

HIGHLY IMPORTANT TO NOTE: This e-mail was sent to Steven R. Sager 5 days BEFORE the motor vehicle accident on 22-Oct-06.

ALSO VERY IMPORTANT TO NOTE: During our the initial meeting between Steven R. Sager and Derek Dunlop on the 16-Oct-06, Steve Sager informed Derek Dunlop that he knew both Mary Hall and Victor Matanovic Sr.

17-Oct-06- Derek Dunlop sent Steven R. Sager an e-mail.

To: srsager@rogers.com

Hi Steve:

I greatly appreciate you taking the time to meet with me yesterday.

As you are aware I am up against it. I am not a popular person with the system at this time as I have challenged each aspect of it, however, I will continue to battle each situation as I will fight to defend myself.

Everybody knows everybody in the system and they also know that I am aware of aspects of the system from the professional side of things.

As a result, of last year's case in North Bay and standing tall above that, I believe that this has become more of a personal vendetta against me.

I have been framed and assaulted by the North Bay Police. As I have explained that there has been collusion, conspiracy, corruption, coincidences and cover-up that I have been confronted with. (North Bay Police, Barrie Police Service, Simcoe County Children's Aid Society and others) I have been set-up many times.

I am sure that you can understand, why I do not trust anybody.

Each and every person who becomes involved with this is involved primarily because of Ms. Maria Malvaso.

Thank you again and we'll talk soon.

Yours truly,

Derek Dunlop

17-Oct-06.

This page was just the full page of the e-mail on page 1 as the first page of the e-mail is partially cut off.

01-Nov-06-

STEVEN R. SAGER, B.A. (Crim) J. D. C. Med

PRACTICE OF CRIMINAL LAW

115 Torbay Road
Suite 2
Markham, Ontario
L3R- 2M9

Direct (416) 525-5346
(416) 284-2065
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Please Reply To: Steven R. Sager, B. A. (Crim) J. D. Med
File No: SRS/1810/06

November 1, 2006

Mr. Derek Dunlop
3 Sunnyside Road
Corbeil, Ontario
POH 1K0

Dear Sir:

Re: Regina v. Dunlop, Collingwood Criminal Court.

This letter will confirm receipt of your retainer check to me, October 31, 2006.

I will be in Newmarket criminal court on November 8th and as such will not be able to attend you Collingwood date. I have enclosed a letter to the Crown with a number of return dates to have the matter spoken to and place myself on the record.

I will not be in Newmarket all day so please call me when you are out of court. We can meet at my Markham office later in the afternoon. Please attend the court office and pick up all the disclosure material and bring it with you.

Yours Truly,

STEVEN R. SAGER.
SRS/db

01-Nov-06- *STEVEN R. SAGER, B.A. (Crim) J. D. C. Med*

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Please Reply To: Steven R. Sager, B. A. (Crim) J. D. Med
File No: SRS/1810/06

November 1, 2006

Ontario Court of Justice Barrie
Office of the Crown Attorney
114 Worsley Street
Barrie, Ontario
L4M- 1M1

Dear Sir/Madam:

Re: Regina v. Dunlop, Barrie Criminal Court

This letter will confirm that the writer has been retained to take carriage of the Dunlop matter replacing Ms. Mary Hall who has been removed from the record.

Mr. Dunlop will be appearing in your court November 8th at 9:00a.m. I will not be able to attend as I will be attending at Newmarket court.

I have enclosed a number of return dates that I am available in order to speak to this matter. If possible I would appreciate something set in January 2007 as I have not received or had time to review any of the disclosure materials. I would also like to have the opportunity to speak with you prior to the next appearance.

Available dates: November 23, 28
December 7, 14
January (2007) 11, 17, 18, 23, 25

Thanking you for your assistance in advance.

01-Nov-06-

Yours Truly,

STEVEN R. SAGER

SRS/db

cc: Mr. Dunlop

17-Nov-06- I called Mr. Steve Sager back from this morning as he was buzy this
2:12pm morning. Steve asked me if I could call him back in 5 minutes. I said
sure.

17-Nov-06- 2:23pm I called Mr. Steve Sager back and he said that I was not going to believe this but he was on the other line with the Newmarket Court. Steve asked if he could call me back. I said sure and asked if he had the number I was calling from. Steve said yes.

17-Nov-06- 3:21pm I called Steve Sager back as he did not call me back yet. Steve said that I had his full and undivided attention. Steve had the court dates of mine screwed up. Steve thought I was in Barrie Court on the 22-Nov-06 and in Newmarket Court on the 29-Nov-06. **Steve said that he had received the disclosure from the Barrie Court.** Steve said that there was not a lot of disclosure from the Barrie Police if it was not for the journal. Steve said that he believes that once they received the journal that they may have thought, wow we have someone who is questionable here. Steve asked me if I could call him at 10:00am on Monday morning the (20-Nov-06). I said sure. Steve said that he was going to try and juggle things around so that he could attend both of my court dates. Steve asked what courtrooms both of my cases were in. I asked Steve if I should fill out my accidental benefits package and he said yes. I informed Steve about the towing company wanting to have my vehicle removed from their premises. Steve said that it might be wise to have the vehicle removed from the towing company's property.

20-Nov-06- I called Steve Sager as he stated to on the 17-Nov-06.
9:59am Steve informed me that he was taking the day off. I informed Steve that court was in courtroom #200 on the 22-Nov-06 (Wednesday). Steve informed me that he would be attending court on the 22-Nov-06. Steve asked me to call him tomorrow at 12:00pm when he was in his office and he could go over my file and he had a few questions for me.

***Go over my file, what does he have?

21-Nov-06- Steve Sager had told me to call him at 12:00pm today on the
12:03pm 20-Nov-06. When I called Steve I said to him who I was.
Steve said how could he help me. (**As if he did not know I was
calling). I said that he had had a couple of questions for me about my file.
Steve informed me that he had a client with him. I asked him if he wanted
to call me back. Steve asked if I was going to be at this number for a
while. I said yes. It was my mother's at 495-6377. Steve said he would
call me back.

21-Nov-06- I called Steve Sager back as I had not heard from him. **Steve asked**
1:09pm **me if I had a house that I was selling and he wondered if I had sold it.**
I informed him that it was sold pending house inspection. Steve also
once asked about the hole in the wall. I explained to him what happened
again. I explained that I did put the hole in the wall but I did not do it on
the 9th of June 2005. I said it happened about 5-6 days before and I
believed that some of it had already been repaired before the 9th but I
could not say for sure. I said that I did repair it and I thought I started
before the 9th.

***** HOW WOULD STEVE KNOW I WAS SELLING MY HOUSE
AND WHY WE HE ASK ME THAT.**

22-Nov-06-
8:30am

I met with Steve Sager in the coffee shop at the bottom (bsmt) of the Newmarket courthouse. Peggy had got coffees and was going to sit at another table. Steven and I insisted that Peggy sit with us. ***** I knew that Steve wanted a witness anyway.** Steven asked Peggy if she was my surety and Peggy said yes. Steve said you know pretty well what is going on. I asked Steve if I should acknowledge the remorseful feelings that I had toward the injured (d) in the accident. I said that I am really concerned that they were hurt but I was wondering about the legalities. **Steve said that that would be good but did not elaborate on how I should go about this.** I asked Steve if I should be attending any AA and he said that would be good. **Steve said that he had a number that he could provide me for services in my area but he never did provide it.** I asked Steve if the Crown Attorney from Newmarket and the Crown Attorney from Barrie would have been talking. Steve said yes but did not care to elaborate. Steve talked about my Barrie case and said that he could not believe that Mary (Mary Hall) had not settle this case already. Steve said that he was trying to schedule a telephone conference with the crown in Barrie to discuss the case. Steve said that he would try and get this case closed and then this would be behind me. Steve also discussed about me signing a disclaimer to not have to attend the Newmarket court in relation to the Impaired Driving allegations. Steve left after 15 minutes ending the meeting and said he was going to go upstairs to see what was going on. Steve asked us

22-Nov-06- to meet him up there at about 9:00 or 9:10am. After the meeting
8:30am Peggy said that is good that he is going to try and get my case in
Pg 2 Barrie put behind me.

22-Nov-06-
9:07am **Inside the courtroom (courtroom #200) Steve approach me to inform me that my file was not present in court. I said that is there any way they can get it to court. Steve said no and that he was going to have the matter adjourned to 06-Dec-06. Steve said that I was not the only one that was upset as there were 6 files not in court.**

*****What a bunch of bullshit. This is probably the biggest bunch of b.s. Great cover that there were 6 files not present. Everybody is in on this and now there were 6 files not in court (as if). Try to make it look like it is not just mine.**

29-Nov-06-
8:45am I met with Steve Sager at the Barrie Court House. Steve said that he had spoke to the Crown in Barrie briefly. Steve said he was not sure who the Crown he spoke to was, after I asked him if it was Kate Hull who he spoke to. Steve said that he hopes to put my matter over until the 17th of January (2007). Steve said that he had not received all disclosure from Mary Hall. Steve had asked whether I had requested it all from Mary Hall. I said “no.” **(This was supposed to be all dropped off to the Crown’s Office by Mary Hall.)** Steve said that this should not take that long in court today.

29-Nov-06- 9:43am Steve represented me in court and asked that the matter be put over until the 17th of January 2007. Steve said that Mary Hall had been taken off the record and that he was being put on the record today. The judge (Justice _____) asked the Crown whether she would be in agreement. The Crown noted that it has been the 7th appearance. Moments later the Crown agreed to the 17th of January, much to the surprise of the judge. The judge thought that the Crown may object. **A Crown Resolution meeting was suggested. Steve did not appear to be ready to make a commitment in relation to a date about a Crown Resolution meeting.**

30-Nov-06- Steve Sager returned my message from 10:30am earlier this morning.
1:31pm **Steve said that the Crown in Newmarket may have just have made a mistake by not having the file at my last court date.** I asked Steve if he had had contact with the Crown in Newmarket and he said “no.” I said to Steve that he said there was other disclosure. Steve said that there were some tapes and that I was on tape. I said “no,” and that I declined to provide them a statement. (The police) Steve said there was some outstanding disclosure. Steve said he had a pre-trial scheduled with the Barrie Crown for the 7th of December. Steve said he hope to put this behind me. Steve asked me to have information about an anger management program for him for the 7th of December. Steve informed me that he had drafted a letter for the insurance adjustor to be able to talk to me.

***** It was really a coincidence that he scheduled a pre-trial with the Crown on the 7th of December, one day after my case in Newmarket, on the 6th of December.**

***** Steve did not advise me that he would be drafting a letter and did not advise or instruct me what I could or could not say, if that was the case.**

04-Dec-06- I called Steve Sager and the first thing Steve Sager asked me was was
1:05pm I staying out of trouble. I said yes. Steve then said he had not received any calls from the police. I asked Steve if he knew if there were any civil suits launched. Steve said that he was not aware of any civil suits. **I asked Steve if he knew what the extent of the injuries were to the person that was seriously hurt in the accident. Steve said he did not know and he had not talked to the Crown.** I asked Steve if Wednesday was just disclosure. Steve said that he thought so but that he was not sure and he has known the Crown to throw a lot at you. **I asked Steve if this would be in conjunction with the Barrie Case. Steve said that this had nothing to do with the Barrie case.**

06-Dec-06-
9:15am

ONCE AGAIN THE NEWMARKET COURT AGAIN DID NOT HAVE MY FILE IN COURT. The Crown and a Special Constable had to make contact with the Aurora O. P. P. to get the file to court. The Special Constable came back to me at about 10:15am and said that it was either going to be faxed or dropped off by the police. There were numerous delays. I asked Steve if he got my message from yesterday and he said, no. Steve arranged with the court to have my case moved until the 24-Jan-06. Steve said that I would wait around for the disclosure. There was no file. It was just a Charge Screening Sheet with interviews by the police officers and a synopsis and supplementary occurrence report. They are just wasting my time and not being ready on purpose.

*****Once again a bunch of B. S. Wasting my money (my dad's money) that was paid to Steve Sager. Once again there is more collusion.**

*****Steve stayed until 10:30am and supposedly had to go to Old Toronto City Hall but then met with me for 20 minutes before he left. Once again- exhausting financial resources. It is a set-up.**

*****Peggy Greer and Steve Sager appear to have contact with each other behind the scenes or through a third party.**

07-Dec-06-
5:15pm Steve Sager contacted me after I had left him a message at 3:50pm earlier today. Steve said that the Newmarket Crown did not give me that much. **I said no that they only gave me about 8-10 sheets. Steve asked what the charge screening sheet said. I said that the charge screening sheet said that they were going to pursue by indictment as Steve had asked me how they (The Crown) was proceeding.** I said that the Crown was also going to ask for custody before trial and custody after trial. Steve said that they are going to go heavy handed. I said it looks like it. Steve said that he had met with Catherine (Kate Hull) for a better part of the day in Barrie. **Steve said that it appears that things are going to go our way.** Steve said that if I get myself enrolled with the anger management that the Crown may and Steve said he asked for a probable to get this behind. I asked Steve whether this would be a conditional discharge. **Steve said no that if I get going on this anger management that if there is a report forwarded to the Barrie Crown then they would be willing to consider withdrawing the charges.** I said that I would follow-up right away. Steve said that we are going to have difficulties with the other case. Steve said that the Barrie Crown would be willing to extend the case from the 17-Jan-06 if I don not get enrolled. (WHAT? BULLSHIT?)

*****Steve again wasting my time and money, this is a set-up.**

***** Once again people getting me to pay for course it is a set-up, again.**

10-Dec-06- Derek Dunlop sent Steven R. Sager an e-mail.

