

12-Jun-08 E-mail to Marcy Segal from Derek Dunlop
12:31:37

From: derekdunlop12@hotmail.com
To: marcysegal@hotmail.com

12-Jun-08

Hi Ms. Segal:

I am writing as I have had a short period of time to briefly assess the events that have transpired at court over the past couple of days. As a result, I now have a substantial amount of questions. At your convenience, I would greatly appreciate it if you could respond to my inquiries.

Current Court Process:

1. What is going to occur on the 25-Jun-08?
2. What will be presented to the court on the 25-Jun-08?
3. What are you preparing for the court on the 25-Jun-08?
4. What should I be preparing for the court on the 25-Jun-08?
5. How does this matter proceed after the court date of the 25-Jun-08
6. I assume that the scheduled sentencing date for the 12-Sep-08 in no longer in existence or is it?
7. I assume that the scheduled trial date for this matter of the 17-Nov-08 is no longer in existence or is it?

Previous Court Process:

1. What rights do I have and what legislation can I access to educate myself about those rights?
2. What happens to all the previous court proceedings in this matter? Are they discarded from the court record? Do those proceedings continue forward? Does this matter start anew?
3. No disrespect to the Honorable Justice Wright, but how can he possess an objective perspective in this matter in light of the current circumstances and previous information presented to him?
4. Will this matter continue to proceed with the Honorable Justice Wright?
5. Am I able to obtain a copy of all previous court transcripts in relation to this matter?
6. I believe that at least 5 Crown Attorneys have been involved with this matter and I am wondering if I have a legal platform to request a change of venue in this matter?

7. I want to know how I secure any private and confidential communications between myself and Mr. Steven R. Sager as I am under the impression that the court may have a copy of those communications in their possession.
8. What happens to the plea?

Mr. Steven R. Sager

1. What recourse do I have in regard to all my concerns about the manner in which Mr. Sager handled this matter and myself?
2. Is a civil law suit the only logistical way to possibly obtain the money payed to Mr. Sager? I would assume that a letter requesting the money may be the first place to start.

Backtracking and understanding your Amicus Curiae designation by the Court

1. I have numerous questions about this occurrence and hope to speak to you about them in detail.
2. I would assume that you would have filed a brief with the court expressing your interest in this matter.

If you could respond to these questions and call me at your earliest convenience that would be of great appreciation. You may contact me at (705) 495-6377.

Thank you for taking the time to read this information and for any assistance you provide.

Yours truly,

Derek Dunlop

12-Jun-08- Marcy Segal responds to Derek Dunlop's e-mail dated 12-Jun-08.
7:31:02pm

From: Marcy Segal (marcysegal@hotmail.com)
Sent: June 12, 2008 7:31:02 pm
To: Derek Dunlop (derekdunlop12@hotmail.com)

Dear Derek:

Thank you for your email. I will telephone you this evening and respond as best as I can.

Marcy Segal

12-Jun-08- Marcy Segal (647-341-2171) (*She taped conversation)
8:35pm
Pg 1

Marcy Segal called from this number above. I asked Marcy if she had received my long winded e-mail. Marcy stated she had. Marcy talked about the questions. Marcy was upset with some of the questions, such as what was she preparing for court or Am I able to obtain a court transcript of all the previous proceedings. Marcy stated that she did not care that I asked Marty if could obtain advice from other lawyers. She said that she was not going to comment on it. Marcy stated that she did not need the money or the headaches. I asked Marcy if the Amicus Curiae could be switched. Marcy stated that she did not know. Marcy yelled to Marty and asked him and then repeated to me that she did not know. I asked Marcy if she was receiving a copy of the disclosure. Marcy stated that she was but that she had not received a copy of disclosure yet. Marcy had me read Cst. Tomlinson's notes and then some witness statements. **Marcy brought up Mary Hall's name and stated that maybe I should contact her. I informed Marcy had made a comment about knowing George Marron, Mary Hall's husband. Marcy said are you saying we are in cohorts with Mary Hall. Marcy stated do you believe that we are conspiring against me. I stated that they had their professional and social circles and I would think they would have talked. Marcy stated that she had not talked to Mary Hall in a year. At one point I stated that I did not care whether you brought 30 million Canadian citizens on that I will stop fighting this fight. Mary asked me what fight.**

12-Jun-08- Marcy's Scripted Questions for the Tape and Possible Evidence.
8:35pm
Pg 2

1. Marcy asked me how many beers I had. I said that I had 3-20oz beers at one establishment and 3-12oz beers at another establishment.
2. Marcy asked me over what period of time. I stated about 5 hours.
3. Marcy asked me how often had I been drinking during that time. I said that I had not been drinking very often. I said that I had drank maybe about 4 time since I was let go by the Children's Aid Society on 16-May-06.
4. Marcy asked me if I felt drunk before I drove. I said that I did not feel drunk and then said I did not know how to answer that question.
5. Marcy asked me how I could explain how the accident happened. I said other then drinking. Marcy asked if I was bending down and getting something. I said I was not bending down and getting something.

