prejudices and biases towards the Plaintiff have been developed and are still being created.

There is a general principle that was stated by the Supreme Court of Canada in *Wewaykum Indian Band v. Canada* [2003] 2 S. C. R. 259, as follows:

"Simply put, public confidence in our legal system is rooted in the fundamental belief that those who adjudicate in law must always do so without bias or prejudice and must be perceived to do so."

***R. v. Di Giuseppe*, [2005] O. J. No. 4064.**

56. Justice Peter J. Wright erred as the Plaintiff honestly believes that Justice Peter J. Wright knew that the Newmarket Crown Attorney's Office had additionally disclosure/discovery in their possession that was not released to the Plaintiff or any of the Plaintiff's legal representatives. This evidence of additional disclosure will also exploit some of the reasons why the collusion and cover-ups that occurred between many legal and judicial officials in the related criminal matter.

Since the legal precedence established by the decision of the Supreme Court of Canada in *R. v. Stinchcombe*, it has been firmly recognized that an accused's right to disclosure of all relevant documents (both inculpatory and exculpatory) is integral to the right to raise full answer and defence enshrined in s. 7 of the Charter. *Stinchcombe* recognized that a failure to disclose relevant documents impedes the accused's ability to raise full answer and defence, which in turn creates the risk of an innocent person being convicted and imprisoned:

Apart from the practical advantages to which I have referred, there is the overriding concern that failure to disclose impedes the ability of the accused to make full answer and defence. This common law right has acquired new vigour by virtue of its inclusion in s. 7 of the *Canadian Charter of Rights and Freedoms* as one of the principles of fundamental justice. (See *Dersch v. Canada (Attorney General)*, [1990] 2 S.C.R. 1505, at p. 1514.) The right to make full answer and defence is one of the pillars of criminal justice on which we heavily depend to ensure that the innocent are not convicted. Recent events have demonstrated that the erosion of this right due to non-disclosure was an important factor in the conviction and incarceration of an innocent person. In the Royal Commission on the Donald Marshall, Jr., Prosecution, Vol. 1: Findings and Recommendations (1989) (the "Marshall Commission Report"), the Commissioners found that prior inconsistent statements were not disclosed to the defence. This was an important contributing factor in the miscarriage of justice which occurred and led the Commission to state that "anything less than complete disclosure by the Crown falls short of decency and fair play" (Vol. 1 at p. 238).

***R. v. Stinchcombe*, [1991] 3 S.C.R. 326.**

57. Justice Peter J. Wright erred as he would have possessed knowledge that Plaintiff had contacted the Ontario Judicial Council about the Plaintiff's concerns in relation to the misconduct exhibited by Justice Peter J. Wright. Regardless of this fact, Justice Peter J. Wright still intentionally proceeded to preside over serious court hearings in the related criminal matter.
58. Justice Peter J. Wright erred as he purposely only permitted Saara Wilson to testify in the related criminal matter on November 17th, 2009. Furthermore, Justice Peter J. Wright, Saara Wilson, Amit Ghosh and many other legal officials know that Saara Wilson perjured herself on the witness stand under oath on November 17th, 2009 in order to cover-up for many judicial and legal officials, including themselves.

59. Justice Peter J. Wright erred as he possesses knowledge that the original audio-tape created by the Newmarket Court Reporter on October 9th, 2008 would have had to be destroyed. Justice Peter J. Wright would have further erred as he was a part of a collaborative effort to illegally and criminally create another audio-tape for October 9th, 2008 to cover-up for himself, all the other defendants in this matter and many other legal and judicial officials.

Intentional, Calculated, Pre-meditated, Deliberate and Purposeful Injustices of Mr. Steven R. Sager (the Plaintiff's own defence counsel) towards Mr. Derek Dunlop

60. Upon my initial meeting with Mr. Steven R. Sager on the 16-Oct-06, Mr. Steven R. Sager informed me that he charged an hourly rate of \$230.00 per hour and shortly thereafter he informed me that he charged \$320.00 per hour.
61. Mr. Steven R. Sager changed his monetary values of his own retainer agreements to make it appear as if he was doing me a favor.
62. Mr. Steven R. Sager had verbal and written contact with my father, Peter Dunlop without my consent, authorization and knowledge. These type of actions exhibited by Mr. Steven R. Sager are unethical and prejudicial to my best interests.
63. Mr. Steven R. Sager has violated my fiduciary privileges on numerous occasions by having third party contacts without my consent.
64. Mr. Steven R. Sager was never concerned about providing me with a defence. Mr. Steven R. Sager was never concerned about my best interests even though he maintains that he only wanted to assist me.
65. Mr. Steven R. Sager purposely has assisted the Crown in building a case against me.
66. Mr. Steven R. Sager informed me that he could handle my Newmarket Case for a Blocked fee of \$20 000. Upon a subsequent discussion Mr. Steven R. Sager than raised the blocked fee to \$25 000. On 16-Jan-07, Mr. Steven R. Sager sent me a retainer agreement with a blocked fee of \$25 000.
67. Upon another discussion Mr. Steven R. Sager than arrived a block fee of \$18 000. Once again this \$7 000 reduction was an intentional to make it appear that Mr. Steven R. Sager was doing me a favor. On 09-Mar-07, Mr. Steven R. Sager, sent me a retainer agreement with a blocked fee of \$18 000.
68. Mr. Steven R. Sager informed me on numerous occasions that he had researched case law and that he had made copies of the case law. Mr. Steven R. Sager had informed me that he had forwarded that copied case law to my father's residence at 3 Sunnyside Road, Corbeil, Ontario, POH 1K0. I never did receive this case law that Mr. Steven R. Sager stated to me that he had sent.
69. Mr. Steven R. Sager did not want me to write remorse letters to the victims of the Accident. Mr. Steven R. Sager continuously informed me that it was not necessary for me to write remorse letters. On the 11-Jan-07, I completed remorse letters to the two victims in the accident (almost 3 month after the accident). Mr. Steven R. Sager did not have knowledge that I

was writing these letters. Mr. Steven R. Sager did not request that I write these remorse letters. Mr. Steven R. Sager did not know that I was going to send them to him. On the 14-Jan-07, I forwarded these letters to Mr. Steven R. Sager requesting that he forwarded them to the victims, the Crown Attorney and the police. It was pretty sad that it actually had to come to that point and I will never understand why Mr. Steven R. Sager did not want me to write remorse letters unless he was intentionally trying to make me look bad.