Hi Mr. Sager:

I am somewhat unclear about the position that Ms. Kate Hull, Crown Attorney in Barrie is maintaining in relation to the Mischief Under \$5 000 charge.

Initially, the Crown was proceeding by way of indictment with a disposition of a conditional discharge upon my completion of PARS. The Crown's disposition also included probation with conditions of non communication or association directly or indirectly with Ms. Maria Malvaso.

Since your pre-trial meeting with Ms. Hull on the 07-Dec-06, in which you met with her for the majority of the day, you have informed me about some of the direction from that meeting. **It is my understanding that the Crown Attorney said that they may consider having this Mischief Under \$5 000 charge withdrawn.** Mr. Sager you also informed me that the Crown Attorney stated that by the end of the meeting that they probably would consider withdrawing the Mischief Under \$5 000 charge.

This disposition is contingent on me exhibiting the initiative to commence a PARS program with Mr. Jonathan Collins of the Community Counselling Centre in North Bay, ON. Mr. Sager you also informed me that the Crown Attorney would also be expecting progress reports from Mr. Collins. In addition, you informed me that the Crown would be willing to move my 17-Jan-07 court date forward. This is confusing to me and I am unfamiliar with such an arrangement.

I would greatly appreciate it if you could request from Ms. Hull, the Crown's position in writing. I hope that you can facilitate such a request with Ms. Hull in order to acquire a definitive disposition outlining the parameters of this agreement. I would also assume that written confirmation from Ms. Hull would also alleviate any ambiguity and inconsistencies in regard to the Crown Attorney's disposition. I believe that this would be paramount for us to obtain, in order that there is credible documentation for present and/or future reference.

Please contact me to inform me that you have received this e-mail and to further discuss the contents.

Thank you for your continued assistance and co-operation.

Yours truly,

Derek Dunlop

STEVEN R. SAGER, B.A. (Crim) J. D. C. Med

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Please Reply To: Steven R. Sager, B. A. (Crim) J. D. Med
File No: SRS/1810/06

December 21, 2006

Mr. Derek Dunlop
3 Sunnyside Road
Corbeil, Ontario
POH 1K0

Dear Mr. Dunlop:

Re: Regina v. Dunlop

Further to our telephone conversation of same date. Enclosed you will find two Designation of Counsel forms. Please sign and date both and return them in the self addressed envelope.

I will be contacting the Newmarket Crown next week to inquire as to your request of changes in your bail conditions.

If you have any questions do not hesitate to call.

Yours Truly,

STEVEN R. SAGER
SRS/db

26-Dec-06- Derek Dunlop sent these letters to Steve Sager.

Subject: Barrie Case- Mischief Under \$5 000

Dear Mr. Sager;

I hope you and your family had a Merry Christmas.

Do you have anything in writing from Ms. Kate Hull, Crown Attorney stating that they will **dismiss** the case upon my active involvement with PARS program in North Bay, ON?

Do you think that the Crown Attorney intends to try to continue to prosecute me on the **Escape Lawful Custody** charge from February 2005? It was **withdrawn** but not removed from my CPIC information. A new charge has been laid and it appears that this is the reason that the **Escape Lawful Custody** charge has not been removed.

Do you know if Ms. Kate Hull intends to bring forward any other charges?

You said that you boxed this case off as the \$3 000. Will there be documentation to follow?

Thank you for your continued assistance.

Yours truly,

Derek Dunlop

26-Dec-06- Derek Dunlop sent these letters to Steve Sager.

Subject: Newmarket Case- Impaired

Dear Mr. Sager:

Do we have much of a defence for this case?

What are we going to be use for our defence? Is there any specific case law that we can use?

Do you have any indication about the disposition that the Crown is seeking? Is there any chance of plea bargaining?

Recently, you said that the statement that I provided the insurance adjuster, Chris Heindl is not much different that I gave the police. Do you have additional disclosure in relation to a my statement?

Thank you for your continued assistance.

Yours truly,

Derek Dunlop

04-Jan-07-
2:23pm
Pg 1

I spoke to Steve Sager after he had asked me to call him back about 1 hour before this. Steve went through the questions that I had faxed him. **Steve stated that he had gone through some case law in relation to the Impaired case and he said he would forward this information. Steve said that this case if of absolute liability. (He has told me this at least 4 time previously.) Steve said that Crown will be seeking a sentence of 5 years in jail.** Steve said that he had spoke to Mark Bernier at Gore Mutual. Steve said that Mark had informed him that the man in the truck apparently had incurred a broken scapula and broken ribs. Steve stated that he did not believe that these were catastrophic injuries. Steve said that his wife was a registered nurse and he would speak to her further to see what her knowledge about a broken scapula. Steve said that Mark Bernier had informed him that the other man in the truck apparently had minor injuries. Steve said that Mark said that Gore Mutual would apparently cover any liability should a civil suit be presented to me from either of the people in the accident. Steve stated that I said that I had asked him about the statement that I had gave Chris Heindl. Steve stated that I did not provide the police much of a statement. *****Steve did not respond to the other part of the question.** Steve stated that he would box this case off at \$25 000 when he previously had said that he would box it off for \$20 000.

04-Jan-07-
2:23pm

I informed Steve Sager that I would have to speak to my father about this. **Steve said that the \$10 000 that he has of mine is getting eaten up pretty quickly. The previous conversation I had with Steve he said that he probably had spent about \$2 000 on this case. Steve said that he already had spent about 4 ½ hours on this case today.** Steve discussed the Barrie Case- Mischief Under \$5 000. **Steve said that he did not believe that he had been dealing with Ms. Kate Hull. Steve said that he believed he had been dealing with a Senior Crown. Steve stated that this case would be WITHDRAWN and not DISMISSED upon my active involvement with PARS.** Steve informed me that in relation to the e-mail I sent out that there would be no charge of criminal harassment. Steve said that now that I am gone from there that that is done and I do not need to worry about that. **Steve said that the Escape Lawful Custody charge should be removed form my CPIC. Steve said it is still showing up because nobody has asked for it to be removed.** Steve said that certain jurisdiction require 12 months of 6 months after it has been withdrawn to have it removed. Steve asked me to get a clearance certificate from a local police force. Steve asked for a photo copy of my insurance policy. Steve advised me not to proceed with my bankruptcy until he talked to John Morgan a trustee in Bankruptcy who is a

04-Jan-07-
2:23pm
Pg 3

friend of his. Steve said that Ira Book (Ira Book) who is a CIVIL LITIGATOR who may be able to provide him so advice in relation to whether somebody could sue me through the back door. Steve said that he would hope to get back to me by late next week. **I asked Steve about the disclaimer's and how he initially said that he wanted me to attend court. Steve did not answer this question and began discussing my request to have my mother as another surety. Steve said that I would have to have Peggy Greer and my mother Barbara Dunlop both attend court on the 24th in Newmarket, ON. Steve then went on to WASTE more time by asking me mother's middle name. Asking me her date of birth. Asking me where Corbeil is.**

- 1) **Steve is chewing up (spending) a lot of the money he has in trust by sending letters to people he does not need to, spending extra time on the telephone.**
- 2) **Steve was apparently at the Newmarket Courthouse today on another matter and I believe that it would have been difficult to spend 4 ½ hours on my case today.**
- 3) **He is doing things without consulting me or asking for my help, especially when there are things I could help him out with.**

ONTARIO COURT OF JUSTICE
CENTRAL EAST REGION

BETWEEN:

HER MAJESTY THE QUEEN

and

DEREK DUNLOP

DESIGNATION OF COUNSEL

(s. 650.01 Criminal Code)

I, Derek Dunlop, appoint Steven R. Sager

as my retained counsel of record, to represent me and to take all necessary steps before the Ontario Court of Justice in my absence relating to charges of:

1. Mischief Under

I designate my counsel (or counsel acting on his/her behalf) to appear for all proceedings where my attendance is not required by law or the direction of a judge of the Superior Court of Justice.

I designate my counsel (or counsel acting on his/her behalf) to appear on my behalf on the following date: January 17th, 2007 and as further required

I undertake to remain in communication with my appointed counsel and to appear before the court on any date requested by the court, and I agree that notice of such date to my counsel is notice to me of that date.

My current address is 3 Sunnyside Road, Corbeil, Ontario P0H-1K0

and my phone number is (705) 776-7274. I undertake to advise my appointed counsel if I change either my address or telephone number.

DATED this 10th day of January, 2007

Derek Dunlop

I, Steven R. Sager, a barrister, hereby accept the appointment of Derek Dunlop as his counsel of record, to fully represent the accused's interests, in the absence of the accused, in relation to charges of:

1. Mischief Under

DATED this _____ day of _____ 2006.

(*Signature of counsel*)

Address: 115 Torbay Road, Markham, Ontario L3R-2M9

Tel: (416) 525-5346 Fax: (416) 284-1826

IT MUST BE NOTED THAT MR. STEVEN R. SAGER INTIALLY INFORMED ME THAT HE WANTED ME TO ATTEND ALL MY COURT DATES. IT WAS NOT A COINCIDENCE THAT MR. STEVEN R. SAGER CHANGED HIS MIND AND NO LONGER WANTED ME IN ATTENDANCE FOR MY COURT APPEARANCES.

THE CALCULATED PLAN OF HAVING ME NOT IN ATTENDANCE WAS JUST ANOTHER PRE-MEDITATED PLAN TO PURPOSELY DISASSOCIATE ME WITH THE ENTIRE JUDICIAL PROCESS. (The collusion and conspiracy between Steven R. Sager and the Barrie Crown continues.)

I WAS EXTREMELY HESITANT TO SIGN THESE DESIGNATIONS BUT EVENTUALLY WAS PRESSURED INTO SIGNING THEM. I NEVER DID RECEIVE SIGNED COPIES WITH MR. STEVEN R. SAGER'S SIGNATURE ON THESE DESIGNATIONS.

ONTARIO COURT OF JUSTICE
CENTRAL EAST REGION

BETWEEN:

HER MAJESTY THE QUEEN

and

DEREK DUNLOP

DESIGNATION OF COUNSEL
(s. 650.01 Criminal Code)

I, Derek Dunlop, appoint Steven R. Sager

as my retained counsel of record, to represent me and to take all necessary steps before the Ontario Court of Justice in my absence relating to charges of:

Impaired driving causing bodily harm, 2(counts). Operate over 80mgs

I designate my counsel (or counsel acting on his/her behalf) to appear for all proceedings where my attendance is not required by law or the direction of a judge of the Superior Court of Justice.

I designate my counsel (or counsel acting on his/her behalf) to appear on my behalf on the following date: January 24th, 2007 and as further required

I undertake to remain in communication with my appointed counsel and to appear before the court on any date requested by the court, and I agree that notice of such date to my counsel is notice to me of that date.

My current address is 3 Sunnyside Road, Corbeil, Ontario P0H-1K0

and my phone number is (705) 776-7274. I undertake to advise my appointed counsel if I change either my address or telephone number.

DATED this 10th day of January, 2007

Derek Dunlop

I, Steven R. Sager, a barrister, hereby accept the appointment of Derek Dunlop as his counsel of record, to fully represent the accused's interests, in the absence of the accused, in relation to charges of:

1. Impaired Driving causing Bodily Harm (2) Counts
2. Operate Over 80 mgs

DATED this _____ day of _____ 2006.

(Signature of counsel)

Address: 115 Torbay Road, Markham, Ontario L3R-2M9

Tel: (416) 525-5346 Fax: (416) 284-1826

IT MUST BE NOTED THAT MR. STEVEN R. SAGER INTIALLY INFORMED ME THAT HE WANTED ME TO ATTEND ALL MY COURT DATES. IT WAS NOT A COINCIDENCE THAT MR. STEVEN R. SAGER CHANGED HIS MIND AND NO LONGER WANTED ME IN ATTENDANCE FOR MY COURT APPEARANCES.

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I WAS EXTREMELY HESITANT TO SIGN THESE DESIGNATIONS BUT EVENTUALLY WAS PRESSURED INTO SIGNING THEM. I NEVER DID RECEIVE SIGNED COPIES WITH MR. STEVEN R. SAGER'S SIGNATURE ON THESE DESIGNATIONS.

IT MUST BE NOTED THAT MR. STEVEN R. SAGER ON NUMEROUS OCCASIONS INFORMED ME THAT IT WAS NOT NECESSARY FOR ME TO WRITE REMORSE LETTERS. ON 11-JAN-07, ON MY OWN ACCORD AND WITHOUT MR. STEVEN R. SAGER'S KNOWLEDGE AND/OR ADVICE I WROTE THESE REMORSE LETTERS AND SENT TO MR. STEVEN R. SAGER ANYWAY.

14-Jan-07

Dear Mr. Sager:

I would greatly appreciate it if these letters of remorse could be forwarded to the Mr. T. Sodhi, Mr. T. Corbett, the Aurora Police and Crown Attorney.

I would also appreciate it if you could write a letter to the North Bay Police Service requesting the removal of the Escape Lawful Custody Charge from my CPIC record as you have stated that you would previously do this. This charge was withdrawn as of November 2005. I placed numerous calls with my lawyer of record for that case Mr. Dennis Fenton to ensure that was completed and he did not return my calls.

Thank you for your attention to these matters.

Yours truly,

Derek Dunlop

11-Jan-07

Dear Mr. T. Sodhi:

I have been wanting to make contact with you since moments after the accident that occurred on the 22nd of October 2006. I send and express my deepest and sincere apologies to you, your family and friends whom have been impacted by this tragedy. I know that words are not always that meaningful and that the events of that night can not be erased, however, I want to emphatically inform you that I am so extremely, extremely sorry for the pain and suffering that you have incurred as a result of the accident. I truly regret that this had happened and at this point I can only display my deepest remorse in writing.

