

04-Jan-08-
1:00pm
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My mother Barbara Dunlop and I met with Steve Sager at his office in Richmond Hill, ON at 70 East Beaver Creek, Suite 201. Mike _____? from Ontario Shuttle drove me and my mother to Steve's office. **Steve re-iterated to me that he tried to use the White case of 1999 as a defence. Steve went into great lengths to speak about this. He made reference to a case in which some man was apparently wandering around for hours before they identified him as the driver of the car. (ONCE AGAIN A WASTE OF TIME AS STEVE DAMN WELL KNEW THAT THIS HAD NO BASIS FOR A DEFENCE AND WOULD NOT WORK).** Steve continued to re-iterate to me that apparently there was no trialable issues in this case. Steve said that the O. P. P. had done a thorough job at the accident scene, at the police station and since that time. Steve said that he, the Crown and the judge have basically had 3 mini trials. Steve said that they (crown & him) have agreed that there are no trialable issues. Steve has no made me privy to some of the ongoings at these court dates until today the 04-Jan-08. **STEVE HAS SAID THAT THE POLICE IDENTIFIED ME AS THE DRIVER AT THE SCENE OF THE ACCIDENT. STEVE INFORMED ME THAT THE POLICE WERE VERY CLOSE TO NOT TAKING BREATHALYZERS WITHIN THE 2 HOUR ALLOTTED TIME FRAME BUT THAT THEY JUST MET THAT STANDARD. STEVE ALSO SAID THAT THE POLICE ALMOST DID NOT MEET THE STANDARD OF TIME BETWEEN BREATHALYZER TESTS.** Steve said that they (O. P. P.) did just meet that standard. STEVE SAID THAT IN MOST CASES THERE ARE A FEW MISTAKES MADE BUT NONE WERE MADE IN MINE. Steve said that the judge has not seen the pictures of the accident. In one of our previous telephone discussions Steve informed me that

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the judge had seen the pictures. Steve said that judge has not seen my driving abstract and that the Crown would not submit this if I agreed to a plea. Steve said that the current Crown is Eccles (sp?) and the current judge is (Weiss sp?) I ASKED HOW THE VICTIMS WERE DOING AND STEVE SAID THEY WERE DOING FINE AS FAR AS HE KNEW. STEVE SAID THAT THE MAN WITH THE INJURED THUMB WAS STILL COMPLAINING OF PAIN IN HIS THUMB. I ASKED STEVE IF THIS CASE HIT THE MEDIA AND STEVE SAID I DIDN'T BUT THE OTHER TWO DID. STEVE DID NOT EXPAND. Steve said that there are set of agreed facts that there was a car accident, it was a serious accident, that the highway was closed for a period of time. STEVE HAS ADVISED ME TO PLEAD GUILTY. Steve said he was going to advocate for a C. S. O. as I was a OUTSTANDING MEMBER IN MY COMMUNITY WORKING FOR C. A. S., I had a good education, that I had lost everything from my job to my home and so on. Steve said that he could not guarantee anything. Steve suggested that if I delay the courts time and a judge becomes aware of this that he may hand down a heavier sentence. Steve also said especially if he drives that way home. (In reference to the location of the accident). Steve said that a second conviction for impaired driving is an automatic 14 days in jail as legislated by the Attorney General in the Criminal Code. Steve said that if I plead guilty then the case will also move forward to a sentencing hearing. Steve said be prepared to possibly go to jail if he (judge) does not issue a C. S. O. I asked Steve if I could be possibly detained in custody as of the decision on 09-Jan-08. Steve said that