12-Jun-08-
8:35pm
Pg 3

I informed Marcy that the reason I was uncomfortable was due to some of the comments made by Marty Hermann in my presence inside and outside the courtroom. Marcy wanted me to explain. I said I really did not want to. **I did eventually inform her that Marty had made a comment about how pretty the female Crown Attorney was. Marcy asked who was that. I said that I did not know as I did not know the Crown's name. I informed her that Marty Hermann and a colleague were joking around about how to get to the Lindsay jail. They were talking about Hwy #7 and Hwy #9 and how there was a winding part of Hwy #7. Marcy stated are you insinuating that they were saying you are going to jail. I said no but that I felt that they were ensuring that I heard what they were saying. Marcy eventually stated that she was offended by what I said. MARCY ON TWO OCCASIONS ENSURED THAT SHE STATED THAT HER HUSBAND MARTY HERMANN WAS THE MOST RESPECTED LAWYER IN THE NEWMARKET COURTHOUSE. MARCY STATED THAT SHE WAS ALSO ONE OF THE MOST RESPECTED LAWYERS IN NEWMARKET AS WELL. I INFORMED HER THAT MY MOTHER WAS THERE AND HEARD EVERYTHING. I SAID I HAD HER AS AN INDEPENDENT WITNESS. I said that she may want to take to Marty about what he had said. Marcy said that I was paranoid and I had huge trust issues. **MARCY BEGAN TO TRY AND TWIST MY WORDS IN EVERYTHING I SAID AND DID NOT SAY.** I informed Marcy I had not made any disparaging comments about her and did appreciate her help. Marcy stated that she had to go because she had to work on this Impaired Caused Death Case.**

16-Jun-08- E-mail sent from Derek Dunlop to Marcy Segal.
7:26:32pm

From: derekdunlop12@hotmail.com
To: marcysegal@hotmail.com

16-Jun-08

Dear Ms. Segal:

I am extremely confused about what transpired in court last week. I am wondering if an Amicus Curiae brief has been submitted to the court. I am also wondering if I have the right to be made aware of its contents and provided a copy of the Amicus Curiae before the 25-Jun-08.

I am under the impression that a complaint process to the Law Society of Upper Canada about Mr. Sager may have been initiated by you and/or the court in this matter. I am in the process of submitting my own complaint to LSUC.

I also would like to be made aware of what exactly is occurring in court on the 25-Jun-08.

Is the sentencing date of 12-Sep-08 still in effect and is the trial date of the 17-Nov-08 still in effect. Is the PSR still in effect and so on.

I will be requesting an adjournment in this matter for a variety of reasons and I am not sure what I am attending court for on the 25-Jun-08.

I don't know whether I should be in contact with the Crown's office and/or you.

Any assistance you can provide would be greatly appreciated.

Yours truly,

Derek Dunlop

16-Jun-08- Marcy Segal e-mailed Derek Dunlop.
7:53:11pm

From: marcysegal@hotmail.com
To: derekdunlop@hotmail.com
Date: Mon, 16 Jun 2008 19:53:11

Dear Mr. Dunlop:

I did not submit a brief to become amicus curaie, nor did I request that I be appointed. I take it that His Honour did so on his own accord considering that I appeared the day before to advise His Honour of Mr. Sager's representation as a lawyer when it appeared he was not.

The purpose of your attendance on the 25th is to advise whether you intend to seek your own counsel. **If you intend to do so, then it will be at your own cost, unless He is prepared to appoint someone else as amicus if you do not wish me to act for you in that capacity. As indicated last week, I do not know if it can be done. We can inquire next week.** As indicated to you last week, if you intend to retain counsel, you should meet with someonee a soon as possible.

The trial date has already been vacated on a previous appearance.

The sentencing date could be changed depending on my schedule or your lawyer's schedule.

Also, you need to have the lawyer or myself analyze the disclosure. I have not received the brief from the crown.

I have not made a complaint against Steve Sager to the law society as of yet. I am awaiting to speak to Mr. Ghosh, the assistant crown attorney. I am in the midst of an impaired cause death trial, as I have already told you.

Once you get past the first step of hiring counsel or not, then the next steps, (whether to strike the plea or continue with sentencing, etc.) can occur.

I hope that assists you. I did tell you last week to consult a lawyer for independent advice. I did also tell you that the lawyer should look over disclosure. You did read some of the disclosure over the phone but I will need to review the brief. I am awaiting the disclosure.