I have been informed that you have suffered a broken scapula and broken ribs from this accident and realize that your quality of life has been drastically affected. I am so remorseful for the emotional, mental and physical pain and discomfort that you have already suffered. I am also well aware that these experiences are lasting and will continue to confront you and for that I am very sorry. I sincerely hope that you can make a full recovery in regard to all aspects of your life that have been impacted by this incident. I wish you all the best with the healing of your physical injuries and that challenges you will face with the rehabilitation of those injuries.

I am not sure if you were notified that immediately after the accident occurred that I was primarily worried and concerned about the well-being of others involved in the accident. I made numerous inquiries with the police that night. I understand that informing you may not mean that much to you but I wanted you to know anyways. This is not to make me feel better but it is to inform you of my remorse from the onset.

I want you to know that from the bottom of my heart and in my mind, I will always be more concerned about how your life has been altered and impacted than that of my own. I have never felt compelled or been convinced by others to write this letter. I have done this on my own volition and have wanted to do so since the date of the accident.

At some point, I would greatly appreciate it if you would grant me the opportunity to apologize to you in person or at least over the telephone. If this is something you do not desire and/or it would make you feel uncomfortable I would obviously understand. At any time in the future, if there is anything that I can do for you, I would be more than willing to assist you in anyway possible.

Thank you for taking the time to read this letter.

Once again, I am so very sorry even though I realize that sorry is not enough.

Take care,

Yours truly,

Derek Dunlop

11-Jan-07

Dear Mr. T. Corbett:

I have been wanting to make contact with you since moments after the accident that occurred on the 22nd of October 2006. I send and express my deepest and sincere apologies to you, your family and friends whom have been impacted by this tragedy. I know that words are not always that meaningful and that the events of that night can not be erased, however, I want to emphatically inform you that I am so extremely, extremely sorry for the pain and suffering that you have incurred as a result of the accident. I truly regret that this had happened and at this point I can only display my deepest remorse in writing.

I realize that your quality of life has been affected. I am so remorseful for any emotional, mental and physical pain and discomfort that you have already suffered. I am also well aware that these experiences are lasting and will continue to confront you and for that I am very sorry. I sincerely hope that you can make a full recovery in regard to all aspects of your life that have been impacted by this incident. I wish you all the best with the healing of any physical injuries that you have incurred.

I am not sure if you were notified that immediately after the accident occurred that I was primarily worried and concerned about the well-being of others involved in the accident. I made numerous inquiries with the police that night. I understand that informing you may not mean that much to you but I wanted you to know anyways. This is not to make me feel better but it is to inform you of my remorse from the onset.

I want you to know that from the bottom of my heart and in my mind, I will always be more concerned about how your life has been altered and impacted than that of my own. I have never felt compelled or been convinced by others to write this letter. I have done this on my own volition and have wanted to do so since the date of the accident.

At some point, I would greatly appreciate it if you would grant me the opportunity to apologize to you in person or at least over the telephone. If this is something you do not desire and/or it would make you feel uncomfortable I would obviously understand. At any time in the future, if there is anything that I can do for you, I would be more than willing to assist you in anyway possible.

Thank you for taking the time to read this letter.

Once again, I am so very sorry even though I realize that sorry is not enough.

Take care,

Yours truly,

Derek Dunlop

16-Jan-07-

STEVEN R. SAGER, B.A. (Crim) J. D. C. Med

PRACTICE OF CRIMINAL LAW

115 Torbay Road
Suite 2
Markham, Ontario
L3R- 2M9

Direct (416) 525-5346
(416) 284-2065
Fax (416) 284-1826
Markham Fax (905) 947-8517

Please Reply To: Steven R. Sager, B. A. (Crim) J. D. Med
File No: SRS/1810/06

January 16th, 2007

Mr. Derek Dunlop
3 Sunnyside Road
Corbeil, Ontario
POH 1K0

Dear Sir:

Re: Regina v. Derek Dunlop (Newmarket and Barrie Ontario Courts)

Enclosed please find two Retainer Agreements for your review. I require both documents to be executed by you and returned to me ASAP together with the outstanding amount as shown. Also enclosed are two statements of account to show balances as they now stand. Time docketts will come at a later date.

Yours Truly,

STEVEN R. SAGER

SRS/db

RETAINER AGREEMENT

To: Steven R. Sager, B. A., (Criminology) J. D., C. Med

IN THE MATTER OF: **Regina v. Derek Dunlop.**

Over 80mgs s. 253(b) C. C.; Impaired Operation Causing Bodily Harm s.255(2) C.C.(X2

1. I, Derek Dunlop of North Bay in the Province of Ontario hereby authorize and retain and employ you with respect to the above noted matter and in particular:
 - (a) Preparing and presenting my Defense to these criminal proceedings in the Superior Court of Justice at, Newmarket, Ontario. To take such actions and steps as you deem necessary and advisable or proper to protect my interest in connection with the above noted charges.
2. In the course of so acting, you are hereby authorized to employ such counsel, agents or experts as you deem necessary, and authorize them to incur such disbursements as you deem necessary, provided that the fees and disbursements of each such counsel, agents or experts shall not exceed \$1,000.00 without written notice from me.
3. It is agreed that the terms of payment for all services rendered by you in connection with this matter will be calculated in accordance with the rates indicated below.
 - (a) It is agreed and understood that this matter will be billed at an hourly rate of \$320.00 per hour, plus GST and disbursements.

STANDARD DISBURSEMENTS

Photocopies	\$0.25
Postage	\$0.52
Fax Transmissions	\$3.00 per. Transmission
Couries	
Long Distant Telephone Calls	
Transcripts	

4. I agree to deposit with you the sum of **\$25,000.00** that shall be inclusive of GST and Disbursements with the exception of any form of medical or expert report or letter. By so doing it is agreed that these funds will form a blocked

fee which shall cover all fees, GST and Disbursements as they relate to this matter.

5. I understand and agree that if there are insufficient funds in trust in accordance with the above or, accounts remaining outstanding that no further work or service will be provided by you nor will you incur further Disbursements until the trust balance is restored and all outstanding amounts are paid.
6. It is agreed and understood that in your discretion you may withdraw acting on my behalf upon actual written notice mailed by prepaid first class mail to my last known address. I understand that I will be asked to execute a consent to this effect if an application is required.

I hereby acknowledge receiving a copy of this retainer. I understand and agree with the terms and conditions thereof.

Dated at North Bay Ontario, this _____ day of January 2007.

DEREK DUNLOP

RETAINER AGREEMENT

To: Steven R. Sager, B. A., (Criminology) J. D., C. Med

IN THE MATTER OF: **Regina v. Derek Dunlop.**

Public Mischief s. 430(4) C.C.

1. I, Derek Dunlop of North Bay in the Province of Ontario hereby authorize and retain and employ you with respect to the above noted matter and in particular:
 - (a) Preparing and presenting my Defense to these criminal proceedings in the Superior Court of Justice at, Barrie, Ontario. To take such actions and steps as you deem necessary and advisable or proper to protect my interest in connection with the above noted charges.
2. In the course of so acting, you are hereby authorized to employ such counsel, agents or experts as you deem necessary, and authorize them to incur such disbursements as you deem necessary, provided that the fees and disbursements of each such counsel, agents or experts shall not exceed \$1,000.00 without written notice from me.
3. It is agreed that the terms of payment for all services rendered by you in connection with this matter will be calculated in accordance with the rates indicated below.
 - (a) It is agreed and understood that this matter will be billed at an hourly rate of \$320.00 per hour, plus GST and disbursements.

STANDARD DISBURSEMENTS

Photocopies	\$0.25
Postage	\$0.52
Fax Transmissions	\$3.00 per. Transmission
Couries	
Long Distant Telephone Calls	
Transcripts	

4. I agree to deposit with you the sum of **\$3,000.00** that shall be inclusive of GST and Disbursements with the exception of any form of medical or expert report or letter. By so doing it is agreed that these funds will form a blocked

fee which shall cover all fees, GST and Disbursements as they relate to this matter.

5. I understand and agree that if there are insufficient funds in trust in accordance with the above or, accounts remaining outstanding that no further work or service will be provided by you nor will you incur further Disbursements until the trust balance is restored and all outstanding amounts are paid.
6. It is agreed and understood that in your discretion you may withdraw acting on my behalf upon actual written notice mailed by prepaid first class mail to my last known address. I understand that I will be asked to execute a consent to this effect if an application is required.

I hereby acknowledge receiving a copy of this retainer. I understand and agree with the terms and conditions thereof.

Dated at North Bay Ontario, this _____ day of January 2007.

DEREK DUNLOP

STEVEN R. SAGER, B. A. (Crim) J. D. C. Med

115 Torbay Road
Suite 2
Markham, Ontario, L3R-2M9
(416) 525-5346 Direct
(905) 947-8451 Fax

STATEMENT OF ACCOUNT

January 16th, 2007

In account with: Derek Dunlop

Public Mischief s. 430(4) C. C.

As To: Services Rendered.

Received on Account \$3,000.00

Amount Outstanding **NIL**

Amount Received is inclusive of all Fees, Disbursements and GST

This is a blocked Fee matter and is now paid in full.

Yours Truly,

STEVEN R. SAGER

SRS/db

STEVEN R. SAGER, B. A. (Crim) J. D. C. Med

115 Torbay Road
Suite 2
Markham, Ontario, L3R-2M9
(416) 525-5346 Direct
(905) 947-8451 Fax

STATEMENT OF ACCOUNT

January 16th, 2007

In account with: Derek Dunlop

Over 80mgs s.253(b)C.C.; Impaired Operation Causing Bodily Harm s.255(2) C.C. (X2)

As To: Services Rendered To Date

Received on Account \$10,000.00

Amount Required to Fix Blocked Fee \$15,000.00

Pursuant to our telephone conversations I will require this amount to guarantee payment of my account which will cover all fees, disbursements and GST. Taking into account the time already spent on this matter any under estimate of time will be in your favour.

Please arrange for the funds ASAP

Yours Truly,

STEVEN R. SAGER

SRS/db

23-Jan-07

Dear Mr. Sager:

Here is just a short list of some of the mitigating circumstances in relation to my Impaired Charges in King Township on the 22-Oct-06.

Mitigating Factors:

1. Wrongfully dismissed from the Children's Aid Society of the County of Simcoe in May 2006.
2. As a result, I was no longer had a job and had also lost my career which I had dedicated 7 years of my life to.
3. It is extremely difficult to find suitable employment in my field as our training and experience is very specific to working in the Child Protection Field.
4. I went from earning \$60 000 to no income at all.
5. I had to research, acquire and retain a suitable labour law lawyer who would not have any biases or a conflict with the Simcoe County C. A. S. This was a difficult task as almost everyone knows everyone within the jurisdiction and/or system. I made numerous contacts before deciding to go outside the country to obtain a lawyer.
6. I had to find the monetary resources to retain a labour law lawyer.
7. Not having a work related reference from the Children's Aid Society of the County of Simcoe.
8. I had other financial bills to maintain. Mortgage, automobile, and bills for my home.
9. Simultaneously, I was also confronted with a criminal charge of Mischief Under \$5000 for allegedly punching a hole in an ex-girlfriend's bedroom wall. Who is also a fellow employee. These allegations stem from 09-Jun-05.
10. Having to find a suitable Criminal Lawyer who would not have ties to the system in in Barrie, ON.
11. Having to find the monetary resources to retain a criminal lawyer.
12. Having to conduct my own research into case law (Labour law and Criminal Law).

13. Being denied Employment Insurance and having to research Employment Insurance Case Law. Continuing to defend myself in relation to acquiring benefits.
14. Applying for Legal Aid Assistance and being denied assistance.
15. No assistance from the Ontario Human Rights Commission.
16. No assistance from the Ombudsman.
17. Defending myself against a previous ex-partner who is pathological liar.

This is just a short list of what I have been confronted with. Please add this to the file and forward onto the Crown Attorney, Aurora Police and Victims.

Thank you for your attention to this information.

Yours truly,

Derek Dunlop

STEVEN R. SAGER, B. A. (Crim) J. D. C. Med

Facsimile Transmittal Sheet

TO: Derek Dunlop FROM: Steven R. Sager

FAX NUMBER: (705) 472-1625 DATE: 3/9/2007

TOTAL NO. OF PAGES,
3

SENDER'S REFERENCE NUMBER
SRS/1812/06

RE: Regina v. Dunlop

NOTES:

Derek,

Enclosed you will find the Retainer agreement which was e-mailed by my office Wed March 7th. It has now been three weeks since I first asked you to bring my trust account up to date for work that has already been completed on your behalf. You assured me that you would so I have continued to work on the file I have even had an accident scene reconstruction expert review the OPP report. You advised me that you could not put all the money together right now so I asked you to send at least \$5,000.00 to bring the trust up to date. You than told me that you could not put \$5,000.00 together, so I said at least \$4,000.00 for now. I must insist that the funds which I thought were already agreed on and on the way be received no later than Monday March 12th. If not than I will have no choice but to file my application to be removed from the record and send my final account to you. Please contact me as soon as you have received and reviewed this retainer agreement. I want to work with you on this I really do but I cannot keep gong back and forth as we have been doing.

Thanks

Steve

RETAINER AGREEMENT

To: Steven R. Sager, B. A., (Criminology) J. D., C. Med

IN THE MATTER OF: **Regina v. Derek Dunlop.**
Impaired Cause Bodily Harm X2 Operate Over 80mgs.