70. On numerous occasions after forwarding Mr. Steven R. Sager the remorse letters, I asked Mr. Steven R. Sager whether he informed the remorse letters to the Crown Attorney or not. Mr. Steven R. Sager informed me that he had not.
71. Mr. Steven R. Sager had initially informed me that he always preferred his clients to attend all court dates with him. Shortly after informing me about this policy, Mr. Steven R. Sager proposed that I sign designation of counsel forms so that he could attend court on my behalf and that I would not have to travel to Newmarket, Ontario for all my court dates. Reluctantly, I did sign the designation, however, I know that Mr. Steven R. Sager purposely did this so that I would become disassociated with the entire court process.
72. As a result of the Designation of Counsel forms Mr. Steven R. Sager attended numerous court dates on my behalf. Mr. Steven R. Sager consistently stated that he would contact me after court to inform me about the outcome of court. Mr. Steven R. Sager would not contact me and I would eventually have to contact him to find out about what had occurred at court.
73. Mr. Steven R. Sager only provided me with limited information when I did make contact him to find out about the occurrences of court. Mr. Steven R. Sager would present it in a convoluted manner. This was definitely all intentional. Mr. Steven R. Sager did not want to inform me about court in the first place and when we did speak Mr. Steven R. Sager wanted to make it as difficult for me to understand as possible. Mr. Steven R. Sager would not present the information in a succinct manner.
74. Prior to my court date of the 09-Jan-08, I could not get a direct answer from Mr. Steven R. Sager about the pertinence of this court date. Mr. Steven R. Sager tried to dance around the pertinence of the court date. Mr. Steven R. Sager just wanted me to plead to the charges. Mr. Steven R. Sager felt it was best. I never agreed with Mr. Steven R. Sager and still do not agree to this day.
75. In December of 2006, Mr. Steven R. Sager had me provide a statement to Mr. Chris Heindl, Insurance Adjustor. Mr. Steven R. Sager was not going to advise me about what I should or should not say until I asked him. At a later date when referencing this interview with Mr. Heindl, Mr. Steven R. Sager said that I had not provided the police with much of a statement. Once again, this was Mr. Steven R. Sager intentionally setting me up.
76. Mr. Steven R. Sager would not provide me a copy of the disclosure so that I could assist him and myself with my defence.
77. Mr. Steven R. Sager initially informed me that there was 6 inches of disclosure which the Crown in Newmarket had produced. Mr. Steven R. Sager was not willing to provide me a copy or discuss the contents of that disclosure.

78. Mr. Steven R. Sager sent me an e-mail dated the 23-Nov-07 and Mr. Steven R. Sager referred to the 6 inches of disclosure as "Bullshit." Mr. Steven R. Sager also informed me that it was only about 4 inches in actual size. (What happened to the other 2 inches)
79. Mr. Steven R. Sager initially was always accessible, but Mr. Steven R. Sager did not maintain that level of professionalism and did not maintain that standard. This was purposely done as well.
80. Mr. Steven R. Sager was evasive of me and evasive of answering my questions.
81. Mr. Steven R. Sager only referenced one previous case when apparently trying to establish a defence for me in this matter.
82. Mr. Steven R. Sager apparently reference the Joann Kimberly White (1999) case that went to the Supreme Court of Canada. Mr. Steven R. Sager was fully aware that this argument would not work.
83. Mr. Steven R. Sager notified in an e-mail dated 09-Jul-07 me that the White case was part of Mr. Steven R. Sager's pre-trial discussion material. Mr. Steven R. Sager knew at that time that it would not be of any assistance to my defence as Mr. Steven R. Sager stated in his e-mail of the 09-Jul-07 that my own admission put me behind the wheel.
84. Mr. Steven R. Sager notified me on the 15-Aug-07 that Mr. Steven R. Sager could not really argue the White case as it was brought up by the Crown that I had admitted to the female officer that I was behind the wheel. Mr. Steven R. Sager already had knowledge of this fact as he already had indicated this in his e-mail dated the 09-Jul-07. (Mr. Steven R. Sager would have known this well before the 09-Jul-07)
85. Mr. Steven R. Sager would not provide answers to my research about this case. I informed Mr. Steven R. Sager that I had discovered the Joann Kimberly White case and Mr. Steven R. Sager would not confirm or deny that this was the case he was referring to or not.
86. Mr. Steven R. Sager allowed me to continue my research and did not respond to my e-mails about the White case. Subsequently, I informed you that I found a White case in Nova Scotia in 1994 but I did not believe this was the case. Mr. Steven R. Sager did not respond to my e-mail to confirm or deny whether this was the case or not.
87. I requested the citation and docket numbers to the White case on numerous occasions and Mr. Steven R. Sager informed that he would let me know. I waited for a response but Mr. Steven R. Sager did not provide this information to me.
88. Mr. Steven R. Sager did not focus on the mitigating circumstances associated with the Newmarket case.
89. Initially, Mr. Steven R. Sager did not even want to discuss the mitigating factors with me. When I suggested to Mr. Steven R. Sager that I provide Mr. Steven R. Sager with a list of the mitigating factors, he said that would not be necessary as Mr. Steven R. Sager knew some of them anyway.