Marcy Segal

I did respond to Marcy Segal's e-mail on the preceding page, page 8, however, there was no date and/or time attached.

E-mail was as follows:

Dear Ms. Segal:

Thank you for your response to my questions.

Derek

16-Jun-08 Marcy Segal's response the same as page 8.
7:53:55pm

16-Jun-08- Another copy of Derek Dunlop's email the same as page 7.
7:26:32pm

19-Jun-08- Marcy Segal sent Derek Dunlop an e-mail.
8:54:06pm

From: marcysegal@hotmail.com

To: derekdunlop@hotmail.com

Date Thu, 19, Jun 2008 20:54:06

I have received the disclosure. Have you consulted or made efforts to consult a lawyer?

21-Jun-08- Derek Dunlop sent an e-mail to Marcy Segal.
12:29pm

From: derekdunlop12@hotmail.com

To: marcysegal@hotmail.com

21-Jun-08

Dear Ms. Segal:

I have applied for legal aid and submitted the necessary documentation to their organization. It apparently will take at least 3-5 business to make a determination. I have spoke to a few lawyers but at this point and I am unable to retain a lawyer until I hear from legal aid. As I am sure you know that I am not receiving much in the way of advice as they are not going to give unsolicited advice and they need to see the disclosure. I also know that you would be aware that many lawyers do not accept legal aid, so this also narrows the scope of my search.

I appreciate the fact that you are currently looking out for my interests. I do not know what the court date on the 25-Jun-08 will bring other than I am going to seek another adjournment. I have not put together an application to do so and would assume that this would be required. The reasons for the adjournment would include the fact that Mr. Sager was not qualified and not permitted to represent me in this matter, the fact that I am seeking another lawyer, I am awaiting a response for legal aid, I have incurred a substantial financial loss as a result of my defence so far, I need to find out more about my legal options since this case has proceeded to this juncture, and I need to receive adequate legal advice in this matter.

As much as possible I do not want to delay the proceedings in this matter, however, I do not want to prejudice the outcome of this case and I want to ensure that my legal rights and options are explored.

As a result of the occurrence in court on the 11-Jun-08, the complexities and dynamics of this matter have increased. Since Mr. Sager is no longer my representative I am now seeking somebody with the appropriate qualifications and I obviously want to ensure that this mistake is not made again. That error has caused a lot of unnecessary grief in a very serious matter to begin with.

Is Mr. Sager still on record?

Sorry, that I have not responded to your e-mail sooner but I only have access to my e-mail at Nipissing University and I do not live that close to the University. I do not travel to the University daily.

Thanks

Derek

21-Jun-08- 6:55:45pm Marcy Segal sent Derek Dunlop an e-mail.

From: marcysegal@hotmail.com
To: derekdunlop12@hotmail.com

Mr. Sager is not still on record. A formal application need not be made. I will be there to communicate your intention.

I think that we need to canvas whether appointing me as amicus curiae could be transferred to another counsel of your choice. If it can, then the lawyers legal fees are covered.

If it cannot, then I suggest you ask for a letter from lawyers you have consulted indicating that they are not retained as of yet but have been consulted. Otherwise, advise me of their names and I will confirm by calling them and then communicated to the court. Also, please fax the legal aid application (proof that you have applied) at 905-884-0442 to my attention. **Our conversations are covered by solicitor and client privilege and you need not worry.**

I have received the disclosure. If you are in the city on the 24th, then I suggest we meet at my office: call catherine at 416-507-2467, she is my assistant.

A letter should be sent to mr. sager on your behalf asking for the monies so that you may pay a lawyer to represent you. I would suggest that you do so before the 25th or I can if you wish.

please advise.

25-Jun-08-
10:00am

Marcy arrived at court after being delayed as she was attending another matter. I came out of the washroom and Ms. Marcy Segal was talking to my mother. Marcy began speaking to me about the arresting officer only arresting me under suspicion. Marcy also said that they may be no actual witnesses who saw the accident. Marcy also stated that the officer who was arresting was young. Marcy said that it does not appear that she knows that she was doing. Marcy stated that there may be a chance to have this thing beat. We were only talking for 2-3 minutes before being called into the courtroom.

Upon being called into the courtroom, there were legal aid (Attorney General) issues that were presented to the court in relation to the amount of compensation that Ms. Segal would receive. A legal aid representative was in the court. Issues with Mr. Sager having my property was raised by Justice Wright. Ms. Segal brought it to the courts attention that I had applied for legal aid. There were other issues discussed that would be contained in the court transcript. **Justice Wright referred to the fact that he had practiced law for 27 years and for as long as he was a Judge he has never seen a case such as this. Honorable Justice Wright stated that it touches every legal aspect possible. (Something to this effect).**

Ms. Segal requested an adjournment to speak to Mr. Tate, Ms. Blum and myself. Ms. Segal asked for 15 minutes.