1. I, Derek Dunlop of North Bay in the Province of Ontario hereby authorize and retain and employ you with respect to the above noted matter and in particular:
 - (a) Preparing and presenting my Defense to these criminal proceedings in the Superior Court of Justice at, Newmarket, Ontario. To take such actions and steps as you deem necessary and advisable or proper to protect my interest in connection with the above noted charges.
2. In the course of so acting, you are hereby authorized to employ such counsel, agents or experts as you deem necessary, and authorize them to incur such disbursements as you deem necessary, provided that the fees and disbursements of each such counsel, agents or experts shall not exceed \$1,000.00 without written notice from me. (Paragraph 2 shall be inclusive pursuant to blocked fee agreement).
3. It is agreed that the terms of payment for all services rendered by you in connection with this matter will be calculated in accordance with the rates indicated below.
 - (a) It is agreed and understood that this matter will be billed at an hourly rate of \$320.00 per hour, plus GST and disbursements.

STANDARD DISBURSEMENTS

Photocopies	\$0.25
Postage	\$0.52
Fax Transmissions	\$3.00 per. Transmission
Couries	
Long Distant Telephone Calls	
Transcripts	

4. I agree to deposit with you the sum of **\$18,000.00** that shall be inclusive of GST and Disbursements. It is agreed that these funds will form a blocked fee which shall cover all fees, GST and Disbursements as they relate to this

matter. It is understood that all block fees are usually payable in advance of services. In this matter the client has paid \$10,000.00 and will pay \$4,000.00 by March 9th, 2007 the balance to be paid in full prior to May 23rd, 2007. Full dockets will be provided at the completion of this matter.

5. I understand and agree that if there are insufficient funds in trust in accordance with the above or, accounts remaining outstanding that no further work or service will be provided by you nor will you incur further Disbursements until the trust balance is restored and all outstanding amounts are paid.
6. It is agreed and understood that in your discretion you may withdraw acting on my behalf upon actual written notice mailed by prepaid first class mail to my last known address. I understand that I will be asked to execute a consent to this effect if an application is required.

I hereby acknowledge receiving a copy of this retainer. I understand and agree with the terms and conditions thereof.

Dated at North Bay Ontario, this _____ day of March 2007.

DEREK DUNLOP

RETAINER AGREEMENT

To: Steven R. Sager, B. A., (Criminology) J. D., C. Med

IN THE MATTER OF: **Regina v. Derek Dunlop.**
Impaired Cause Bodily Harm X2 Operate Over 80mgs.

1. I, Derek Dunlop of North Bay in the Province of Ontario hereby authorize and retain and employ you with respect to the above noted matter and in particular:
 - (a) Preparing and presenting my Defense to these criminal proceedings in the Superior Court of Justice at, Newmarket, Ontario. To take such actions and steps as you deem necessary and advisable or proper to protect my interest in connection with the above noted charges.
2. In the course of so acting, you are hereby authorized to employ such counsel, agents or experts as you deem necessary, and authorize them to incur such disbursements as you deem necessary, provided that the fees and disbursements of each such counsel, agents or experts shall not exceed \$1,000.00 without written notice from me. (Paragraph 2 shall be inclusive pursuant to blocked fee agreement).
3. It is agreed that the terms of payment for all services rendered by you in connection with this matter will be calculated in accordance with the rates indicated below.
 - (a) It is agreed and understood that this matter will be billed at an hourly rate of \$320.00 per hour, plus GST and disbursements.

STANDARD DISBURSEMENTS

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matter. It is understood that all block fees are usually payable in advance of services. In this matter the client has paid \$10,000.00 and will pay \$4,000.00 by March 13th, 2007 the balance to be paid in full prior to May 23rd, 2007. Full dockets will be provided at the completion of this matter.

5. I understand and agree that if there are insufficient funds in trust in accordance with the above or, accounts remaining outstanding that no further work or service will be provided by you nor will you incur further Disbursements until the trust balance is restored and all outstanding amounts are paid.
6. It is agreed and understood that in your discretion you may withdraw acting on my behalf upon actual written notice mailed by prepaid first class mail to my last known address. I understand that I will be asked to execute a consent to this effect if an application is required.

I hereby acknowledge receiving a copy of this retainer. I understand and agree with the terms and conditions thereof.

Dated at North Bay Ontario, this 12th day of March 2007.

DEREK DUNLOP

***** This copy was signed and sent to Steven R. Sager on the 12th of March 2007.**

STEVEN R. SAGER, B.A. (Crim) J. D. C. Med

PRACTICE OF CRIMINAL LAW

115 Torbay Road
Suite 2
Markham, Ontario
L3R- 2M9

Direct (416) 525-5346
(416) 284-2065
Fax (416) 284-1826
Markham Fax (905) 947-8517

Please Reply To: Steven R. Sager, B. A. (Crim) J. D. Med
File No: SRS/1810/06

March 22, 2007

Mr. Jonathon Collins, Counselor
361 MacIntyre Street, East
North Bay, Ontario
P1B-1C9

SENT VIA FACSIMILE (705) 472-4582

Dear Sir:

Re: Regina v. Derek Dunlop C. C. C. Mischief Under

The writer acts for Mr. Dunlop with respect to the aforementioned matter. I understand that Mr. Dunlop has completed six weeks of a sixteen week course in anger management and alcohol abuse with you.

I will be appearing at Barrie court March 28th with respect to this matter. This appearance is for the sole purpose to show that Mr. Dunlop is in fact participating in your course and that his involvement is showing some positive results. I am certain that you have written this type report before and know much better that I what the court is looking for at this stage. Could you please prepare a short report for me and fax the same to my office before the next court appearance.

Mr. Dunlop has advised me that he has executed the required direction and release for your records.

If you need to speak to me please do not hesitate to call.

Yours Truly,

STEVEN R. SAGER

SRS/db

STEVEN R. SAGER, B.A. (Crim) J. D. C. Med

PRACTICE OF CRIMINAL LAW

115 Torbay Road
Suite 2
Markham, Ontario
L3R- 2M9

Direct (416) 525-5346
(416) 284-2065
Fax (416) 284-1826
Markham Fax (905) 947-8517

Please Reply To: Steven R. Sager, B. A. (Crim) J. D. Med
File No: SRS/1810/06

March 22, 2007

Mr. Derek Dunlop
3 Sunnyside Road
Corbeil, Ontario
POH 1K0

Dear Mr. Dunlop

Re: Regina v. Derek Dunlop

Enclosed please find a CD copy of the Ontario Provincial Police pictures taken the night of your accident. These pictures form part of the accident scene reconstruction report that the Crown has filed as part of their case. I think you will agree that these pictures are not something that we want to go before a judge.

Your Truly,

STEVEN R. SAGER

SRS/db

07-May-07

Steven R. Sager
Practice of Criminal Law
115 Torbay Road Suite #2
Markham, ON
L3R-2M9

Dear Mr. Sager;

I have attempted to make contact with you on the 27-Apr-07. I left you a voice message on that date asking you to please contact me at your earliest convenience. I have not heard from you. Subsequently, I contacted you on the 04-May-07 and left you another voice message asking you to please contact me at your earliest convenience. I have not heard a response from you. We have not had any direct contact since shortly after my court date on the 28-Mar-07. Since you are my legal representative for two cases I believe it would be imperative to make contact as the next court dates are fastly approaching.

You have informed me that I have a court date scheduled for 23-May-07 in Newmarket, ON for the charges pending against me in that jurisdiction. I am wondering if my attendance is required. I am wondering how Mr. Sodhi is doing and if there is any further update on his condition. I am also wondering about the fact of there being 6 inches of paper work in disclosure and why this case is NOT moving forward. Do you have any indication about the sentence the Crown Attorney is seeking? Do you know if there is any civil action pending? Have you forwarded the remorse letters to the Crown Attorney and/or victims? Is the crown and/or victims aware of all the mitigating factors?

You have informed me that I have a court date scheduled of 06-Jun-07 in Barrie, ON for the charge pending against me in that jurisdiction. I am wondering if my attendance is required. Will the case be dismissed?

Thank you for your time and attention to these questions. I look forward to hearing from you.

Yours truly,

Derek Dunlop

09-May-07- Derek Dunlop sent Steven R. Sager an e-mail.

09-May-07-

Hi Mr. Sager:

After our discussions over the past few days I still have some questions.

- 1) I would greatly appreciate it if you could find out from the Barrie Crown Attorney, Kate Hull if I will need to be required in court on the 06-Jun-07. I need to know this as soon as possible as I need to make transportation arrangements to and from the court. If the charge is going to be dismissed than I am unsure why my attendance would be required.
- 2) **I would appreciate it if I could get a copy of the 6 inches of paperwork in disclosure for the Newmarket case.**
- 3) Initially you have informed me that the victim who has been seriously injured had sustained a broken scapula and broken ribs. Upon subsequent conversation you informed me that he had also incurred a broken clavicle. You have also informed me that these are not catastrophic injuries. Is this correct? I am led to believe that this individual is Mr. T. Sodhi. Are you aware if Mr. Sodhi has any other injuries. Does he have any back injuries? Has he required back surgery?
- 4) To this date I have not received a receipt or any time dockets from you. Have you ever sent any to me and if not, could you please forward a copy to me at your earliest convenience. Thank you.
(This is also for my father)
- 5) Could you please inform me of your new address in Richmond Hill, ON.

Thank you for your attention to these matters.

Yours truly,

Derek Dunlop

10-May-07- Steven R. Sager sent Derek Dunlop an e-mail.
4:02:24pm

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

Until the Barrie Crown has the final report from the course you are taking she will not discuss withdraw of the charges, although I know this will occur once the final report is received. With respect to the driver who sustained the more serious injuries I have no new information. What I did get I got from your insurance company and that was as you know limited information. **All I do know is that his injuries are in no way catastrophic so there is no need for you to worry with respect to civil damages.** Your insurance company has advised me that you are covered under your policy for this accident. To put your mind at ease plan on attending the Barrie court date. **With respect to the time dockets and copies of the disclosure package I will give you copies on that date.**

My new office is about five minutes from the old one and is located at 70 East Beaver Creek Suite 201 Richmond Hill, Ont. L4B-3B2. All the phone numbers are the same.

I know that you are concerned as to the injuries of the other driver, but it is not something that you have any control over and the crown is not going to give me any more information on the injuries than they feel I need at this time. As soon as I know the full extent of the injuries I will make sure you are advised.

Steve Sager

15-May-07- Derek Dunlop sent Steven R. Sager an e-mail.

Hi Steve:

I hope that you have received the rest of the money for the Newmarket case and this will satisfy the retainer agreement dated 12-Mar-07. Please inform me that you have.

How is it possible that I am not liable to any civil damages if Mr. Sodhi has a civil lawyer acting on his behalf? It appears that we are not even aware of the full extent of his injuries and he may have catastrophic injuries that the Crown has not informed us about.

Have you ever received any information from my insurance company?
(ie statement of claim)

As far as the Barrie case, I am unaware and unclear of the reasons why I need to attend should the charges be withdrawn(dismissed). I will contact Mr. J. Anderson and request a report on my completion of the PAR program prior to this date. I will have a copy forwarded to you which can be presented to the Crown Attorney in Barrie.

Thank you for your continued cooperation and assistance.

Yours truly,

Derek Dunlop

15-May-07- Steven R. Sager sent Derek Dunlop an e-mail.
3:14:54pm

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Hi Derek,

No I have not received the balance of the retainer. When did you send it? Where did you sent it?

I am unaware of any civil lawyer being involved in this accident case. If you know something I do not please let me know.

Feel free to contact your insurance agent and ask him any questions at all with respect to civil responsibility and how your insurance company deals with it on your behalf. Let me know if their position has changed from when I spoke to them last. (they cover you and his insurance covers him) I have not been informed of any major injury for which he could sue. And it is my understanding at this stage that his own insurance looks after him via the no fault benefits program.

I will be speaking to the Barrie Crown this week. If the charges are going to be withdrawn at the next court date she will want you to attend I am sure as part of the AGREEMENT she and I reached. If she has changed her mind I will let you know. As I said in my last e-mail I did not know at this time.

Steve

Derek Dunlop sent Steve Sager in an e-mail in response to the e-mail on the previous page (page 58) in this document.

Hi Steve:

I am under the impression from Gore Mutual Insurance that Lofranco & Chagpar in North York, ON is representing Mr. Sodhi. I believe that his lawyer is Rocco Lofranco of their firm. I believe that a contact number is (905) 794-0680. My insurance company thought it was strange that I had not received a statement of claim that was why I was wondering if you have received that claim instead.

Will you follow up to determine whether Mr. Sodhi is pursuing civil litigation and please let me know.

I sent the money to your Holmcrest address on the 12-May-07.

Thanks again for your continued assistance.

16-May-07- Steven R. Sager responded to the above e-mail.
6:20:10

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

I have received no claim with respect to this matter and was unaware of any civil action. I will follow up. If you do in fact receive a statement of claim forward it to your insurance company so that they can forward it on to their lawyers. Your money order was received today. Thanks

Steve

01-Jun-07- Steven R. Sager sent Derek Dunlop an e-mail.
3:47:35pm

From: Steven Sager (srsager@rogers.com)
To: derekdunlop12@hotmail.com

Derek, I rec. Mr. Collins report. I also have all the clinical notes and medical report from Mr. Sodhi's stay (overnight) at the Southlake Reg. Health Centre. He suffered a transverse fracture of the scapula without displacement and an undisplaced crack through the fourth rib on the right side. Neither of these injuries are catastrophic. Treatment was by way of shoulder immobilizer (sling) for the scapula and breathing exercises for the rib. **Mr. Sodhi may think his injuries are catastrophic but they are not. As it stands right now he in no way would meet, or even comes close to the threshold requirements of the No Fault Insurance legislation. The only reason he was kept in the hospital overnight was for pain control. His injuries should be dealt with by his own insurance company.** See you no the 6th.