90. On my own volition on the 23-Jan-07, I provided Mr. Steven R. Sager a list of mitigating circumstances that was a comprehensive, but not exhaustive. Mr. Steven R. Sager never appeared interested to discuss these mitigating factors with me. The discussion of these factors only came up by me introducing them during our conversations.
91. In an e-mail sent to me on the 10-May-07, Mr. Steven R. Sager stated that he would provide me a copy of time docket. To this day I have never received those time docket from Mr. Steven R. Sager.
92. On the 16-Aug-07, Mr. Steven R. Sager suggested that Mr. Steven R. Sager and I get together for a meeting for an hour. This suggestion was initiated by Mr. Steven R. Sager did not come to fruition for months. In fact, it did not occur until 04-Jan-08.
93. On the 19-Sep-07, Mr. Steven R. Sager informed the Honourable Court that he believed that this case would be resolved at my next court date of the 09-Jan-08. At that time, I was not informed of Mr. Steven R. Sager's belief. I only discovered this on the 21-Dec-08 upon reading the certified court transcript from the 19-Sep-07.
94. On the 19-Sep-07, Mr. Steven R. Sager informed the Honourable Court about a letter that Mr. Peter D. Dunlop (my father) had submitted to Mr. Steven R. Sager. I only discovered that this letter existed on the 21-Dec-08 upon reading the certified court transcript from the 19-Sep-07. I have no prior knowledge about the creation, existence or presentation of Mr. Peter D. Dunlop's letter.
95. On the 15-Nov-07, Mr. Steven R. Sager sent me an e-mail requesting to meet with both of my parents and myself.
96. Mr. Steven R. Sager sent me an e-mail dated the 23-Nov-07 and Mr. Steven R. Sager referred to the 6 inches of disclosure as "Bullshit" Mr. Steven R. Sager than informed me that it was only about 4 inches in actual size. (What happened to the other 2 inches)
97. After numerous difficulties of trying to set up a meeting with Mr. Steven R. Sager, he finally agreed to meet with my mother, Barbara Dunlop and myself on the 04-Jan-08 at his office in Richmond Hill, Ontario. This meeting was eventually scheduled as a result of my persistence. It was the first face-to-face meeting with Mr. Steven R. Sager in over a year. Mr. Steven R. Sager wanted me to plead guilty and I did not agree with him. I informed my mother that I did not agree with Mr. Steven R. Sager and that I never have agreed with him.
98. On 10-Jun-08, In a deliberate manner, Mr. Steven R. Sager made false representations in his submissions to the Honourable Court in Newmarket, Ontario. These submission are reflective in the court record that still exists to this day. Mr. Steven R. Sager did everything possible to try and intentionally hurt me during these submissions.
99. On 15-Jun-08, In another calculated and deliberate manner, Mr. Steven R. Sager submitted an outrageous letter to the Honourable Court. Mr. Steven R. Sager's letter is littered with numerous outright lies that are extremely pre-judicial to my best interests. I have dissected Mr. Steven R. Sager's letter and will include a copy of my assessment and analysis to the Honourable Court in the future.

Intentional, Calculated, Pre-meditated, Deliberate and Purposeful Injustices of Ms. Saara Wilson towards Mr. Derek Dunlop

100. On the 17-Jul-08, I left message for Ms. Saara Wilson with some information and particulars about my case.
101. On the 17-Jul-08, Ms. Saara Wilson returned my call, left me a message for me to call her back.
102. On the 18-Jul-08, I left message for Ms. Saara Wilson.
103. On the 18-Jul-08, during our initial telephone contact, I asked Ms. Saara Wilson if she had heard about my case and she said "no," but if she asked around she could probably find out. Ms. Wilson did not mention Mr. Steven R. Sager or the Amicus Curaie, Ms. Marcy Segal. Ms. Wilson did ask me who the presiding judge was and I informed her that it was Justice Wright.
104. On the 31-Jul-08, Ms. Saara Wilson and I set up a time to meet on the 12-Aug-08 @ 6:30pm at her office in Aurora, ON.
105. On the 12-Aug-08, I met with Ms. Saara Wilson at her office. It was a fairly informal meeting. I was not all that comfortable with Ms. Wilson as I knew that she already knew about my case even though she was letting on that she did not.
106. On the 13-Aug-08, both Ms. Saara Wilson and I signed a retainer agreement. The next court date was set for the 17-Sep-08.
107. On the 14-Aug-08, I e-mailed Ms. Saara Wilson and requested to have a 10 minute telephone discussion with Ms. Wilson when she became more aware of my case.
108. On the 14-Aug-08, Ms. Saara Wilson responds to my e-mail and states that an application to strike the plea will be set for the 17th for a later date since it will take a long time to argue. Ms. Wilson stated that she understood that the Judge may be reluctant to hear the application so that would be sorted out as well. (How did Ms. Saara Wilson know this?)
109. On the 18-Aug-08, I e-mailed Ms. Saara Wilson requesting that she contact me by telephone so that we could arrange a time to have a telephone discussion about my case.
110. On the 26-Aug-08, I e-mailed Ms. Saara Wilson saying that I would greatly appreciate it if she could call me to discuss what is happening with my case. I informed Ms. Saara Wilson that it did not appear that she had responded to my recent contacts and that I would have to assume that she was not interested in my matter should she not respond. (Ms. Saara Wilson never acknowledges that there is any communication breakdown between Ms. Saara Wilson and myself)
111. On the 05-Sep-08, I e-mailed Ms. Saara Wilson and instructed Ms. Saara Wilson to make application to the court to enter my personal 5-6 inches of disclosure into evidence. (I still had not heard from Ms. Wilson in relation to my prior contacts)

112. On the 05-Sep-08, Ms. Saara Wilson responds and states that she has almost finished reading it all. Ms. Wilson states that she will call Monday evening to discuss if that is good for me.
113. On the 07-Sep-08, I contacted Ms. Wilson by e-mail and informed her that Monday evening would be great. (08-Sep-08).
114. On 08-Sep-08, I did not hear from Ms. Saara Wilson.
115. On the 09-Sep-08, I e-mailed Ms. Saara Wilson and stated that I was under the impression that she had no intentions of contacting me. Ms. Wilson had not followed through with her intentions to contact me or to discuss my matter. I forwarded Ms. Wilson a document instructing her to subpoena many records of many people who had involvement in my affairs in the past few years. (Ms. Saara Wilson never acknowledges that there is any communication breakdown between Ms. Saara Wilson and myself)
116. On the 15-Sep-08, I e-mailed Ms. Saara Wilson about financial constraints that my mother and I have.
117. On the 16-Sep-08, Ms. Saara Wilson responds and apologizes for not calling. Ms. Saara Wilson states that she has not had the time to sit down with my file in front of her and actually set aside an hour or so to speak with me. Ms. Wilson stated that she forgot that she had Monday classes right now. (I know that Ms. Wilson purposely waited until the 16-Sep-08 to respond to my e-mail of the 15-Sep-08 as she knew that I would be in transit travelling from North Bay, Ontario to Newmarket, Ontario)
118. On the 23-Sep-08, I e-mailed Ms. Saara Wilson a number of questions. Are you going to be entering the 5-6 inches of my personal disclosure into evidence and have you forwarded a copy to the Crown. Could you please outline in writing the options that I may have for court on the 09-Oct-08.
119. On the 01-Oct-08, I e-mailed Ms. Saara Wilson asking Ms. Wilson if Crown Attorney, Mr. Ghosh had received approval to proceed with joint submissions or is this game continuing to proceed as Ms. Marcy Segal informed me that this was also a possibility. I also asked Ms. Wilson if she was going to respond to my contacts or just continue to ignore them and not acknowledge them.
120. On the 01-Oct-08, Ms. Wilson stated that she had not forwarded my material to the Crown as there is still a possibility that I would want to proceed to trial. Ms. Wilson stated that she did not believe it would be in my interests to provide the state anything that may aid in their prosecution of me. (Ms. Wilson nor anybody else associated with this case wants my 5-6 inches of personal disclosure to be entered into evidence because it will assist me with my defence, not aid in the prosecution)

(Ms. Saara Wilson never acknowledges that there is any communication breakdown between Ms. Saara Wilson and myself)
121. On the 01-Oct-08, I submitted my own application to the court for the 09-Oct-08. This application was never heard.