25-Jun-08-
11:15am Ms. Segal that she had spoke to the Crown about the possibility of the Crown and her making joint submissions for a C. S. O. in this matter. She said that the Crown was going to speak to the Head Crown about this. Ms. Segal asked me if I had 75% chance of beating this thing (winning the case) or accepting a C. S. O. which would I choose. Then she left my presence and said excuse me as she entered into another office on the 1st floor of the Newmarket Courthouse.

Ms. Segal then re-addressed the question with me as she walked down the hallway on the first floor of the Newmarket Courthouse. I said first of all that is a difficult question to answer on the spot owing to all the circumstances but if I had a choice I would lean towards fighting it. Ms. Segal stated oh come on Derek this has been going on for a long time. Ms. Segal stated that when things are hot that it when you need to jump. Ms. Segal stated that this offer may be hot and it may not be offered again if the Crown agrees to it. Ms. Segal informed me that the matter would be put over until the 13-Aug-08 but if I was agreement to the Crown's proposal about joint submissions then we could come back to court before 13-Aug-08. Ms. Segal asked me if I thought a legal aid lawyer would do a good job. *** Ms. Segal appeared to be insinuating that applied for legal aid as a formality. Ms. Segal was trying to twist everything I said. She was not permitting me to respond to her questions, she just kept interrupting when I would try to answer. Ms. Segal ensured to inform me that if I do not agree to the offer by the Crown and proceed to 13-Aug-08 this could look bad for me and nothing to do with Mr. Sager.

26-Jun-08- Derek Dunlop sent an e-mail to Marcy Segal.
11:39:58am

From: Derek Dunlop (derekdunlop12@hotmail.com)
To: marcysegal@hotmail.com

26-Jun-08

Ms. Segal:

Could you please fax me a copy of Mr. Sager's letter to my attention at fax # (705) 472-1625.

The Honorable Justice Wright order court transcripts for all of the proceedings in this case. Are you receiving a copy of transcripts and am I able to view those dockets?

With everything going on in court yesterday, I know there was a lot to address. I am not sure if you canvassed about another Amicus Curaie and the financial compensation for that individual or not.

Thank you for your attention to these questions.

Derek

30-Jun-08- Derek Dunlop sent Marcy Segal an e-mail.
12:03:34pm

From: derekdunlop12@hotmail.com
To: marcysegal@hotmail.com
Subject: Re:matter

30-Jun-08

Ms. Segal:

I am wondering if you ever sent Mr. Sager a letter on my behalf in relation to the monies.

I am also wondering if you know if any personal contacts such as e-mails between Mr. Sager and myself have been sent to the court. I would presume that under the circumstances that I have a legal right to those documents. I am wondering if I do have a right, how I would secure those documents.

At this point, I am also wondering if there is any status of the sentencing date of 12-Sep-08 or if it is abandoned or what is happening to that date.

Thank you for your attention to these questions.

Derek

30-Jun-08- Marcy Segal sent Derek Dunlop an e-mail.
7:33:11pm

From: Marcy Segal (marcysegal@hotmail.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

I have not sent a letter to Steve Sager re: monies. I do not believe my role extends to the issue of retainer between you. As indicated to you, you should send a letter to him requesting that the monies be returned.

The sentencing date may or may not be postponed, depending on your decision re: setting aside the guilty plea and hiring a lawyer.

I havent heard from the crown yet, but have you come to any decisions re: taking the joint submission of a conditional sentence if offered, without the need for a presentence report or other letters from family or friends.

To my knowledge no other letters or e-mails have been sent by Mr. Sager to the court. Just his letter that you reviewed outside of court.

marcy segal

03-Jul-08- Derek Dunlop sent Ms. Marcy Segal an e-mail.
12:49:23pm

From: derekdunlop12@hotmail.com
To: marcysegal@hotmail.com

03-Jul-08

Ms. Segal:

I appreciate your response to my questions. At this time, I guess we'll have to wait to see if the Crown is even going to agree to a joint submission.

I e-mailed you on the 26-Jun-08 and I am not sure if you received it or not. I will re-iterate the contents. If you could please respond that would be great or contact me at (705) 495-6377 to discuss.

Could you please fax a copy of Mr. Sager's letter to my attention at fax # (705) -472-1625.

The Honorable Justice Wright order court transcripts for all of the proceedings in this case. Are you receiving a copy of transcripts and am I able to view those dockets?

With everything going on in court yesterday, I know there was a lot to address. I am not sure if you canvassed about another Amicus Curaie and the financial compensation for that individual or not.