Steve Sager

07-Jun-07-
Evening
Around
8pm

Steve called me in the evening. It is was probably around 8pm. **STEVE SAGER INFORMED ME THAT HE HAD SOME DIFFICULTY WITH BARRIE CROWN ATTORNEY KATE HULL. STEVE SAID THAT MS. HULL WAS NOT IN AGREEMENT TO THE ORIGINAL AGREEMENT THAT WOULD HAVE THE CHARGE OF MISCHIEF UNDER \$5 000 WITHDRAWN AS THE RESULT OF MY COMPLETION OF THE PAR PROGRAM.**

Steve said that Ms. Hull proposed a **CONDITIONAL DISCHARGE WITH 1 –YEAR PROBATION**. Steve said that he was not in agreement to this. Steve said that a court with a judge opened up and that the two sides ended up presenting the information to the judge. Steve said that there was an **AGREEMENT** to have the charge **STAYED**.

Steve said that Ms. Maria Malvaso has stated that she is still afraid of me. (Derek Dunlop). Steve said that as long as I have no contact with Maria in the next year (12 months) that they will be unable to bring up or **RE-PROSECUTE** this charge. Steve said that if I do not make contact with Maria Malvaso that the Crown can't re-prosecute. **Steve said that he was in Barrie all day on this charge.**

1. STEVE **NEVER** MADE CONTACT WITH ME TO SEE IF I WAS IN AGREEMENT NOT TO HAVE THE CHARGE **WITHDRAWN** WHICH WAS THE INITIAL AGREEMENT. UPON MY COMPLETION OF THE PAR PROGRAM THE CROWN IN BARRIE WAS SUPPOSED TO **WITHDRAW** THE MISCHIEF UNDER \$5 000.
2. STEVE HAD CALLED ME FOR THE THIRD TIME IN JUST OVER 1 DAY.
3. APPARENTLY THE CROWN CAN'T **RE-PROSECUTE** THIS CHARGE EVEN THOUGH IT WAS **STAYED**.

11-Jun-07

Re: Mischief Under \$5 000 charge- Barrie, ON- 09-Jun-05.

Dear Mr. Sager:

Mr. Sager you have informed on numerous occasions that you had an agreement with Ms. Kate Hull, Crown Attorney, Barrie, ON. Mr. Sager you informed me that the agreement that you had with Ms. Hull was that the Barrie Crown Attorney would **withdraw** the charge of Mischief Under \$5 000, upon my completion of the PAR program. I have completed the PAR program and Mr. Jonathan Collins, Facilitator of PAR in North Bay, ON, has forwarded you a letter informing you of my completion of the course.

Upon contact with me on the evening of the 07-Jun-07, **Mr. Sager you informed me on that you had difficulties when meeting with Ms. Hull on the 06-Jun-07 and that you ended up spending all day in Barrie Court. You stated that she was no longer in agreement with having the charge withdrawn and rescinded her initial offer. Mr. Sager you stated on the evening of the 07-Jun-07 that Ms. Hull would agree to a Conditional Discharge with me fulfilling a probation order of 1 year. Mr. Sager you informed me that you were not in agreement with the Conditional Discharge. Mr. Sager you informed me that a court opened up in Barrie and that the two of you brought this case before a Judge. Mr. Sager you informed me on the evening of the 07-Jun-07 that the information on was presented to that Judge and that there was an agreement to have that charge stayed. This was the first time that I was made privy to the occurrences of court on the 06-Jun-07.**

I would greatly appreciate it if you would acquire information from Ms. Hull attesting to the original agreement of having the charge withdrawn, upon my completion of the PAR program. I would also greatly appreciate and explanation from the Barrie Crown as to the reasons why they rescinded their initial agreement. Was the reason for the stayed proceedings in accordance to Section 518 (c) (iii) of Criminal Code of Canada? Was the Attorney General involved? Was the another information laid? I am also wondering who the Presiding Judge was on the 06-Jun-07?

Thank you for your attention to this information.

Yours truly,

Derek Dunlop

14-Jun-07- Steven Sager sent Derek Dunlop an e-mail.
12:42:54pm

From : Steven Sager (srsager@rogers.com)

To: derekdunlop12@hotmail.com

Subject: **Barrie Matter**

Derek,

I got your fax the other day but could not respond until now. **By reading your letter I think you have far to much time on your hands. You are allowing yourself to worry about things that are not necessary. The crown has the right to change his/her mind right up to the day of trial. That is why I told you that I hoped that crown would hold to her agreement. After talking to the “victim” she in fact did change her position. The victim, as I told you advised the crown that she was afraid of you, still and she wanted a peace bond issued. With this the crown would not just withdraw the charges. This I apposed. WE AGREED TO SPEAK TO A JUDGE AND AS SUCH REACHED AN AGREEMENT THAT WAS IN YOUR FAVOUR. By agreeing to a Stay, the charges against you are not to be proceeded with and as such are dropped from the court record. Section 11b of the Charter allows the crown to reinstate stayed charges as long as it is done within 12 months of the stay. So in essence the victim got an unwritten guarantee that you will leave her alone for the next twelve months and the charges for you are gone for good as of right now. Any other charges that you may have faced in Barrie are all withdrawn and there will be no follow up or charges laid with respect to your e-mail. Barrie is done, so let’s worry about Newmarket.**

Hope this satisfies your letter.

Steve

22-Jun-07-
9:41am

I contacted Steve Sager to ask him how yesterday went in court. Steve said that he met with the Crown and said that the Crown in Newmarket apparently knew me. Steve said he thought her name was Beth Barnier. Steve said that he had the business card in his wallet but could not pull it out as he was driving. **Steve said that Beth had had previous dealings with the Simcoe C. A. S. and that they were the most dysfunctional C. A. S that she knew of. Steve said that I may not be aware of this information but there was some male who ended up committing suicide as a result of working there as Simcoe C. A. S.** Steve said that it is mandatory that the Crown ask for time in these cases. Steve said that the meeting went well and that he ended up being in Newmarket most of the day. Steve said that my impaired when I was younger will not be a factor because it is so old. **I asked Steve about Mr. Sodhi and if he was healing and Steve stated that he believed so and that his injuries would not meet the threshold of catastrophic. Steve said that he was not sure what the Crown was seeking for time.** Steve said that the next court date would be the 12th of July 2007 and then he would be asking for a pre-trial. **Steve said that the Barrie case was over and that he felt that he had to keep re-iterating this to me.**

Derek Dunlop sent Steven R. Sager an e-mail.

Hi Mr. Sager;

I have a few questions for you.

1. What will be happening in court on Thursday the 12-Jul-07? **You mentioned that you may request a pre-trial for the next court date.** Do you think that you can settle this case prior to going to trial? I might come on the 12-Jul-07 just because I feel so detached.
2. Have you received any indication about what the Crown may be asking for as far as a sentence for this case is concerned?
3. What will be your plan when you meet with the Crown during the pre-trial.
4. Any further disclosure from the Crown about Mr. Sodhi or anything else.
5. I found the Joann Kimberly White case that went the Supreme Court in 1999 and I am wondering if this is it or not.
6. I also have questions about having my mother as the my surety. I would be requesting a variance that would include residing at her residence but my father will still have to post bail.

Thank you for your attention to these matters.

Yours truly,

Derek Dunlop

09-Jul-07- Steven Sager responded to Derek Dunlop's e-mail on the previous
4:46:42pm page (page 65) of this document.

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Re: Newmarket Case

Derek, You've got your worry hat on again. Sit back and take a deep breath. **The crown and I have agreed that a request for a judicial pre-trial should be made. This is what is going to happen on the 12th. A date will be set at which time both the crown and I will meet with a pre-trial judge in chambers. Due to the nature of this case the crown is bound by directive of the Attorney General to demand a jail term. If a pre-trial judge feels that a jail term is not in order the crown is no longer bound and is free to negotiate a plea where jail is not part of the requested order. This is what I'm attempting to obtain. The White case is part of my pre-trial discussion material. It deals in part with the identification of the driver by the police who never saw the driver behind the wheel prior to or after the event. Such as is your case. *Your own admission to the police put you behind the wheel. It is a legal argument that is intended to help us at the pre-trial.***

Relax, and leave it to me. I'll let you know the outcome of the meeting.

Steve

HIGHLY IMPORTANT TO NOTE: I DO NOT BELIEVE STEVEN R. SAGER EVER RESPONDED TO THIS E-MAIL.

Derek Dunlop sent Steven R. Sager an e-mail.

To: srsager@rogers.com

Subject: Re: White case

Hi Steve:

I can only find a White case in Nova Scotia in 1994 in which the Crown was the appellant vs. Garnet White. Nova Scotia Court of Appeal (1994)- 89 C. C. C. (3d) 336, (1994)- 28 C. R. (4th) 160. I do not believe that this is the case. I think you said the case decision was in 1999.

Please let me know if this is the case and if not, could you please send me any information that you may have in relation to the case, ie citation and docket numbers, etc.

Thanks

Derek

16-Jul-07- Derek Dunlop sent Steven R. Sager an e-mail.

16-Jul-07

Dear Mr. Sager:

I hope that you are feeling better. I am writing as I would greatly appreciate it if you could contact me by telephone to discuss the status of the case.

I am wondering what happened in court on the 12-Jul-07. What date was the pre-trial scheduled for? Was there any further indication about what the Crown is seeking as far as jail time? Will the Crown be asking for jail time prior to trial. If the Crown is seeking jail time prior to trial what is their basis for this? I am assuming that the Crown will present their stance at pre-trial.

Correct me, if I am wrong, but it appears that most of these impaired causing bodily harm cases proceed to trial before a sentence is determined.

Do you think that there is a possibility that this case will not proceed to trial?

Did you receive my e-mail on Wednesday in relation to the White case? I would greatly appreciate it if you could forward me any information in relation to the case as I believe I am having difficulty tracking it down. (ie- year, full name, citation, docket # etc.)

Thank you for your attention to this information.

Yours truly,

Derek Dunlop

16-Jul-07- Steven Sager sent Derek Dunlop an e-mail.
2:49:07pm

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek, On July 12th the matter was moved before a judge. I requested that a Judicial Trial date be set. The Judge made an order for the pre-trial to be dealt with on Aug 15th. I will have all my material together for that date and will speak to matter in chambers with the crown on this date. There is no update to any change in the position of the crown at this time. I do not have the Regina v. White citation in front of me at the moment but as soon as I do I will send the information to you.

If the crown and I can agree with a no jail sentence than this matter will not got to trial but I will know better on Aug 15th. I will keep you updated if anything happens between now and then. Steve Sager.

17-Jul-07- Derek Dunlop sent Steven R. Sager an e-mail.

Hi Steve:

I appreciate the fact that you have numerous other clients and matters to deal with, however, I would greatly appreciate it you could **call** me in relation to the Newmarket case.

I would also greatly appreciate it if you could respond to **all** of the following questions.

- 1) Do you not think that we should meet prior to pre-trial to strategize?
- 2) Is the Newmarket Crown going to ask for jail time at the pre-trial?
- 3) If the Newmarket Crown is going to ask for jail time at the pre-trial, what is their basis for this?
- 4) If the Judge grants the Newmarket Crown the request for jail time at the pre-trial, will they execute a warrant on the 15-Aug-07 to have me detained in custody until trial?
- 5) What is contained in the Newmarket Crown's **6 inches** of disclosure?
- 6) At pre-trial, can the Newmarket Crown refer to my past, for example the stayed charge in Barrie, ON and the withdrawn charge in North Bay, ON.
- 7) At pre-trial, can the Newmarket Crown refer to evidence such as the accident pictures and so forth.
- 8) Are there other possible charges and is the Newmarket Crown going to lay a new information?
- 9) What will our defence be at pre-trial?
- 10) Will you advocate for a Conditional Sentence Order?
- 11) Will you inform the Newmarket Crown and Judge about the Mitigating Factors and the Remorse Letters to the victims?
- 12) Is it worth me getting a letter from someone at my Alcoholics Anonymous meetings?
- 13) I am sure you are aware of the **PROULX** case that went to the Supreme Court of Canada in 2000 the set out the principles for advocating for C. S. O.'s. Will you refer to this case at pre-trial.

- 14) I am not sure if you are aware of these prominent cases that assist Defence Attorneys when advocating for C. S. O.'s R v. Forward (2000) BCJ, R v. Silbernagel (2001) BCJ, R v. Bettridge (2000) WCBJ, R v. Elliot (2001) WCBJ, R v. Chapman (2000) BCD, R v. Hollinsky, (1995) CCC, R v. Higgins (2001) WCBJ.
- 15) Will you refer to any of these cases at pre-trial?
- 16) Do you have any other cases that you are aware of that you will refer to? **I never did receive the case law that you sent me.**
- 17) I know that you said that you will refer to the WHITE case. I am not sure how this will aid in our defence. **YOU INFORMED ME THAT- IT IS THE IDENTIFICATION BY THE POLICE WHO NEVER SAW THE DRIVER BEHIND THE WHEEL- YOU SAID THAT I ADMITTED THAT I WAS BEHIND THE WHEEL SO THIS PUT ME BEHIND THE WHEEL. THIS WOULD IDENTIFY ME AS THE DRIVER- IT APPEARS THAT THIS WOULD ASSIST THE CROWN'S CASE- Please let me know what your defence will be in relation to this?**
- 18) Can you please send me the citation information so I can research this case peruse the information.
- 19) **I am also really confused about the fact that you said in your e-mail from 16-Jul-07 that you requested a JUDICIAL TRIAL.** Is this not something that the Crown would request?
- 20) Does this mean that a trial date has been set?
- 21) If a trial date has been set, when is it scheduled for?
- 22) How long does a trial of this nature usually last?
- 23) Who is the current Newmarket Crown Attorney that you are dealing with if Beth Barnier has stepped aside?
- 24) Who was the Judge on the 12-Jul-07?
- 25) Who will be the Judge on the 15-Aug-07?