122. On the 17-Nov-09, Ms. Saara Wilson testified under oath to the Ontario Court of Justice in Newmarket, Ontario with Justice Peter J. Wright presiding and Amit Ghosh representing the Newmarket Crown Attorney's Office. Saara Wilson did perjure herself while providing sworn testimony to the Honourable Court. Saara Wilson perjured herself in order to cover-up for Justice Peter J. Wright, Marcy Segal, Steven R. Sager, Amit Ghosh, Paul Tait, Pamela Thompson, Carol Smith, Catherine Barker and many other legal and judicial officials.

Perjury

The Plaintiff asserts that the Certified Court Transcript of November 17th, 2009 will further display an accurate depiction and truthfully outline the significant degrees of perjury committed by Saara Wilson on that aforementioned date at the Ontario Court of Justice in Newmarket, ON.

The seriousness of the crime of perjury and the severity of the punishment associated with perjury are outlined below.

“By providing a maximum penalty of 14 years’ imprisonment for the offence of perjury, Parliament has unequivocally expressed its view of the gravity of the offence. The courts, too have always viewed perjury as a serious matter. The reason is apparent. The offence strikes at the very soul of the judicial system and at the root of the intricate scheme that our civilized society has designed to protect itself. It is an offence that is easy to commit yet difficult to prove. When it is proved, the offender must expect severe punishment.”

***R. v. Colborne*, [2002] ABPC 141 (CanLII).**

Furthermore, it is noted in *Brown (supra)* Stevenson, J. A. at page #16 stated:

“I agree with Mr. Justice McClung that the primary consideration in cases of perjury is one of deterrence. I also agree that the most effective deterrent is imprisonment.

The public ought to be aware that anyone who attempts to pervert the course of justice by perjury will be punished. Incarceration is the rule.”

***R. v. Colborne*, [2002] ABPC 141 (CanLII).**

Intentional, Calculated, Pre-meditated, Deliberate and Purposeful Injustices of Ms. Marcy Segal towards Mr. Derek Dunlop

- 123 . On the 10-Jun-08, Ms. Marcy Segal purposely intervenes in my matter and pretends that she is assisting me. Ms. Marcy Segal tried to illicit and obtain information from me.
124. On the 11-Jun-08, Mr. Martin Herman attended on behalf of Ms. Marcy Segal. Prior to my matter being heard while in the body of courtroom #303,

Mr. Herman and a colleague of Mr. Herman's were making insinuations about hating jails and not knowing the directions to the super jail in Lindsay, Ontario. Mr. Herman also made a comment

about how good looking the female Crown Attorney, Ms. Sang presented to be. (Mr. Herman's comments were directed toward me and are extremely unprofessional, undesired and unwarranted)

125. On the 12-Jun-08, Ms. Marcy Segal scripted questions to ask me over the telephone and tape-recorded our conversation.
126. On the 25-Jun-08, outside of the courtroom Ms. Marcy Segal handed me a 4-page letter that Mr. Steven R. Sager had submitted to the Honourable Court dated the 15-Jun-08. Ms. Marcy Segal only permitted me to glance at Mr. Steven R. Sager's letter for a couple minutes at most and then Ms. Marcy Segal took it back into her possession. Ms. Marcy Segal informed me that she would fax me a copy of Mr. Steven R. Sager's letter. Ms. Marcy Segal also that she had had a discussion with Mr. Amit Ghosh about the possibility of proceeding with joint submissions to advocate for a conditional sentence order. Mr. Ghosh informed Ms. Segal that he would have to speak to the Head Crown to receive final approval before going ahead with joint submissions. This never did happen and it was never going to happen.
127. On the 26-Jun-08, I sent Ms. Marcy Segal an e-mail could you please fax me a copy of Mr. Steven R. Sager's letter. (1st request)
128. On the 03-Jul-08, I sent Ms. Marcy Segal an e-mail, could you please fax me a copy of Mr. Steven R. Sager's letter. (2nd request)
129. On the 07-Jul-08, I sent Ms. Marcy Segal an e-mail, could you please fax me a copy of Mr. Steven R. Sager's letter. (3rd request)
130. On the 07-Jul-08, Ms. Marcy Segal responds by saying that she is busy all week, but she will do so as soon as she could.
131. On the 10-Jul-08, I e-mailed Ms. Segal to ask if the Crown has made a decision about proceeding with joint submissions.
132. On the 11-Jul-08, Ms. Segal responds to my e-mail dated the 10-Jul-08 and stated that the Crown has not made a decision as of yet.
133. On the 14-Jul-08, I respond to Ms. Segal's e-mail dated the 11-Jul-08 and ask her to let me know when she hears from the Crown about their decision. I also asked her if she had a chance to fax Mr. Steven R. Sager's letter.
134. On the 22-Jul-08, Ms. Marcy Segal informs me that she has not heard from the Crown and that she will fax Mr. Steven R. Sager's letter.
135. On the 30-Jul-08, Ms. Catherine Keller-Yeh, (Marcy Segal's assistance) faxes me a copy of Mr. Steven R. Sager's letter dated the 15-Jun-08.
136. Ms. Marcy Segal had a hidden agenda since the beginning of her involvement with my matter.

A Copy of the Plaintiff's letter dated 30-Jun-09 that outlines the some of the collusion that Newmarket Crown Attorney, Amit Ghosh was involved in and the negligence, ignorance and common disregard to this complaint by John D. Ayre and his other colleagues.

137. 30-Jun-08

Please Note: That I submitted a complaint about Mr. Amit Ghosh to Mr. John Ayre, Mr. Paul Lindsay & Mr. Kenneth Campbell of the Deputy Assistant Attorney General on or about May 14, 2009. I have not heard a response from any of them about this complaint. I even sent an e-mail request dated June 08, 2009 to Mr. John Ayre asking him to provide me a copy of said complaint and a copy of anything I have sent him in relation to these concerns. Mr. John Ayre has not acknowledged either e-mail of May 14, 2009 nor the e-mail of June 08, 2009.