Thank you for your attention to these questions.

Derek

03-Jul-08-
2:28:44pm

Marcy Segal sent Derek Dunlop an e-mail.

From: Marcy Segal (marcysegal@hotmail.com)

To: Derek Dunlop (derekdunlop12@hotmail.com)

I did not canvass about another amicus curaie: **I do not believe that it can be done. I have not received the transcripts yet. I will let you know.**

Marcy Segal

Another copy of a page of the e-mails exchanged between Marcy Segal and Derek Dunlop on 30-Jun-08.

07-Jul-08- Derek Dunlop sends Marcy Segal an e-mail.
11:16:57am

From: derekdunlop12@hotmail.com
To: marcysegal@hotmail.com

Ms. Segal:

I would greatly appreciate it if you could please fax me a copy of Mr. Sager's letter to my attention at (705) 472-1625 as I never had the time to review the contents. Please confirm if you do so.

Thanks

Derek

07-Jul-08- Marcy Segal sent Derek Dunlop an e-mail.
6:56:01pm

From: Marcy Segal (marcysegal@hotmail.com)
To: Derek Dunlop (derekdunlop@hotmail.com)

yes: I am busy all week but will do so as soon as I can

This page is an additional copy of the e-mails exchanged between Marcy Segal and Derek Dunlop on 03-Jul-08 and 30-Jun-08.

This page is an additional copy of the e-mails exchanged between Derek Dunlop and Marcy Segal on 30-Jun-08.

10-Jul-08- Derek Dunlop sent Marcy Segal an e-mail.
10:32:41am

From: derekdunlop12@hotmail.com
To: marcysegal@hotmail.com

10-Jul-08

Ms. Segal:

Have you had any opportunity to speak to the Crown Attorney? If so, what has that discussion entailed?

Thank you for continued assistance.

Derek

11-Jul-08- Marcy Segal sent Derek Dunlop an e-mail.
6:46:13am

From: Marcy Segal (marcysegal@hotmail.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

the crown has not made a decision as of yet:

14-Jul-08- Derek Dunlop sent an e-mail to Marcy Segal.
1:41:23pm

From: Derek Dunlop (derekdunlop12@hotmail.com)
To: Marcy Segal (marcysegal@hotmail.com)

Ms. Segal:

Please let me know when you have heard a decision from the Crown on their position.

Have you faxed a copy of Mr. Sager's letter to (705) 472-1625. Please let me know if you have done so and if not, please let me know when you do.

Thanks
Derek

21-Jul-08- Derek Dunlop sent Marcy Segal an e-mail.
10:21:29am

From: derekdunlop12@hotmail.com
To: marcysegal@hotmail.com

Dear Ms. Segal:

As per our discussion at court on the 25-Jun-08, you informed me that you had suggested a proposal to the Crown about a joint submission in relation to a Conditional Sentence Order to the Honorable Court and Honorable Justice Wright. You informed me that you expected to hear from the Crown within a week whether they would agree to your proposal or not. Have you heard anything from the Crown and have you had any contact with the Crown?

Additionally, as per our discussion at court on the 25-Jun-08, you informed me that you would fax me a copy of Mr. Steven R. Sager's letter that he submitted to the court. Could you please fax me a copy of Mr. Sager's letter to (705) 472-1625.

Are you aware if anybody else has submitted any complaints to the Law Society of Upper Canada about Mr. Sager.

Why is Mr. Sager attending court on the 13-Aug-08?

Thank you for your attention to these questions.

Yours truly,

Derek Dunlop

22-Jul-08-
6:49:01am Marcy Segal sent Derek Dunlop an e-mail.

From: Marcy Segal (marcysegal@hotmail.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

I have not heard from the crown yet and I have been advised that you have received a legal aid certificate: I would now suggest that you approach a lawyer and that lawyer should communicate with the crown: have the lawyer call me and I will give disclosure and advise him who to contact.

I will fax the letter, sorry, I have been very busy.

steve has been ordered to attend by his Honour

regards

*****IMPORTANT SIDE-BAR FROM THE E-MAIL IS TO NOTE THAT MS. SEGAL HAD BEEN ADVISED I RECEIVED A LEGAL AID CERTIFICATE. I DO NOT KNOW HOW SHE FOUND OUT OR WHO ADVISED MS. SEGAL THAT I HAD RECEIVED THE LEGAL AID CERTIFICATE.**

IT WOULD BE VERY INTERESTING TO FIND OUT WHO IT WAS.