Thank you for your attention to these questions and I would appreciate it if you could call me.

Yours truly,

Derek Dunlop

Derek Dunlop sent Steven R. Sager another e-mail in relation to e-mail on the 2 previous pages (pages 70 & 71) of this document.

To: srsager@rogers.com

Hi Steve:

I sent you a lengthy e-mail on the 17-Jul-07. I have also contacted you by telephone last week and I have not heard from you. I would greatly appreciate it if you could respond to my e-mail and contact me by telephone. I will forward the e-mail again.

Thank you for your continued assistance and cooperation.

Yours truly,

24-Jul-07- I left message for Steve Sager asking him to please call me and to please
10:10am respond to my e-mail and the 25 questions I had for him.

24-Jul-07- Steven R. Sager sent Derek Dunlop an e-mail.
8:47:01pm

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Re: Newmarket Case.

Derek,

Yes, at the moment I am involved in a very complex drug case so I apologize for not getting back to you sooner. No we do not need to meet prior to the Judicial pre-trial. The Crown will lay out their position, I will lay out ours. It is very simple, no jail. There is no order what so-ever that comes out of a pre-trial. The judge will make suggestions based on our arguments from which you will be given certain options.

When the pre-trial is over I will call you forthwith to advise you of the outcome. Please put away your worry cab. **I have done every thing that is required of and for this matter. Please trust my thirty-eight years of experience.**

Steve

15-Aug-07- 7:15pm Steve Sager called and informed me that he had been in court almost all day on this matter. **Steve stated that the Crown was seeking a minimum sentence of 6 months. Steve informed me that the Crown was initially seeking 9 months. Steve stated that 1 day served in jail is equal to 2 days. STEVE STATED THAT HE COULD REALLY NOT 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. STEVE SAGER STATED THAT JUSTICE WEISS WAS VERY FAIR AND THAT STEVE COULD TRY TO ARGUE THIS IN COURT BUT HE MAY NOT BE THAT SUCCESSFUL.** Steve stated that there were not really any trialable issues. **I asked Steve about a Conditional Sentence Order and Steve stated that was something he could still bring to the table.** Steve stated that he would be speaking to the Crown a couple of more times before the next court date on the 19-Sep-07. Steve basically said that I would probably need to be there if we entered a plea. Steve stated that one man was still complaining of damage to his thumb. Steve stated that Mr. Sodhi was still complaining about pain that he was still suffering. Steve said that my impaired in 1991 was still showing. Steve stated that they also presented my abstract with speeding tickets.

16-Aug-07- I called Steve and asked if he had a moment and he said that
11:05am he was with another client. Steve said go ahead. I said oh no call me
back. Steve said it is OK were having a cookie. **I asked Steve about a
Conditional Sentence Order. Steve said that he was trying to get the 6
months of jail term reduced. STEVE SAID THAT HOW ABOUT
WE SET 1 HOUR ASIDE NEXT WEEK AND I COULD COME
DOWN AND SEE HIM. STEVE SAID TO CALL HIM
TOMORROW AND THAT HE WOULD CHECK HIS DAYTIMER
TO SEE WHAT HE HAD AVAILABLE.**

16-Aug-07- Derek Dunlop sent Steven R. Sager an e-mail and it appears that the date was 16-Aug-07.

Hi Steve:

I appreciate you get a hold of me yesterday and informing me of the update after court.

As far as coming down to meet you for an hour next week, I appreciate the offer, however, it may be a lot easier for me to communicate by telephone conversation.

Here are some preliminary questions that I wondering about.

- 1. If the Crown is at a 6 month jail term, do you not think that we could advocate for a Conditional Sentence Order of something such as 9 months with all the general conditions (curfew, abstain for alcohol and substance use, 240 hours community service, keep the peace and be of good behavior, etc.) including 6 months probation and a 1 year driving prohibition.**
- 2. Are they seeking retribution? Does the Crown want probation after the sentence?**
- 3. Does this current year of not driving include the 1 year driving prohibition or would the 1 year prohibition be additional?**
- 4. Since my family and parents do not want to see me go to jail, can they advocate for a C. S. O. in writing and/or by attending court?**
- 5. If we do not enter a plea on the 19-Sep-07, does our matter then proceed to trial and a trial date is set?**
- 6. What happens if we go trial? Would you argue the White Case, would you refer to previous case law, would you refer to all of the mitigating factors, would you present the remorse letters. Should I get a letter from one of the gentlemen at the A. A. meetings that I attend. I am assuming that I would be called to the stand and then I could explain my genuine remorse, mitigating factors and circumstances of the night of the 22-Oct-06.**
- 7. Have the victims provided Victim impact statements since the accident? Should I write an impact statement of my own to the court?**
- 8. Are the victims aware of the remorse letters and mitigating circumstances?**
- 9. Mr. Sodhi is still going to pursue civil action or do you know?**
- 10. Last night you were talking about speaking to a psychologist about the possibility of relapse? I am not sure what you are talking about here.**

16-Aug-07

Here is some of the case law that I have studied.

R. v. Forward (2000)- **1 count of impaired causing death**
- **An extensive criminal record for driving offences.**
- **Never had a valid driver's licence**
- **Demonstrated good conduct in the four years between accident and timing of the sentence.**
- **Conditional Sentence Order of 2 years less a day.**

R. v. Silbernagel(2001)- **1 count of impaired causing death**
- **No prior criminal record and had been employed as Correctional Officer.**
- **Conditional Sentence Order of 2 years less a day, followed by a year of probation and 3 year driving prohibition.**

R v. Bettridge (2000)- **2 counts of death, 6 counts of bodily harm**
- **He was otherwise a credit to his community and demonstrated genuine remorse.**
- **No prior convictions.**
- **Conditional Sentence Order of 2 years less a day, and Community Service.**

R. v. Elliot (2001)- **1 count of impaired causing death**
- **no prior criminal record**
- **was employed and was very remorseful.**
Conditional Sentence Order of 18 months and \$1 800.

Thank you for your attention to this and I will call you tomorrow.

Yours truly,

Derek Dunlop

22-Aug-07- Derek Dunlop sent Steve Sager an e-mail.

22-Aug-07

Hi Steve:

I am wondering what is happening. **I would greatly appreciate it if you could please give me a call, so that we can discuss this case further. I did not hear from you on Monday the 20-Aug-07. Last week, you were also suggesting that we possibly meet this week for about 1 hour.**

You suggesting that we meet would lead me to believe it is imperative that we have some contact.

Thank you for your attention to this e-mail.

Yours truly,

Derek Dunlop

22-Aug-07- 2:10pm I contacted Steve Sager and he said that he was up to his crockodiles in it. **Steve said that he had one of his matters blow up.** I asked Steve if this was a good time or would he rather call me back. **Steve said that he should be in his office all day tomorrow and he hoped to be uninterrupted. Steve said that he would call me during the day.** Steve said that he had read over some of my stuff and that I had some good ideas. Steve said that I had my thinking cap on as opposed to my worry cap.

22-Aug-07- 2:28pm I contacted Steve Sager back to see if he would mind calling me in the morning. Steve said that he had to go downtown to attend to something in the morning. Steve said that he should be back in his office around noon. I asked Steve if he would call me about that time. Steve said that he would call me around noon.

24-Aug-07- Steve Sager contacted residence at (705) 776-7274. I did not speak
11:22am to him at that time.

24-Aug-07- 11:40am I contacted Mr. Steve Sager back and he said that he had just tried to reach me. **Mr. Sager said that he had been ill yesterday and that he had just come from the doctor's. Mr. Sager said that he was not in the right state of mind. Mr. Sager said what he was going to do was have his wife drive him up to his boat and that he was going to work on my case and another case over the weekend. Steve said that he WILL call me on Monday (27-Aug-07).** Mr. Sager said that he had saw that some of the cases I presented to him were of benefit as they had done worse then I did and the consequences were not that severe. **Mr. Sager stated that he saw that I sent him a couple of e-mails but could not get into is e-mails. I asked Steve one question about what court was for on the 19-Sep-07. Steve said that it is what they call a continuing pre-trial.** Steve said that he would talk to me Monday and bye for now. Steve could not provide me a time and asked that I not pin him to a time.

***** - I definitely appreciate the fact Steve was sick.**

*****- However, it appeared that he was avoiding me again.**

*****- I will wait for his call on Monday and see whether there is any fall out from my e-mail last night (23-Aug-07)**

28-Aug-07-
8:05pm

Steve Sager called to inform me that he had been busy and that he apologized for not getting back to me sooner. **Steve stated that he had read one of my e-mails and that he was still interested in this case. I said I apologize but that he had to appreciate what I had been through and I do not trust anybody.** Steve said he understood what I was going through. **Steve said that he and the Crown have agreed about agreed facts which include the fact that there was an accident, the highway was closed for 5 hours, that there were injuries and that there was a reconstruction expert of the accident.** Steve went onto discuss the trialable issues. Steve went onto say that he had done a lot of research and try to find all possible arguments at law. **Steve stated that he had already discussed R. v. WHITE and that was the identification of the driver. Steve stated that the officer had initially asked me if I was the driver of the car and I had admitted that I was. Steve stated that this argument had been taken away from us.** Steve discussed the fact about whether the police had demanded a breathalyzer test within the appropriate time and they had. Steve said my previous impaired in 1991 had not been removed from CPIC even though I had a PARDON the historical record was there. Steve said that he was trying to see if there was a constitutional argument about the validity of the prior record. Steve said that he could not find an argument. Steve said that if the case possibly goes to trial that the Crown can then introduce the impaired and the chance for a Conditional Sentence would be non-existent. **I asked Steve if the victims had provided updated Victim Impact statements and he believed that they had but he did not have copies of them and they would not come out until later.** Steve said that he still wanted

28-Aug-07- from the AA meetings. I asked Steve if it would be beneficial for me
8:05pm to get a letter from my parents. Steve said that it would be good if they
Pg 2 could attend court as well. **Steve mentioned about a broken clavicle in relation to Mr. Sodhi. I never said anything but I went onto discuss the broken scapula and broken ribs.** Steve said that he had referred to his father in court about having broken ribs. Steve said that a broken scapula would be painful and I agreed but Steve said that it was not catastrophic. I asked Steve if I needed to attend court on the 19-Sep-07. **Steve said that the judge had granted a continuance and that he was trying to get all of our ducks in a row. Steve said that he wanted to get a few more things together.** Steve suggested that I should probably speak to a psychologist. **I had asked Steve about the previous impaired and he said that he had brought this up.** Steve said that he was still working toward a conditional discharge. Steve said that if he needed me in court on the 19-Sep-07 that he would notify me well in advance. **I asked Steve if I am not needed in court on the 19-Sep-07 is a trial date then set. Steve said yes.** Steve said that most Crown Attorney's may start with an 18 months sentence in this case. I asked Steve if they have come down to 6 months, do you think there is a chance they would go back up. Steve said that no they probably would not. I asked Steve if he knew when he would be talking to the Crown and he said "no."

*** EVERYTHING STEVE IS DOING IS FOR THE BENEFIT OF THE CROWN'S CASE.**

*** I ASKED STEVE IF ATTENDING AA WOULD SEEM FISHY TO THE COURT(S) AND STEVE SAID "NO."**

29-Aug-07- Derek Dunlop sent Steven R. Sager an e-mail.

Hi Steve:

I am confused about the court date on the 19-Sep-07. I am also confused about my options and where this case is going.

On the 15-Aug-07 after court you advised me that you had met with the Crown, Eccles (sp?) and the Honourable Judge Weiss(sp?). **You informed me that the Crown was initially seeking about a 9 month jail term and that you had managed to reduce the requested jail term to 6 months.** You informed me that in that jurisdiction(Newmarket) that 1 day served was equivalent to 2 days served and that my sentence would be 3 months in jail. On this date you informed me that I needed to attend court on the 19-Sep-07. I believed that you were advising me that I may have to enter a plea on the 19-Sep-07. You informed me that you were sorry.

On the 15-Aug-07, I discussed with you the potential of still seeking a C. S. O. and you said that you were still going to argue for this and that you would be meeting with Crown a couple of times before court on the 19-Sep-07.

As of our discussion on the 27-Aug-07, you have stated that you want to obtain a few more things prior to the court date of 19-Sep-07. You have informed me that you will provide me with a lot of time if I am needed on the 19-Sep-07. You have informed me that the 19-Sep-07 is a pre-trial continuance. I asked you that if we do not enter a plea on the 19-Sep-07 will the case then proceed to trial? You informed me that my case would then proceed to trial.

On the 27-Aug-07 you informed me that there appear to be virtually no arguments that we can pursue. You also informed me that my prior record may be a hinderance if this case proceeds to trial and that the Judge would not consider a C. S. O. if that information is disclosed in court.

In R. v. Forward, Forward had a previous record of impaired and was granted a C. S. O. There are also other cases.

Since things are not very clear, I believe that these are my following options:

- 1)**To attend court on the 19-Sep-07, and under your guidance and direction enter into plea and accept a jail sentence of 6 months which would be 90 days served in that jurisdiction.**
- 2) **Gather more information for the pre-trial continuance on the 19-Sep-07 and you attend on my behalf and will advocate and argue for a C. S. O. prior to this case going to trial?**
- 3) **Allow the case to proceed to trial and allow a trial date to be set?**

29-Aug-07-
Pg 2

Are these my options and are there any other options that you believe I have.