Dear Government Officials & Legal Officials:

I am writing to launch a formal complaint into the actions of Mr. Amit Ghosh and the Newmarket Crown Attorney's Office. This letter will be remotely similar to the letter I created on May 14, 2009, however, it must be noted that there may be some additions and possibly inadvertent omissions. Furthermore, I can attest to anything that I have submitted in this letter and the letter dated May 14, 2009. If nothing is done, please let it be known that I will file a complaint about Mr. John Ayre and others who continue to disregard the evidence I possess.

The Certified Court Transcript of January 9th, 2008 will indicate that Mr. Steven R. Sager informed the Honourable Court that I, Derek Dunlop had put in writing that I no longer wanted Mr. Sager to represent me in this matter prior to court on January 9th, 2008.

The Certified Court Transcript of February 7th, 2008 will indicate that Mr. Steven R. Sager had brought an application to be removed as counsel of record. Furthermore, the Certified Court Transcript will reveal that Newmarket Crown Attorney, Mr. St. Michael, Mr. Steven R. Sager, the Honourable Justice Peter Wright agreed in a collaborative and conspired effort to put me to my election. In addition, they all knew full well that I no longer wanted Mr. Steven R. Sager to represent me, yet on the Honourable Court Record the Honourable Justice Peter Wright asks Mr. Steven R. Sager to assist me in being put to my election.

On March 06, 2008, there was collusion that occurred between Mr. Amit Ghosh and my lawyer Mr. Steven R. Sager to intentionally and purposely set me up. I have provided a Will Say Statement dated June 02, 2008 that outlines the events that transpired on March 06, 2008. The Will Say Statement dated June 02, 2008 in combination with the Certified Court Transcript dated March 06, 2008 will unveil the collusion that occurred between Newmarket Crown Attorney Mr. Amit Ghosh and Mr. Steven R. Sager on March 06, 2008.

It must be noted that Mr. Amit Ghosh and the Newmarket Crown Attorney's Office have done everything imaginable to try and conceal and cover-up this evidence since I exploited it. Not to mention the fact that the Honourable Justice Peter Wright has also done everything in his power to cover-up this evidence that I have revealed. On March 06, 2008, after the matter was adjourned by Honourable Justice Peter Wright until April 10th, 2008 the collusion continued. Mr. Amit Ghosh, Mr. Steven R. Sager had me enter a plea on March 06, 2008. It should also be noted that Mr. Amit Ghosh and the Honourable Justice Peter Wright were well aware that I had previously wanted

Mr. Steven R. Sager removed as from the record as my counsel and knew about this since January 09, 2008.

Highly important to note that Mr. Amit Ghosh had had discussions with Ms. Marcy Segal and informed Ms. Marcy Segal that he would agree to joint submissions to the Honourable Court advocating for a Conditional Sentence Order. Mr. Amit Ghosh informed Ms. Marcy Segal that this was contingent on Mr. Amit Ghosh receiving final approval from Senior Crown Attorney, Mr. Paul Tait. This offer NEVER did come to fruition and I will assert that it was NEVER going to happen.

Subsequently, Mr. Amit Ghosh had had discussions with Ms. Saara Wilson and Mr. Amit Ghosh had informed Ms. Saara Wilson that Mr. Amit Ghosh would agree to joint submissions to the Honourable Court advocating for a Conditional Sentence Order. Once again, Mr. Amit Ghosh kept informing Ms. Saara Wilson that this was contingent on Mr. Amit Ghosh receiving final approval for the joint submissions from Mr. Paul Tait. Of course, this NEVER did come to fruition and I will assert that it also was NEVER going to happen. The reason I say this, is that the final approval for Mr. Paul Tait NEVER did not occur.

I will have to submit that on June 10, 2008 that Mr. Amit Ghosh and Ms. Marcy Segal had concocted a pre-meditated plan to have Ms. Marcy Segal to attend the Honourable Court to be present for the proceedings of my matter. After Mr. Amit Ghosh, Mr. Steven R. Sager intentionally and purposely permitted Mr. Steven R. Sager to give submissions to the Honourable Court record that is when an apparently concerned Ms. Marcy Segal decided that she was coincidentally going to intervene. I would have to suggest that many others behind the scenes would have been involved in this pre-calculated plan. Mr. Amit Ghosh permitted Mr. Steven R. Sager to give submissions to the Honourable Court. I have many issues with the submissions that Mr. Steven R. Sager provided the Honourable Court on June 10, 2008. First, I had not wanted Mr. Steven R. Sager to represent me for about 5 months prior to these submissions and the Honourable Court was well aware of that fact. Second, there are many inaccuracies in Mr. Steven R. Sager's submissions and I am not even aware of where Mr. Steven R. Sager obtained some of his information. Mr. Steven R. Sager did not get some of the information from me. Mr. Amit Ghosh would have known that all of these proceedings were unethically and morally unacceptable in every aspect of their delivery to the Honourable Court, however, Mr. Amit Ghosh allowed this processes to proceed without any hesitation and/or intervention.

In recent months in 2009 during court proceedings in this matter Mr. Amit Ghosh has intentionally made it appear on the Honourable Court record that Mr. Amit Ghosh has done everything to assist and accommodate me. In fact, nothing could be farther from the truth. I can not speak for Mr. Amit Ghosh for his reasons for stating this on the Honourable Court record, however, it would appear as though Mr. Amit Ghosh is making it a point to have these statements reflective on the Honourable Court record. It appears that Mr. Amit Ghosh has a plan to make himself and the Newmarket Crown Attorney's appear to be genuine while at the same time making every effort to make Mr. Derek Dunlop appear to be unreasonable. Furthermore, I will have to assert that Mr. Amit Ghosh has also made these statements to try to shift the focus away from all of the improprieties and transgressions committed by himself and everyone else involved in this matter.

On March 25, 2009, it should be noted that Mr. Amit Ghosh was supposed to be in court to determine whether prospective witnesses would or would not be issued Subpoenas. Mr. Amit Ghosh did not attend and the Honourable Justice Peter Wright wanted me to attend a two day turnaround on March 27, 2009 which I could not attend and informed the Honourable Justice Wright of that fact. The fact that I could not attend did not matter to Justice Wright and put the matter over until March 27, 2009 anyway.

On April 15, 2009, the Honourable Justice Wright and Newmarket Crown Attorney Mr. Amit Ghosh ensured to state on the court record that they have been more than accommodating to me and my matter. Mr. Amit Ghosh is intentionally doing this to impress upon the court that they have done nothing wrong. They are trying to cover-up and manipulate the judicial system to their favour and advantage.