30-Jul-08-
2:40pm

**FINALLY MARCY SEGAL HAS HER ASSISTANT
CATHERINE KELLER-YEH SEND ME THE LETTER
THAT MR. STEVEN R. SAGER HAD SUBMITTED TO THE
HONOURABLE COURT. (LETTER DATED 15-JUN-08)**

**MS. MARCY SEGAL DECIDED THAT SHE WOULD STOP
PLAYING A GAME A SEND ME MR. STEVEN R. SAGER'S
LETTER AFTER MARCY SEGAL HAD STATED THAT SHE
WOULD FAX ME A COPY AT COURT ON THE 25-JUN-08 AND
AFTER I MADE SEVERAL E-MAIL REQUESTS TO MS. MARCY
SEGAL FOR MR. STEVEN R. SAGER'S LETTER.**

FAX COVER SHEET-

MARCY SEGAL
Barrister, Solicitor

350 Bay Street
Suite 500
Toronto, ON
M5H 2S6
Tel- 416-205-9700
Fax- 416-205-9970

July 30/08 2:40

Please deliver the following pages to

Name: David Dunlop

5 pages transmitted.

Name: Catherine Keller-Yeh

STEVEN R. SAGER

76 Holmcrest Trail
Toronto, Ontario
M1C 1V5
Canada
(416) 525-5346
e-mail: srsager@rogers.com

June 15, 2008

His Honour Justice Wright
Superior Court of Justice
Newmarket Court House
50 Eagle Street, West
Newmarket, Ontario
L3Y- 6B1

Your Honour:

Re: Regina v. Dunlop

I would first like to take the opportunity to apologize to yourself and the court for my actions. It was never my intent to mislead the court only to act in the best interest of this particular client.

Shortly after taking on Mr. Dunlop as a client I closed my office due to some serious health problems, Mr. Dunlop was aware that I was going to do this but looked to me to handle what was to be a simple case and one of my last before retiring from paralegal practice.

My first meeting with Mr. Dunlop was Monday October 16th, 2006. I had spoken to him a couple of times on the telephone prior to our first meeting. He had been charged with public mischief by the Barrie Police Service in May of 2006. I thought that it was odd for such a simple charge to be on the docket for so long, but Mr. Dunlop advised me that he had been having problems with his lawyer, Ms. Mary Hall who had requested to be removed from the record and subsequently was Mr. Dunlop advised me that the charges involved and incident that had taken place some time ago and the police were only now laying the charge. This again seemed somewhat odd. He went on to further explain that he had put a hole in the wall of his girlfriend's house, which he had already fixed. He had been having some problems at the Children's Aid Society in Barrie where he worked with his girlfriend because she had been having an affair with his supervisor. He further believed that they had worked with the police to get him charged so that he would be fired from his job with the Society office in Barrie. I touched on this during my sentence submissions.

Prior to taking this case I had met only once with Mr. Dunlop, he was selling his home in Barrie and moving to North Bay, Ontario.

At our very first meeting in my office, prior to its closing Mr. Dunlop was made fully aware that I was not a lawyer, but a criminal defense agent/paralegal that I did criminal defense work and had done so for some time. He was also advised that prior to returning to University that I had been a Toronto Police Officer for sixteen years.

As I shared an office with a private investigator, Mr. Don Thorne I asked Mr. Dunlop if he minded him attending our first meeting. Mr. Dunlop had already spoken of his future civil action against the Barrie Children's Aid Society and I advised him that Mr. Thorne may be of use to him or his civil litigation lawyer at some later date. Mr. Dunlop thought that this was a good idea and agreed to Mr. Thorne's attending. Mr. Thorne was also a former Toronto police officer. When Mr. Thorne moved his office to Richmond Hill, I used it as a mailing address until the complete closing of my practice. I no longer use my practice letterhead in any correspondence; hand out any form of business card or refer to myself as a paralegal.

It would be impossible for Mr. Dunlop not to have known that I was an agent/paralegal as there were plaques on all the walls with respect to my membership in the Paralegal Society of Canada, affiliate paralegal member of Trial Lawyers of America together with various other police certificates and diplomas. Also the signage on the front door very clearly stated that I was a paralegal. At no time did Mr. Dunlop ever have the opinion that I was a lawyer. I was not a lawyer not did I ever hold myself out to be one at any time.

I have always been very proud of the fact that I am a paralegal. In 1994 I was one of the founding members of the Paralegal Society of Ontario. I sat for two terms on the board of directors as chair of the criminal justice committee. I sat on a number of committees with members of Attorney General C. Harnick's office. I also sat on a number of committees with the Law Society all with the idea of paralegal regulation. I later went on to become the president of the Paralegal Society of Canada for three consecutive terms. As president I attended the Cory hearings on paralegal regulation and made both oral and written submissions on access to criminal justice. I am named in the final report as the president of the Paralegal Society of Canada. I also spoke before the Ontario government hearings on paralegal regulation. I have sat on various judges committees, with Her Honour Justice Marshall, Her Honour Justice Thompson, His Honour Justice Zuker, Her Honour Justice Hackett and more, again for the purpose of future paralegal regulation. I have been interviewed on CBC radio as the president of the Paralegal Society of Canada.