Please contact me ASAP to clarify as I do not want to go in blind or be hit with any unsuspected surprises.

Thank you for your attention to this e-mail.

Yours truly,

Derek Dunlop

08-Sep-07- Steven Sager responds to the above e-mail (pages 86 & 87)
11:27:27pm

From: Steven Sager (srsager@rogers.com)

To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek, As soon as I get back to Toronto I'll give you a call. **There will be no surprises the day you go into court you'll know exactly what is going to happen. I spend time on your file every day looking at defence options. I even have some case law studies with me here in Ottawa. So please let me do my job for you. You're so busy attempting to defend this case yourself that you are getting yourself worked up into a panic. I'm not going to let you down so relax.**

Steve

The next page is just a copy of the same e-mail that Derek Dunlop sent to Steven Sager on the 29-Aug-07 that is included in this document on pages 86 & 87.

Derek Dunlop sent Steven R. Sager a 2 page letter on the 14-Oct-07.

Pg 1- Hand-typed letter by Derek Dunlop

14-Oct-07-

Dear Mr. Sager

I am writing this letter as I have tried to make contact with you on the 21-Sep-07 and on the 05-Oct-07. On both occasions I left you voice messages in relation to inquiries, questions and requests that are of interest to me.

First, I want to clarify the date of my next court appearance. I believe that you had informed me that it was scheduled for the 09-Jan-08. Furthermore, I am under the impression that my attendance in court will be required on that date but I want to confirm that as well. I also want to know what the court date will be dealing with. Is the 09-Jan-08 a trial date, a pre-trial continuance, a date to negotiate a conditional sentence order, or is it scheduled for other reasons.

Next, I have requested that we meet in order to discuss numerous facets of this case. In addition we can discuss our defence and strategies for this case. You had suggested that we meet some time ago and this still has not come to fruition. I possess many questions. I am also eager to obtain my own copy of the 6 inches of disclosure. I want to peruse and assess the contents within.

In regard to your request for me to have an appointment with a psychologist/psychiatrist, I am very confused and unclear about the reasoning for this. I do not understand the correlation that this has to my case. Is this a standard request for these type of cases.

Pg 2- Hand-typed letter by Derek Dunlop

14-Oct-07

I am surprised that I have not heard a response from you in relation to my contacts on the 21-Sep-07 and the 05-Oct-07. I would greatly appreciate it if you could respond to all my questions, inquiries and requests contained within this current letter of mine dated the 14-Oct-07.

I would prefer and appreciate a written response, however, if you choose to contact me by telephone that would suffice. It appears that you are avoiding me and it is for this unfortunate reason that I feel it is mandatory for me to put a date in which I expect a response from you.

I hope to hear from you in some manner either written, verbal or both by Friday 26-Oct-07. If for some unfortunate reason I have not received any contact from you by the 26-Oct-07, we will have to discuss how we proceed forward at that juncture.

Thank you for your attention to this letter.

Yours truly,

Derek Dunlop
401-295 Lakeshore Drive
North Bay, ON
P1A 3N8
(705) 495-6377

22-Oct-07- Steve Sager called through while my mother was trying to dial out.
11:50am My mother started to say that I was not here and then she said Oh I think he is coming in there now. **I spoke to Steve and he said that he had been in Kingston the last couple of weeks for the trial. STEVE SAID THAT MY NEXT COURT DATE IS TO ENTER A PLEA.** Steve said that he had had numerous meetings with the Crown on this matter. Steve said that they have had discussions and there does not appear to be any trialable issues. **Steve said that he was shocked to receive my letter and that I must not be listening.** STEVE SAID THAT HE WAS GOING TO PUT SOMETHING IN WRITING AND SEND IT TO ME. Steve said that we also get together to go over everything prior to my next court date. **Steve said that he was not sure who permitted them to allow for the stipulation of my bail condition that stated I was not able to drive a car or motorized vehicle as part of my bail conditions.** Steve said that the Judge will take this into consideration. Steve is still insisting that I see a psychologist. **Steve said that it would be good if they could assess whether I will drink again or not.** Steve said that he tried to return my call from 05-Oct-07 but that he could not leave a message. Steve said that his number must have shown up. (***-How would he know this unless somebody told him.) Steve said he did not have a message from the 21-Sep-07.

05-Nov-07- Derek Dunlop sent Steven R. Sager a letter.
Pg1

05-Nov-07

Dear Mr. Sager

I am writing as I have **not** received the written correspondence that you had said you would comprise and send to me.

I am confused about the fact that there are **no trialable issues** in this case. **I am shocked that if the victims are still suffering and the Crown has prepared 6 inches of disclosure that they all would not want to proceed to trial. WITH ALL THE MITIGATING FACTORS INVOLVED I AM NOT SURE WHY YOU ARE SUGGESTING WE ENTER A PLEA AND NOT PROCEED TO TRIAL.**

I AM UNCLEAR WHY YOU BELIEVE THAT WE SHOULD ENTER INTO A PLEA. I AM ALSO WONDERING WHAT IT IS THAT I WILL PLEADING TO ON MY NEXT COURT DATE. Previously, you have informed me that the crown was going to be asking for a 6 month jail term. At that time you also informed me that 1 day served in jail in that jurisdiction would be equivalent to 2 days of the sentence. You have informed me that you are trying to persuade the crown to agree to a conditional sentence order.

I would greatly appreciate it if we could schedule a meeting within the next 7-10 business days. During this meeting I would also be able to obtain a copy of the 6 inches of disclosure that the crown has produced.

IT APPEARS THAT YOU DO NOT WANT TO MEET WITH ME OR PROVIDE ME WITH A COPY OF THE 6 INCHES OF DISCLOSURE.

05-Nov-07-
Pg 2

At this time I am still unaware of the exact date of my next court appearance and whether it is mandatory that I am in attendance.

I would greatly appreciate it if you could respond to this letter expediently.

Thank you for your attention to this letter.

Yours truly,

Derek Dunlop

21-Nov-07-
4:10pm **I CONTACTED STEVE SAGER AS I HAD NOT HEARD FROM HIM. Steve Sager informed me that he had fallen down the stairs and he had broke his ankle.** Steve said that he had not been in the office much of the last month and that he had had people bringing him cases. Steve said that he was in considerable pain as they could not cast his ankle. **Steve asked me to get my mother and father together and coordinate at time to meet in December (2007).** Steve said that his schedule was open in December and that he could pretty well accommodate any time. Steve did say that he preferred a week day. I said of course.

***STEVE HAD NOT CONTACTED ME. WOULD HE EVER CONTACTED ME TO INFORM ME THAT HE WANTED TO MEET WITH MYSELF AND MY PARENTS. (STEVE WAS NOT GOING TO CALL ME).**

22-Nov-07- 11:50am I left Steve Sager a message and asked him **what my next court date pertain to. I asked him if it was a sentencing date or was a new information going to be laid or what was it about. I ALSO SAID THAT IT DID NOT EVEN APPEAR THAT HE WAS GOING TO CALL ME TO INFORM ME THAT HE WANTED TO MEET WITH MY PARENTS AND I. I asked him if it was essential that my parents attend the meeting and why did they need to be there. I ALSO ASKED STEVE IF HE COMPRISED THE WRITTEN CORRESPONDENCE HE SAID HE WAS GOING TO PUT TOGETHER AND SEND TO ME.**

23-Nov-07- Derek Dunlop sent Steven R. Sager a letter.
Pg 1

23-Nov-07

Dear Mr. Steven R. Sager:

I left you voice-message on your cell phone yesterday (23-Nov-07). **I left questions that I have asked you in the past. YOU APPEAR TO BE AVOIDING ME AS YOU HAVE NOT RESPONDED TO MANY OF MY QUESTIONS.**

Previously, I have asked you to inform me about the essence of my court date scheduled for the 09-Jan-08. CURRENTLY, I HAVE NO IDEA WHAT WE ARE PROCEEDING TO COURT FOR ON THAT DATE. You have NEGLECTED to inform me about the PERTINENCE of that court appearance on the 09-Jan-08.

ON NUMEROUS OCCASIONS I HAVE POLITELY REQUESTED A COPY OF THE CROWN'S 6 INCHES OF DISCLOSURE. I WOULD LIKE TO HAVE MY OWN COPY AND BE ABLE TO PERUSE AND ASSESS ITS CONTENTS. YOU HAVE NOT ADDRESSED OR RESPONDED TO THIS REQUEST IN THE PAST.

You have previously informed me that you were going to put something together in writing and sent that written correspondence to me. I have NOT received any written documentation from you.

I contacted you on the 21-Nov-07 and you informed me that we should meet in December. You suggested that my mother and my father be present for that meeting. You did not inform me about the reasons for my parents attendance. I also believe that if I did not initiate

23-Nov-07

Pg 2

contact with you, that you were not planning to initiate contact with me to facilitate the organization of a meeting. YOU HAD SUGGESTED THAT WE MEET MONTHS AGO AND THIS STILL HAS NOT COME TO FRUITION.

I hope to hear from you by Tuesday November 27, 2007. If I have not heard from you by the 27-Nov-07 to address my questions and concerns, we will have to discuss HOW or IF we proceed forward.

I would greatly appreciate answers to the questions contained herein.

Thank you for your attention to this letter.

Yours truly,

Derek Dunlop

03-Dec-07- Derek Dunlop sent Steven R. Sager a letter.

03-Dec-07

Dear Mr. Sager:

I AM WRITING AS IT IS EVIDENT THAT YOU ARE NOT RESPONDING TO ANY OF MY CORRESPONDENCE. AS A RESULT, THAT WOULD INDICATE TO ME THAT YOU HAVE NO INTEREST IN REPRESENTING IN THIS MATTER. FURTHERMORE, IT WOULD INDICATE THAT YOU ARE RELINQUISHING YOUR RESPONSIBILITY TO REPRESENT MY INTERESTS IN THIS CASE.

Please contact me at (705) 495-6377 to inform me of you INTENTIONS. Regardless of your position I would greatly appreciate a response from you.

If I have not heard anything from you by Thursday 06-Dec-07 that will inform me that you are NO longer interested in representing me.

Thank you for your attention to this letter.

Yours truly,

Derek Dunlop

03-Dec-07- Steve had called when I was out and left me a voice-message in relation
9:42am to my letter that I had faxed earlier that morning.

03-Dec-07- Steven Sager sent Derek Dunlop an e-mail.
10:04:34am

From Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

Please make sure to call me ASAP. I have received another one of those odd fax's. **You are either comfortable with the representation I'm giving you are you are not. BUT PLEASE DO NOT TELL ME THAT I SEEM TO BE SHOWING NO INTEREST IN YOUR CASE. I have spent more time on your file than any other which is still ongoing. I HAVE RESPONDED, I THOUGHT TO ALL YOUR QUESTIONS ON A NUMBER OF OCCASIONS. Each time I ask if you have any other questions. Then within a day or two I get these faxes.**

PLEASE GIVE ME A CALL AS WE MUST RESOLVE THIS SITUATION.

Steve Sager

03-Dec-07- Steven R. Sager sent Derek Dunlop a letter.

STEVEN R. SAGER, B.A. (Crim) J. D. C. Med

PRACTICE OF CRIMINAL LAW

70 East Beaver Creek
Suite 201
Richmond Hill, Ontario
L4B-3B2

Direct (416) 525-5346
Fax (416) 284-1826

Please Reply To: Steven R. Sager, B. A. (Crim) J. D. Med
File No: SRS/1810/06

December 3, 2007

Mr. Derek Dunlop
401-295 Lakeshore Dr.
North Bay, Ontario
P1A-3N8

Mr. Dunlop:

Re: Regina v. Dunlop January 9th, 2008 Court Date

I have spoken to you on numerous occasions with respect to your questions for this ongoing matter. **I have attempted to settle your uneasy nerves as this entire process follows its very carefully mapped course. But for some unknown reason you seem to be thinking of other things pertaining to the case during our conversations and as such do not seem to hear what I'm trying to explain. I can understand the stress you are under but please don't think for a moment that I have ever let up on my determination to do the best job possible for you. I would think this to be somewhat self-evident by the results of the Barrie matter.**

I have sent you several e-mails three of which I have enclosed that have been responses to your concerns.

Here are some of the things I have asked you to do at your end.

1. Speak to your AA sponsor and see if he could direct you to a social worker or professional who deals with drinking problems and how one deals with the effects on a sociological level. I made this request over a month ago but have heard not a word on your progress.

2. I have asked you to speak to your parents (Both) and your AA sponsor in order to set up an appointment that was good for everyone to come to my **Richmond Hill office**. Although I have told you on two separate occasions that I need everyone to attend and that it is important I still have not been given a date. Instead, I get a nasty fax.

3. **JANUARY 9TH, 2008 IS WHAT IS CALLED A CONTINUING JUDICIAL PRE-TRIAL. ALTHOUGH IT WILL NOT BE AN ACTUAL PRE-TRIAL IT HAS BEEN SET UP THAT WAY IN ORDER TO HAVE THE SAME PRE-TRIAL JUDGE HEAR SUBMISSION ON A PLEA AND SENTENCE HEARING ON THE SAME DATE. THE MAIN THING HERE IS I WANT TO KEEP THIS MATTER BEFORE THE SAME JUDGE. He has given me a very strong indicator that he will be open to a conditional sentence if I supply him with certain evidence in my submissions, most importantly that he can be shown that drinking in the future is not going to be a problem. This is the main reason I want your parents and AA sponsor to meet with me in person. It is very important.**

I WILL EXPLAIN IN DETAIL WHAT IS GOING TO HAPPEN ON JANUARY 9TH, 2008 AND WHY, DURING OUR DECEMBER MEETING. FIRST LET'S GET THE MEETING SET UP. PLEASE NO MORE OF THESE LETTERS OR FAXES YOU HAVE OTHER MUCH MORE IMPORTANT THINGS TO DO.