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it was a possibility. Steve said that he would also advocate for the sentence to be served on weekends if it came to that. **I ASKED STEVE IF I HAD ANY RECOURSE SHOULD I NOT BE IN AGREEMENT WITH THE JUDGE'S DECISION.** STEVE WAS **EVASIVE** AND SAID I CAN ALWAYS LAUNCH AN APPEAL. I SAID EVEN IF THIS CASE DOES NOT PROCEED TO TRIAL I CAN STILL LAUNCH AN APPEAL. **STEVE SAID YES.** I discuss with Steve the fact that there is **no** trialable issues from the victims and Crown's standpoint. **STEVE SAID THAT THE VICTIMS DO NOT DECIDE WHETHER THERE IS TRIALABLE ISSUES OR NOT.** Steve said that the Crown acts on behalf of the people. I said that people at large and Steve said, "yes." **I SAID THAT EVEN THOUGH THERE ARE OTHER PEOPLE THAT SHARE IN THE RESPONSIBILITY OF THE ACCIDENT I HAVE NO RECOURSE.** **STEVE SAID THAT THE JUDGE WILL NOT NECESSARILY CARE ABOUT THAT IN THIS CASE.** STEVE PROVIDED THE EXAMPLE OF A PERSON WHO HAD TWO KIDS AT HOME IN BED, A GOOD JOB AND GOES OUT DRINKING WITH HIS FRIENDS AND PROCEEDS TO GET IN ACCIDENT. STEVE SAID THAT IT IS STILL THE SAME RESULT AS MY ACCIDENT. **STEVE SAID REGARDLESS OF ANY MITIGATING CIRCUMSTANCES.** Steve said that the mitigating factors are only presented at sentencing. **STEVE HAS STILL NOT FORWARDED THE REMORSE LETTERS ONTO THE CROWN OR JUDGE.** I asked Steve about Victim Impact Statements and he said there was some. He proceeded to try and find them and then handed me a synopsis of the accident and suggested I read it. I READ IT AND HE ASKED ME IF I WANTED A COPY. I SAID I ALREADY HAD A COPY. **I asked Steve if he had the Victim Impact Statements and he said there were some but he did not know whether**

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he had them or not. I ASKED STEVE IF I HAD ANY OTHER OPTIONS OTHER THAN PLEADING GUILTY AND HE SAID "NO." STEVE SAID THAT HE HAS REALLY WORKED HARD ON THIS CASE. STEVE SAID THAT HE HAS ALSO CONSULTED WITH LAWYER IRA BOOKE? **Steve said that the Crown does not necessarily want to be heavy handed with me but they still do want jail time.** Steve said that he will present the issues at work with me dating a female colleague who ended up dating a female supervisor. Steve said that I should talk to the gentlemen from AA. **Steve had said on 4 previous occasions that he was going to do this and still had no done so.** Steve discussed the fact that I had not worked since losing my job at Simcoe C. A. S. I informed Steve that I had had a couple of jobs. **STEVE DISCUSSED THAT A PREVIOUS CROWN HAD DISCUSSED WITH HIM ABOUT HOW DYSFUNCTIONAL SIMCOE C. A. S. WAS.** Steve also said that previous Crown had known of me and had heard good things about my work. **STEVE SAID SHE HAD TO STEP DOWN BECAUSE OF CONFLICT OF INTEREST.** **Steve also discussed the fact that he had talked to my dad, Peter Dunlop on the telephone on the 03-Jan-08 for about 30 minutes.** Steve asked him and my surety to attend court on the 09-Jan-08 to display their support.

- ***1. A pre-meditated meeting just to appease me. Would have **never** happened if I did not initiate it.
- ***2. What a waste of money & time!
- ***3. Not acting on behalf of my best interests.
- ***4. ALL OF STEVE'S WORK ON BEHALF OF CROWN'S BEST INTEREST!

This page is a fax transmission report from 07-Jan-08 from (705) 495-0800 to fax number (416) 284-1826. It was sent from Photo Metro at 191 Lakeshore Drive, North Bay, ON on the 07-Jan-08 to Mr. Steven R. Sager.

The transmission was confirmed.