When I first took on Mr. Dunlop's mischief case I had no idea that it was also being preceded by way of indictment, as soon as I found this out I advised Mr. Dunlop that I could not continue. On my very first meeting with the Barrie court I met with Assistant Crown Attorney Kathryn Hull to discuss this I was advised that this case had never been one that was suppose to go to trial. Ms. Hull could not get Mr. Dunlop to agree to enter into a peace bond. This was the entire issue. He felt by doing so he was agreeing that the

Barrie Children's Aid Society was correct to fire him because of the charge. I asked the Crown if she would agree to stay the charges. That way she was still going to, in essence get her peace bond. She agreed to this and the charges against Mr. Dunlop were stayed. Unfortunately just prior to this Mr. Dunlop was charged with impaired driving causing bodily harm. Mr. Dunlop was advised that I acted for persons charged for impaired driving when the Crown elected to proceed by way of summary conviction. These charges would no doubt be proceeded with by way of indictment. For this he would need a lawyer.

During the months that I had been dealing with Mr. Dunlop I made not of the fact that he was under a great deal of mental stress. He felt that everyone was planning against him. He could not trust anyone. His father had called me and advised me that they were afraid for him as his mental health seemed to be breaking down. They had attempted to get him to a doctor but when the doctor attempted to take blood he refused saying that they were all trying to implant a tracking device into his body. He was writing letters to everyone and telling them how they had betrayed him and were trying to put him into jail. I spent a great deal of time responding to numerous letters and e-mails that Mr. Dunlop sent to me sometimes it took hours to read and respond to them. He was a man walking a tight rope. He was guilty of the new charges he admitted this to me, but he did not feel anyone was going to treat him fairly. His last lawyer had left him rather than deal with his problem, although I believe the mental breakdown had started during her retainer and she could not deal with it. As such he did not trust lawyers. The entire situation was one that was spinning out of control for this man.

I wanted to walk away also, but I just could not. Mr. Dunlop told me that he wanted to plead guilty to the charges. He only asked that he be treated fairly. Even though I knew that I should have stayed clear of this entire matter. I felt a need to help this man. It was fully explained to Mr. Dunlop what my position was going to be in this matter. I would only assist him with respect to a guilty plea and only if this is what he truly wanted to do. I would of course look at the police case against him to make certain that there had been no procedural errors made by the police which could have lead to any breach of his Charter rights. At the continuing judicial pre-trial one such issue was spoken to but resolved.

Shortly into the judicial pre-trial Mr. Dunlop decided that he wanted to act for himself. I told him that this was a bad idea. He also advised me that he now wanted to have a trial. I also explained the ramifications of this course of action. I felt that fear was working here and not common sense. He had been doing nothing but writing letters sending e-mails and studying case law on line.

At this time I found it impossible to deal with Mr. Dunlop so I filed and Application to be removed. Mr. Dunlop still stated that he was guilty but was convinced he had to have a trial in order to obtain a fair sentence. What made all of this even harder to deal with was that I had been instructed by Mr. Dunlop not to discuss our arrangement or any other details of this matter with his parents. The reason for this was he did not trust them. In the beginning it was fine for me to talk to them but his all changed as time went on.

From the very start of this matter the Crown was only asking for four to six months and was not in opposition to a conditional sentence. If it was shown that certain conditions were met. As this matter is still before you for sentence I will speak no further on this issue.

You asked me why my status with the Law Society was listed as applicant since I had written the qualifying examination in January of this year. I advised you that because I had been bankrupt I was put on a check list. I understand this list is quite long at the moment. I have been advised by the Law Society that the number of paralegal applications have been overwhelming for them, hence the length of time many of us have been waiting for approval. Paralegal regulation is new as are those applying to become licensed paralegals. I was diagnosed with lupus about six years ago which led to long periods of illness making it impossible to work. As a result, I lost everything and filed for personal bankruptcy. At the moment I live with my eighty five year old father in his home together with my girlfriend who is the only one working in the household. I closed my office shortly after taking on Mr. Dunlop's case and have since worked on this case from home. I left my application open with the Law Society because after all the years I spent trying to make paralegal regulation a reality I wanted to at least finish the process then I would officially retire. I'm sixty one years old and in very poor health and live on prescribed medications to function so working again at the moment seems somewhat remote. Pain is a constant in my day to day life. In fact I am looking at a social security disability pension.

What I did for Mr. Dunlop I did in good faith to help a man who I truly believed needed my help to get through a serious emotional time in his life. The emotional turmoil was a lot more than even I realized.