Yours Truly,

STEVEN R. SAGER

SRS/db
Encl.

03-Dec-07- Steven R. Sager included another copy of the e-mail that is on page 100 of this document.

03-Dec-07- Steven Sager sent Derek Dunlop an e-mail.
10:04:34am

From Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

Please make sure to call me ASAP. I have received another one of those odd fax's. **You are either comfortable with the representation I'm giving you are you are not. BUT PLEASE DO NOT TELL ME THAT I SEEM TO BE SHOWING NO INTEREST IN YOUR CASE. I have spent more time on your file than any other which is still ongoing. I HAVE RESPONDED, I THOUGHT TO ALL YOUR QUESTIONS ON A NUMBER OF OCCASIONS. Each time I ask if you have any other questions. Then within a day or two I get these faxes.**

PLEASE GIVE ME A CALL AS WE MUST RESOLVE THIS SITUATION.

Steve Sager

03-Dec-07- Steven Sager included an e-mail from 23-Nov-07 @ 11:37:11.

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)
Subject: Re: Your Facsimile of November 23

Derek,

I have gone over this case with you numerous times only to answer the exact same questions each and every time. I have gone into trial issues and non trial issues that have been dealt with before a judge on two occasions. **I HAVE EXPLAINED TO YOU IN DEPTH WHAT IS GOING TO BE COVERED ON THE 9 OF JAN 08.** Each time I have spoken to you I have had the **impression** that you have understood what I have told you. **AS TO THE CROWNS 6 INCHES OF DISCLOSURE THAT IS AND ALWAYS HAS BEEN A EXPRESSION (6 INCHES OF BULL SHIT) Although the actual file is about 4 inches in actual size.**

Your mother and the fellow from AA have given me letters to support you in court, but I am going to ask all three (also your father) to attend in case I required them to go up into the stand to speak to the contents of their letters and their feelings about you and how this matter has changed your life.

Make an appointment where everyone can attend so we can answer all your questions **once and for all.**

I have been home for the last five weeks recovering from two sprained ankles and a fracture to my left foot not withstanding **I had your file as well as several other client's brought home to me to work on. So when some one sends me a letter stating that I'm trying to avoid them makes me a little upset.** When I spoke to on the 22-Nov I asked if you had any more questions you said no. The next day I get your letter.

As I have said before please let me do the job you have retained me to do. **I have always had your best interest first and foremost and will continue to do so.**

Make the appointment, and please no more of these letters.

Steve

03-Dec-07- Steven Sager included an e-mail from the 15-Nov-07 @ 20:15:13.

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)
Subject: Your Fax dated Nov 6.

Derek,

I apologize for not getting back to you sooner but I have been away from the office for the last four weeks. Your fax was sent to (905) 047-8517 then forwarded on to my home fax at (416) 284-1826 which I just got today.

Although we have covered all of your questions much detail before, a meeting may well be required. I will give you a call on Monday to set up a date. I would like both your mother and father to attend as I may be calling them on Jan 9/08.

As Always,

Steven R. Sager

04-Dec-07- I left Steve Sager a message returning his call from 9:42am on the
2:00pm 03-Dec-07. Steve had called me in relation to my letter dated the
03-Dec-07 that I had faxed to him that morning.

12-Dec-07-
4:56pm I contacted Steve Sager and he informed me that he had **APPARENTLY** tried to get a hold of me but he had been calling my father's number and was calling. **Steve said that he wanted to meet and that anyday would be fine included any day on a weekend. Steve stated that the fellow from AA would be important and that he would at least like to speak to him on the telephone. I informed Steve that I would try and get to him as soon as possible by coordinating a time.**

13-Dec-07
4:45pm

I contacted Steve and ask him if next **Tuesday (18-Dec-07)** would be good to meet. **STEVE COULD NOT GIVE ME ANSWER OTHER THAN TO SAY HE THOUGHT IT WOULD BE ALRIGHT.** Steve asked me if I still had contact to my e-mail. I said that if he called my mother's number it would be best. **STEVE SAID THAT HE WOULD CHECK HIS SCHEDULE AND GET BACK TO ME BY LEAVING A MESSAGE OR CALLING ME BACK.**

14-Dec-07- Steven Sager sent Derek Dunlop an e-mail.
8:32:01am

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

DEREK,

AFTER SPEAKING TO YOU LAST NIGHT Tuesday WOULD BE A GOOD DAY, BUT I REALIZED I CAN DO ALL OF THIS BY TELEPHONE RATHER THAN HAVE YOU ALL DRIVE DOWN TO TORONTO. I CAN SPEAK TO EVERYONE INVOLVED EACH IN TURN TO LET THEM KNOW WHAT IS GOING TO HAPPEN ON THE 9TH OF JANUARY AND WHAT MIGHT BE EXPECTED OF THEM ON THAT DAY. Then after my conversations with each of them you can decide if you would like to meet up in person with me just prior to the court date, or discuss everything over the phone. I'D LIKE TO SAVE EVERYONE THE TRIP DOWN HERE IF POSSIBLE. NORMALLY I DO LIKE TO MEET WITH EVERYONE IN PERSON BUT OWING TO THE DISTANCES INVOLVED HERE I THINK THE TELEPHONE WILL DO. I ALSO DOUBLE CHECKED MY COMPUTERIZED MESSAGE SERVICE AND IT SHOWS NO MISSED CALLS FROM YOUR FATHER'S NUMBER, SO I HOPE HE HAS THE CORRECT NUMBER MAYBE YOU CAN CHECK WITH HIM TO MAKE SURE. If he does not get me leave a voice message with times he can be reached and at what number he wants me to call.

Thanks,

Steve Sager

Below was an attached e-mail sent by Derek Dunlop to Steven Sager.

Hi Steve:

I received your correspondence last week. **My father has informed me that he attempted to contact you the last two days and that he has left you a voice-mail.** My father wants to know what this meeting would entail.

I would greatly appreciate it if you could contact him. If neither of us has heard from you. I will attempt to contact you by telephone tomorrow.

Thanks.

Derek

14-Dec-07- I contacted Steve Sager and he asked me if I had received his e-mail.
2:16pm I said, no that I had not but could he inform me what it was about.
Steve said that I was right and that he could just talk to everybody on the telephone and save everybody getting together. STEVE SAID THAT I COULD MEET WITH HIM ON MY OWN. STEVE SAID THAT HE AND I COULD MEET SOMETIME AFTER CHRISTMAS IF I WANTED. I informed Steve that I had spoke to Mr. Art Messom and that Steve could call him anytime as Mr. Messom was aware that Steve would be calling. I asked Steve if he had spoke to my father. Steve said that to read my e-mail. I asked Steve when my mother could call him. Steve said anytime after 10:00am.

21-Dec-07- Derek Dunlop sent Steve Sager a letter.

Pg 1

21-Dec-07-

Dear Mr. Sager:

I AM WRITING THIS LETTER AS I AM EXTREMELY CONFUSED ABOUT THE FACT THAT YOU HAVE WANTED TO ARRANGE A MEETING WITH MY PARENTS AND I, BUT YOU HAVE NOW CHANGED YOUR MIND. YOU HAVE BEEN SUGGESTING THAT WE MEET SINCE THE 17-AUG-07 AND YOU HAVE AVOIDED A FACE-TO-FACE MEETING SINCE THAT TIME. THIS INCREDULOUS PROCESS HAS ME PERPLEXED.

THE ACTIONS YOU HAVE EXHIBITED ARE STRONG INDICATORS THAT YOU POSSESS A DESIRE TO SEVER TIES WITH MYSELF AND MY CASE.

In fact, if that is your wish I will grant you the opportunity to render your services on your own accord. If you do decide to withdraw from acting on my behalf, I would appreciate it if you would verify that in writing and forward me a copy of such RESIGNATION. As a result, I would then be self-represented in this matter.

FURTHERMORE, I HAVE SIGNED A DESIGNATION OF COUNSEL AND I WOULD EXPECT THAT YOU WOULD ATTEND NEWMARKET COURT ON THE 09-JAN-08 AND INFORM THE COURT THAT YOU ARE NO LONGER DEFENDING ME. In addition, I would appreciate it if you could inform the court that I would be self-represented and will require a significant duration of time to assess and analyze all aspects of my case. Therefore, I would greatly appreciate it if you can forward me a copy of all disclosure in your possession.

Please respond to this correspondence as soon as feasibly possible or feel free to contact me at (705) 495-6377 to further discuss your intentions.

21-Dec-07-
Pg 2

Thank you for your immediate attention to this matter.

Yours truly,

Derek Dunlop

21-Dec-07-
9:40am

Yeah, Derek its Steve Sager calling. Uh... I am beside myself... I'm... I thought I've made myself so so ultimately clear in verbally, in writing that I've you know I've put a tremendous amount of time and effort into your case. This is what I've wanted to do. I AM TRYING TO DEFEND YOUR INTERESTS. I'VE NEVER GIVEN YOU AN INDICATION, EVER THAT I HAVE NO INTEREST IN DEFENDING YOU OR REPRESENTING YOU IN ANYWAY WHATSOEVER. So this thing that you have sent me today again makes absolutely no sense to me. SO GIVE ME A CALL WE'LL WORK THIS OUT. IF YOU WANT TO REPRESENT YOURSELF, SO BE IT. UHM I THINK THAT'S BASICALLY, I JUST HAVE THE INDICATION THAT'S WHAT YOU REALLY WANT TO DO. IT'S NOT WHAT I WANT TO DO. I HAVE NEVER GIVEN YOU THAT INDICATION AT ANYTIME. SO I DON'T KNOW WHERE YOU ARE COMING FROM. So give me a call. LET'S GET THIS THING DONE AND OVER WITH AND IF NECESSARY I WILL FILE AN APPLICATION TO BE TAKEN OFF THE CASE. OF COURSE IN ORDER TO DO THAT I HAVE TO SHOW THE JUDGE ALL OF OUR CORRESPONDENCE. Your correspondence uh basically saying you don't think I want to represent you and mine saying I do, going back and forth, back and forth, back and forth. IT'S ABSOLUTE STUPIDITY. I don't know what you're doing. Give me a call.

21-Dec-07- Yes, this call is for Derek. Derek, it is Steve Sager calling again.
10:32am I've just done up a lengthy e-mail. Uh sent it off to you, so check your
e-mail, there's one there for you from me. Bye.

21-Dec-07- Steven Sager sent Derek Dunlop an e-mail.
10:31:55am
Pg 1

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Dear Derek,

Here we go again. You have sent me another one of these ridiculous faxes. I have told you over and over again. "If you have any questions please call me" instead you send these faxes which are always negative in content.

I have told you in response to every letter and fax that you have sent that I have spent a great deal of time on your file and wish to continue acting for you.
I LIKE YOU and I want to see yo get the best possible outcome in this matter and I truly feel that this is the direction we are going in.

- 1. Had you called me after I spoke to your mother she could have told you that "Yes" I like to meet with all parties at the same time in such matters because it sometimes helps them to get to know what the other might say in court and it gives them a chance to meet each other. (In this case I got the feeling from your mother that your dad and her really do not communicate and as such I did not want to put them in a board room together) In a court room there is some distance. And I do not want anyone to feel uncomfortable at this time.**
- 2. I told you that I "do" wish to see you before the 9th.**
- 3. I ACT FOR A CLIENT IN OTTAWA, we have yet to meet. Everything has been done thus far by e-mail and telephone. Distance does make for problems in seeing clients who live a great distance away. If like with you we can speak on the phone and e-mail (you with your faxes) I can get my job done. And that is what it is all about, me doing my job. In your case I have gone beyond the call of duty. Answering all these faxes takes time away from my day because I want to address them personally. And time is money.**
- 4. The bottom line here is very clear to me. It is "you" not me that is looking to withdraw. I AM IN THIS FOR THE LONG HAUL. "You" are the one sending these faxes, which always state basically the same thing. "That I don't seem to be interested in your case and wish to sever ties with you and the case." I have answered each and every fax in the same manner. "No" I**

21-Dec-07-
10:31:55am
Pg 2

- do not. I talk to you on the telephone all seems well and a few days latter I get another fax stating the same thing as in the one prior.**
- 5. If “You” not me are not happy with my representation please let me know by way of a simple e-mail and I will draw up the required documents to be taken off the record.**
 - 6. I personally feel that this would be the most FOOLISH think you could do at this point in time. Part of my case which has already been put before the judicial pre-trial judge is that you are honest and do not want to waste the courts time. YOU KNOW HOW SERIOUS THE CIRCUMSTANCES OF THIS MATTER ARE AND WHAT COULD HAVE HAPPENED. YOU JUST WANT TO BE TREATED FAIRLY TAKING INTO ACCOUNT ALL RELEVANT CIRCUMSTANCES LEADING UP TO THE ACCIDENT AND WHAT HAS HAPPENED SINCE.**
 - 7. In paragraph two of your fax you state “The actions you have exhibited are strong indicators that you possess a desire to sever ties with myself and my case” THIS IS SO FAR FROM ACTUAL FACT, THAT IT TRULY UPSETS ME. If you review each and every fax of this type you have sent and my subsequent reply to it you should realize that this is comment of yours has no true basis in fact.**

Let me know, because this must be the last fax of this type. I feel that I have more than shown by my responses that I support your case and you and that I have no desire to sever ties with you are the case.

Steve Sager