The Honourable Justice Wright and the Newmarket Crown Attorneys continue to present me with injustice after injustice and inequity after inequity, but they portray it to the Honourable Court and the Honourable Court record in a manner that will appear as if they have done nothing wrong and everything to help me. (IF YOU BELIEVE THIS THAT I WOULD BE RATHER SHOCKED AND SURPRISED)

On May 29, 2009, Mr. Amit Ghosh acknowledged and informed that Honourable Justice Peter Wright that he had received the recent Notice of Appeal that I had submitted to the Ontario Court of Justice in this matter. Mr. Amit Ghosh stated that only in special circumstances that an appeal would be held during the course of on-going proceedings in this matter. Mr. Amit Ghosh stated that the judicial system entertains appeals at the conclusion of the proceedings in a matter. Justice Peter Wright had acknowledged that he had received a copy of Notice of Appeal, but that he did not have jurisdiction over it.

On May 29, 2009, Mr. Amit Ghosh informed me on the Honourable Court record that I should file my appeal/application with the Court of Appeal for Ontario. After filing the appeal with the Court of Appeal for Ontario I find out that it is not within their jurisdiction. I would have to suggest and assume that Mr. Amit Ghosh would have known that the appeal would not fall within the Court of Appeal for Ontario's jurisdiction, so Mr. Amit Ghosh led me astray on purpose.

It is highly important to note that Mr. Amit Ghosh presented the fact that the Crown would be requiring myself, Derek Dunlop to testify in the future hearing in this matter. Justice Wright appeared to endorse this proposal by the Crown. I was not provided the opportunity for rebuttal by the Honourable Justice Wright. It was just collectively decided that I would be required to testify in the future hearing in this matter.

It should be noted that Mr. Amit Ghosh is terrified of having to testify as Mr. Amit Ghosh is well aware that the improprieties that Mr. Amit Ghosh and others have committed will surface.

Mr. Amit Ghosh and the Newmarket Crown Attorney's must possess knowledge about the pre-meditated plan to steal my copies of the complaint of May 14, 2009 from the body of the courtroom on May 29, 2009. It may have been done to make it appear that I am unreasonable and there is no possible way that anybody would resort to this type of behavior.

It must be noted that as the Honourable Justice Peter Wright, Mr. Amit Ghosh and others continue to intentionally manipulate, neglect, obscure, ignore and disguise the truth that they are only further embarrassing themselves and embarrassing the entire judicial process in this matter.

Furthermore, as these professionals do not have the courage to admit to their own transgressions they are purposely using all of their legal knowledge, expertise and training to attempt to shift all the blame for everything that is happening toward me

The Honourable Justice Peter Wright, Mr. Amit Ghosh and others are obviously trying to suggest that there is positively no way that these highly reputable legal professionals would involve themselves in a case of collusion, conspiracy, cover-up and corruption against me (Derek Dunlop). These legal professionals will stop at nothing to convince others that there is no possible way this would occur.

Highly important to note that the Office of the Deputy Assistant Attorney General has not appeared to acknowledge my complaint and concerns about Mr. Amit Ghosh and many others. It must be noted that to ignore, neglect and dismiss my concerns is only adding to the conspiracy and collusion. In fact, by not acknowledging my evidence you are also contributing to the cover-up.

Of the utmost importance is the fact that since I submitted my complaint about Mr. Amit Ghosh on May 14, 2009 there has been nothing but games being played by the Ontario Government (Deputy Assistant Attorney General), the Newmarket Crown Attorney's Office and other departments of the Newmarket Court House. I am not sure if the intentional set-up is for me to provide you another complaint, so if that is the case here is a similar letter of complaint.

Finally, this on scratches the surface of the criminal acts, transgressions and improprieties committed by Mr. Amit Ghosh and many others.

A failure for anybody to act upon my concerns, complaints and evidence only displays a continued and concerted effort to cover-up the truth.

Thank you for your attention to these issues and my formal complaint.

Yours truly,

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138. It must be duly noted that John D. Ayre, Kenneth Campbell and Paul Lindsay all employed by the Deputy Assistant Attorney General never did respond to my concerns about Amit Ghosh and others. John D. Ayre, Kenneth Campbell and Paul Lindsay acted in bad faith in relation to my complaint and dealt with it by neglecting the issues raised. These three employees also did not possess the common decency, common courtesy and common respect to respond to my concerns. As a result of their combined pre-judicial, discriminatory and biased treatment directed towards me they further intentionally contributed to the collusion, cover-ups, corruption and conspiracy against me and the entire justice system.

Senior Newmarket Crown Attorney, Paul Tait's intentional and purposeful acts of collusion, corruption, cover-ups and misconduct carried out against the Plaintiff.

139. Paul Tait at all material times would have been the Senior Newmarket Crown Attorney throughout the duration of the entire related criminal matter that involved the Plaintiff.
- a) responsible for the effective, proper, professional, legal and humane day-to-day oversight and management of the Newmarket Crown Attorney's Office and its employees including the members of the Newmarket Crown Attorney's Office that are named as defendants in this action;
 - b) responsible for the appropriate, effective, proper, legal, humane and professional supervision of the members of the Newmarket Crown Attorneys named as defendants in this civil action;
 - c) responsible for administering the Newmarket Crown Attorney's Office and supervising the day-to-day operations in accordance with priorities, policies, laws, regulations, code of ethics, standards, procedures and protocols established by the Crown Attorney's Act;
 - d) responsible for the implementing quality assurance processes and guidelines to ensure the delivery of effective, adequate, genuine and legitimate services in compliance with the Crown Attorney's Act and its regulations; and
 - e) vicariously liable for the illegal actions, unlawful misconduct, crimes, omissions, misfeasance, nonfeasance and pre-meditated unlawful conduct of all sworn members of the Newmarket Crown Attorney's Office, including without limitation, the Newmarket Crown Attorneys named as defendants in this civil action and the other members of the Newmarket Crown Attorneys referred to in this statement of claim.
140. Paul Tait would have at all times be aware of the criminal court proceedings involving the Plaintiff in the related criminal matter. Paul Tait would have possessed direct knowledge of the occurrences that transpired in those aforementioned court proceedings. As a result, Paul Tait would have purposely and intentionally involved himself in the collusion, cover-ups, corruption and conspiracy against the Plaintiff in the related criminal matter. Paul Tait would have even had to direct and advocate to the Crown Attorneys that he was supervising, to intentionally carry out the cowardly pre-meditated acts of collusion and cover-ups against the Plaintiff. Paul Tait and Amit Ghosh would have had to conduct many meetings in order to devise and develop the pre-calculated, pre-meditated and pre-planned reprehensible actions of collusion and cover-ups against the Plaintiff in the related criminal matter. Paul Tait is legally liable as a result of his crimes, misconduct and illegal actions intentionally conducted against the Plaintiff.