I made an agreement with Mr. Dunlop that I would charge him a fair block fee for all work I performed for him knowing full well that he did not have much money and he agreed. I did this as a paralegal not a lawyer. Notwithstanding those limited funds were used well over a year ago since then I have worked free of charge. I have never issued Mr. Dunlop another bill. The last one issued was November 2006. I committed an infraction against the Law Society Act but I did not do so with improper intentions. I truly intended to help a man who has always admitted his guilt but just wanted a fair sentence to the charges against him.

Yours Truly,

STEVEN R. SAGER

cc. Law Society of Upper Canada

31-Jul-08- 12:28:46pm Derek Dunlop sent an e-mail to Peter Wright, Amit Ghosh, Marcy Segal and Adrian Greenaway.

From: derekdunlop12@hotmail.com
To: peter.wright@jus.gov.on.ca; amit.ghosh@jus.gov.on.ca; marcysegal@hotmail.com; agreenaw@lsuc.on.ca
cc: srsager@rogers.com

31-Jul-08

Subject: Mr. Steven R. Sager's letter to the His Honour Justice Wright dated the 15-Jun-08.

Dear Honourable Justice Mr. Peter J. Wright, Mr. Amit Ghosh, Ms. Marcy Segal, Mr. Adrian Greenaway & Mr. Steven R. Sager:

On the 30-Jul-08, Ms. Catherine Keller-Yeh of Ms. Marcy Segal's office faxed me a copy of the letter that Mr. Steven R. Sager issued to His Honour Justice Wright on the 15-Jun-08. After reading the contents of Mr. Sager's letter on the 30-Jul-08, I am left in a total state of shock. Additionally, I am extremely dumbfounded and astonished by the statements of Mr. Sager.

Mr. Sager has already falsely represented himself to the Honourable Court, the Honourable Justice Peter J. Wright, the legal community and myself.

The contents of Mr. Sager's letter are incredulous. It is beyond comprehension that a person with Mr. Sager's reputation, background, prior professional employment history, knowledge and expertise would formulate a letter of this nature.

Mr. Sager has fabricated a considerable amount of information contained

31-Jul-08-
12:28:46pm throughout his letter. Mr. Sager has included numerous outright lies and continues to be deceitful to everyone involved. Specific statements provided by Mr. Sager do not even make sense. Furthermore, Mr. Sager has even incorporated some outrageous statements.

I could be wrong, but I would assume that a person with Mr. Sager's knowledge would be well aware that he could suffer some serious repercussions by continuing to mislead the justice system. Mr. Sager has even had that audacity to implicate a Mr. Don Thorne into this matter. I am not aware of who Mr. Don Thorne is nor do I possess knowledge about Mr. Don Thorne.

I would hope that Mr. Sager is ordered and/or Subpoenaed to testify in this matter. If so, Mr. Sager would have to perjure himself to uphold his outlandish statements referenced in his letter to His Honour Justice Wright dated the 15-Jun-08.

In addition, I would hope that a full and comprehensive police investigation is ordered into the matters of Mr. Steven R. Sager. At the present time, I possess nearly 300 pages of documentation relating to my dealings with Mr. Steven R. Sager and this matter.

Finally, I am in the process of thoroughly assessing Mr. Sager's letter. I will be creating a document that will outline the lies, inaccuracies, outrageous statements, fabricated information and so forth.

I would greatly appreciate it if each of you could acknowledge that you are in receipt of this document. Thank you.

Thank you for your attention to this letter.

Yours truly,

Derek Dunlop

31-Jul-08- Marcy Segal responds to my e-mail contained on pages 37 & 38 in
12:46:36pm this document Marcy Segal- 2008.

From: Marcy Segal (marcysegal@hotmail.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek: considering that you are still before the courts awaiting sentence, I
Would advised that you communicate through counsel to His Honour and
the crown.

31-Jul-08- 9:43:57am Derek Dunlop sent Marcy Segal an e-mail.

From: derekdunlop12@hotmail.com
To: marcysegal@hotmail.com

31-Jul-08

Dear Ms. Segal:

I greatly appreciate you having Catherine Keller-Yeh fax me a copy of Mr. Steven R. Sager's letter to the court as of yesterday.

What is going to be occurring in court on the 13-Aug-08. I would greatly appreciate it if you could inform me about what is transpiring on that day.

Thank you for your continued assistance.

Yours truly,

Derek Dunlop

31-Jul-08- Marcy Segal sent Derek Dunlop an e-mail
12:48:28pm
From: Marcy Segal (marcysegal@hotmail.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

On that date his Honour will deal with the fees issue as well as inquiring whether you have retained counsel. Have you done so?