Attorney General, Chris Bentley's negligence, ignorance and disregard to the Plaintiff's concerns.

141. Attorney General, Chris Bentley would have been employed as the Attorney General at all material times throughout the duration of the Plaintiff's criminal matter in Newmarket, Ontario. In a letter dated October 21st, 2008, the Plaintiff directed a letter to Chris Bentley's attention outlining the significant injustices that the Plaintiff had incurred in the aforementioned matter in Newmarket, Ontario. Chris Bentley did not respond to this letter himself and delegated the responsibility of addressing my complaint to another sector of the government. At that time, there was no serious or significant action taken by the Ontario government in relation to my complaints. As a result of the negligence of Chris Bentley and the Ontario government, the Plaintiff was confronted with a multitude of further injustices and miscarriage of justices that still continue to multiply against the Plaintiff. Chris Bentley and the Ontario government share in the legally liability of promoting and supporting the acts of collusion, the cover-ups and the corruption that have been intentionally directed towards and carried out against the Plaintiff. Chris Bentley has failed miserably as it relates to myself, the entire administration of justice in my matter(s) and being the guardian of the public interests as it relates to my matter(s).

Specific Roles and Responsibilities of the Attorney General of Ontario.

142. The Attorney General has a unique role to play as a Minister.

One part of the Attorney General's role is that of a Cabinet Minister. In this capacity the Minister is responsible for representing the interests and perspectives of the Ministry at Cabinet, while simultaneously representing the interests and perspectives of Cabinet and consequently the Government to the Ministry and the Ministry's communities of interest.

The Attorney General is the chief law officer of the Executive Council. The responsibilities stemming from this role are unlike those of any other Cabinet member. The role has been referred to as "judicial-like" and as the "guardian of the public interest".

Much has been written on the subject of ministerial responsibilities and the unique role of the Attorney General.

There are various components of the Attorney General's role. The Attorney General has unique responsibilities to the Crown, the courts, the Legislature and the executive branch of government. While there are different emphases and nuances attached to these there is a general theme throughout all the various aspects of the Attorney General's responsibilities that the office has a constitutional and traditional responsibility beyond that of a political minister.

The statutory responsibilities of the office are found in section 5 of the *Ministry of the Attorney General Act*. Section 5 states:

The Attorney General,

- (a) is the Law Officer of the Executive Council;
- (b) shall see that the administration of public affairs is in accordance with the law;
- (c) shall superintend all matters connected with the administration of justice in Ontario;
- (d) shall perform the duties and have the powers that belong to the Attorney General and Solicitor General of England by law and usage, so far as those powers and duties are applicable to Ontario, and also shall perform the duties and powers that, until the *Constitution Act, 1867* came into effect, belonged to the offices of the Attorney General and Solicitor General in the provinces of Canada and Upper Canada and which, under the provisions of that Act, are within the scope of the powers of the Legislature;
- (e) shall advise the Government upon all matters of law connected with legislative enactments and upon all matters of law referred to him or her by the Government;
- (f) shall advise the Government upon all matters of a legislative nature and superintend all Government measures of a legislative nature;
- (g) shall advise the heads of ministries and agencies of Government upon all matters of law connected with such ministries and agencies;
- (h) shall conduct and regulate all litigation for and against the Crown or any ministry or agency of government in respect of any subject within the authority or jurisdiction of the Legislature;
- (i) shall superintend all matters connected with judicial offices;
- (j) shall perform such other functions as are assigned to him or her by the Legislature or by the Lieutenant Governor in Council. "

October 9th, 2008- the destruction of the original audio-tape and the recreation of another audio-tape to grossly misrepresent the court proceedings of that date of October 9th, 2008.

143. To the best knowledge and information that the Plaintiff has in his possession it appears that Newmarket Court Reporter, Carol P. Smith recorded the initial audio-tape of October 9th, 2008. The Plaintiff asserts that Carol P. Smith will have direct and/or indirect knowledge that the original audio-tape was destroyed and no longer in existence. The Plaintiff asserts that Carol P. Smith will also possess direct and/or indirect knowledge that another audio-tape was purposely and intentionally created in order to cover-up for Justice Peter J. Wright, Saara Wilson, the Newmarket Crown Attorney's Office and other legal officials in relation to October 9th, 2008. As a result, Carol P. Smith is legally liable for the reproduction of the new audio-tape and the destruction of the original recording for October 9th, 2008.
144. To the best knowledge and information that the Plaintiff has in his possession it appears that Newmarket Court Reporter, Pamela A. Thompson was the court reporter who was present at the Newmarket Courthouse on November 18th, 2009 during the playing of the re-created audio-tape for October 9th, 2008. The Plaintiff asserts that Pamela A. Thompson will possess direct and/or indirect knowledge that the newly created audio-tape for October 9th, 2008 was purposely and intentionally played on November 18th, 2009 in order to purposely deceive the Honourable Court record on November 18th, 2009. The Plaintiff asserts that Pamela A. Thompson would know that Justice Peter Wright, Saara Wilson and others would have had to get together to re-create the events of October 08, 2009 to suit all of their individual and collective needs. These judicial officials grossly misrepresented the actual occurrences of the court proceedings of October 9th, 2008. As a result, Pamela A. Thompson is legally liable for the reproduction and/or knowledge of the reproduction of the second audio-tape for October 8th, 2009.
145. To the best of the knowledge and information that the Plaintiff has in his possession it appears that former Newmarket Court Reporter, Catherine Barker was also on record as being the Court Reporter for November 18th, 2009. It is extremely contradictory for two different court reporters to be on record for November 18th, 2009. The Plaintiff asserts that Catherine Barker will also possess direct and/or indirect knowledge that the newly created audio-tape for October 9th, 2008 was purposely and intentionally played on November 18th, 2009 in order to purposely deceive the Honourable Court record, the entire administration of justice and the public interests on November 18th, 2009. As a result, Pamela A. Thompson is legally liable for the reproduction and/or knowledge of the reproduction of the second audio-tape created for October 8th, 2009.
146. The Plaintiff notes that these and many other court reporters of the Newmarket Court Reporter's Office should also possess knowledge of the above noted information. The Plaintiff also notes that the other judiciaries have placed the Newmarket Court Reporter's in extremely compromising and jeopardizing positions by intentionally re-creating an audio-tape for October 9th, 2008. The Plaintiff is also well aware that there are members of the Newmarket Court Reporter's Office who may not possess any knowledge of the above, however, somebody does definitely know about it.

The liability in respect to the Canadian Legal Information Institute.

147. As a result, of the grossly misrepresentation of the facts by the acts of collusion, the corruption, the cover-ups, the pre-meditated crimes that were committed by many judicial and legal officials against the Plaintiff in the related criminal matter in Newmarket, Ontario, these judicial dignitaries have now forwarded the Canadian Legal Information Institute a false representation of the true and accurate facts that occurred in a legal context. The purposeful deception, dishonor, dishonesty and lies of these judicial officials has now placed the Canadian Legal Information Institute in a compromising and jeopardizing position. The case law that has been established in the related criminal matter is fraudulent and does not depict what truly transpired. As a result, the Canadian Legal Information Institute published information that contains lies, deception, dishonesty, dishonor, inaccuracies, cover-ups, collusion, reproduction of an audio-tape in relation to the court proceedings of October 8th, 2009, the perjury of Saara Wilson and many other discrepancies.
148. Regardless if the Canadian Legal Information Institute was or was not aware of these reprehensible, inexplicable and inexcusable behaviors of these legal and judicial officials, a unheard of case law precedence has now been established. It is a travesty that case law precedence has been published in accordance to covering-up for the serious crimes of numerous legal and judicial officials. As a result, the Canadian Legal Information Institute is legally liable in relation to the slander, libel and defamation of the Plaintiff. The Canadian Legal Information Institute is responsible and obligated to ensure that the legal information they are publishing to the public is not a false misrepresentation of the true facts in a legal context and legal framework.

Abuse of Public Office/Misfeasance of Public Office

149. The Defendants, Amit Ghosh, Paul Tait, Justice Peter J. Wright, Marcy Segal, Pamela A. Thompson, Carol P. Smith, John D. Ayre, Catherine Barker, Attorney General, Chris Bentley are all or were holders of public office. The Plaintiff relies upon the facts set out in this statement of claim and contained within additional evidence that the aforementioned Defendants deliberately violated the laws and regulations that the Defendants are supposed to uphold, maintain and govern and as a result the Defendants have committed numerous serious pre-meditated crimes against the Plaintiff.
150. The Plaintiff further states that the Defendants, Amit Ghosh, Paul Tait, Justice Peter J. Wright, Marcy Segal, Pamela A. Thompson, Carol P. Smith, John D. Ayre, Catherine Barker, Attorney General, Chris Bentley have directly and/or indirectly caused injuries and losses to the Plaintiff and these Defendants are individually and collectively liable to the Plaintiff for abuse of public office and misfeasance in public office.
151. The misconduct of these above noted Defendants was unlawful and deliberate conduct administered in bad faith in the exercise of public functions. The Plaintiff states that these Defendants were well aware and were reckless as to the fact that this misconduct was unlawful and would intentionally injure and harm the Plaintiff. As such, the Plaintiff states that the Defendant, police officers are liable for misfeasance in public office.

Specific Complaints of the Plaintiff Regarding the on-going injustices against the Plaintiff

152. The Plaintiff states that it is highly evident that each Defendant who is extremely consumed and dedicated to protecting the reputation and credibility of the previous Defendant who committed crimes, illegal actions and misconduct against the Plaintiff that they in turn are committing additional crimes, illegal actions and misconduct against the Plaintiff. As each Defendant decides to engage in these type of reprehensible, inexplicable and inexcusable actions against the Plaintiff, they are all legally liable for their pre-calculated and pre-meditated misconduct.

Canadian Charter of Rights and Freedoms Violations and Deprivations.

153. The Plaintiff states that the Defendants have intentionally and purposely breached numerous Charter of Rights and Freedoms that are guaranteed to the Plaintiff in accordance to the Charter of Rights and Freedoms of the Criminal Code of Canada.

As a result of the breach of the Plaintiff's rights and freedoms under sections 7, 9, 10, 11(b), 11(d), 11(e), 12, 15(1) and 24(1) of the Charter of Rights and Freedoms, constitutional damages are an appropriate and just remedy in these circumstances of this particular matter having regard for the fulfilment of financial compensation, vindication of the right and deterrence of any future breaches as established and provided by the remedies available under sections 24(1) of the Charter.

The Plaintiff states that the Defendants are additionally liable for violations of the Plaintiff's rights pursuant to Sections 7 and 12 of the Canadian Charter of Rights and Freedoms, by virtue of the facts pleaded aforesaid.

In particular, the Plaintiff states that contrary to Section 7 of the Charter, the Plaintiff was deprived and denied of his rights to security of the person in a manner the contravened the principles of fundamental justice. Furthermore, the Plaintiff states that he was intentionally subjected, contrary to Section 12 of the Charter, to cruel and unusual treatment by virtue of the misconduct of the Defendants.

Other Intentional Injustices committed against the Plaintiff by the Defendants.

154. The Plaintiff states that the Defendants purposely attempted to entice, induce and entrap the Plaintiff to pleading to the charges against him in Newmarket, Ontario.
155. The Plaintiff states that the Defendants purposely attempted to influence the Plaintiff to admit to guilt to charges against the Plaintiff.
156. The Plaintiff states that the Defendants have fabricated information in order that they protect themselves and to reduce the Plaintiff's credibility.
157. On the basis of all of the above, the Plaintiff states that the defendants breached their duty to be fundamentally fair and act in a Bona Fide and honest fashion toward the Plaintiff.

Summation

158. The Plaintiff states that he has suffered damages as a result of the actions of the Defendants. The Plaintiff states that he is entitled to the interlocutory and permanent relief as requested in paragraph 1 hereof.
159. The Plaintiff states that there are sufficient circumstances set out in this claim to justify an thorough, comprehensive and extensive investigation into acts carried out by all the Defendants.
160. The Plaintiff states that the actions of the Defendants, as set out in this claim, amount to conduct which is reprehensible, oppressive and unfairly prejudicial to the Plaintiff and is conduct which unfairly disregards the plaintiff's interests.
161. The Plaintiff asks that the trial of this action take place in a neutral jurisdiction outside of the Province of Ontario.

June ^{24th} ~~23rd~~, 2011

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Derek Dunlop vs. *Justice Peter J. Wright et al.* Court File No. **CY-11-5201**

Plaintiff

Defendants

ONTARIO
SUPERIOR COURT OF JUSTICE
(Northeast Region)

PROCEEDING COMMENCED AT North Bay, Ontario

STATEMENT OF CLAIM

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