07-Jan-08- Derek Dunlop hand-typed letter to Steven R. Sager.
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07-Jan-08

Dear Mr. Sager:

I am writing this letter as I basically had to demand a meeting with you prior to my court date on the 09-Jan-08. You eventually agreed to a meeting on the 04-Jan-08 with myself and my mother. YOU POSSESS DIRECT FIRST HAND KNOWLEDGE THAT I HAVE BEEN DISASSOCIATED WITH THIS ENTIRE PROCESS. YOU ALSO KNOW THAT WE HAD NOT HAD FACE-TO-FACE CONTACT SINCE NOVEMBER OF 2006. YOU WERE WILLING TO PROCEED TO COURT ON THE 09-JAN-08 WITHOUT HAVING SUCH FACE-TO-FACE CONTACT WITH ME.

AS A RESULT, I WAS ONLY INFORMED BY YOU ON THE 04-JAN-08 ABOUT THE ACTUAL POSSIBLE OUTCOMES OF COURT ON THE 09-JAN-08. SINCE MY LAST COURT DATE IN SEPTEMBER 2007 I HAVE BEEN REPEATEDLY ASKING YOU ABOUT THE PERTINENCE OF MY COURT DATE ON THE 09-JAN-08. CONTINUOUSLY, YOU AVOIDED AND DISREGARDED MY QUESTIONS ABOUT MY COURT DATE ON THE 09-JAN-08. IT WAS ONLY WHEN YOU RESPONDED TO MY CORRESPONDENCE ON THE 03-DEC-07 THAT YOU MADE REFERENCE TO THE FACT THAT COURT ON THE 09-JAN-08 WAS TO BE A PLEA DATE WITH A SENTENCING HEARING. I HAD NO PRIOR KNOWLEDGE OF THIS. SINCE THAT YOU DID NOT ELABORATE TO ME ABOUT WHAT THIS ENTAILS. WITHOUT OUR MEETING ON THE 04-JAN-08 I WOULD HAVE BEEN ENTERING COURT BLIND ON THE 09-JAN-08 AND VIRTUALLY HAD NO IDEA WHAT MAY HAVE TRANSPIRED. As it stands I have been presented with a minimal amount of time to absorb the information that you finally presented to me on the 04-Jan-08. I AM SHOCKED AND CONFUSED AS I AM NOT FAMILIAR WITH SUCH ARRANGEMENTS OCCURRING IN COURT. **FURTHERMORE, CASES SIMILAR TO MINE DO NOT APPEAR TO FOLLOW THE PATH OR PATTERN YOU ARE SUGGESTING.**

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As I have signed a designation of counsel I would greatly appreciate it if you would attend court on my behalf on the 09-Jan-08. In addition, I would appreciate it if you could request that the pre-trial continuance be remanded to a future date and that you inform me forthwith of my next scheduled court date.

Due to the fact that you are my representation I am assuming the court will be requiring reasons for such a request. A few of the reasons for citing this request is due to the fact that you have not kept me updated or apprised about my court date on the 09-Jan-08. As a result, you have left me extremely unprepared. Furthermore, you have provided me with an insufficient amount of time to consider my options. In addition, you are expecting me to render a life altering decision that will drastically impact my future within a short period of a few days.

As my defence attorney I would assume it is your responsibility to inform the Honourable Court and presiding Judge of the above reasons. If you are not prepared to or willing to make such a request in accordance to the preceding reasons then I believe that you are responsible to inform the court or any other of your intentions.

IF YOU DO INTEND TO HAVE YOURSELF REMOVED FROM THE RECORD, I WOULD APPRECIATE IT IF YOU COULD FORWARD ME ALL THE DISCLOSURE THAT YOU HAVE RECEIVED FROM THE CROWN ATTORNEY IN THIS MATTER. I WOULD EXPECT THAT THIS DOCUMENTATION WOULD BE WITHOUT ANY OMISSIONS, DELETIONS OR ANY CHANGING OF HANDS. I AM EXPECTING THAT THE INITIAL 6 INCHES OF DISCLOSURE BE ACCOMPANIED WITH ANY OTHER SUBMISSIONS

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BY THE CROWN SINCE THAT TIME. FURTHERMORE, I WOULD APPRECIATE A COPY OF ALL OF YOUR CONTACTS AND CORRESPONDENCE WITH OTHER ATTORNEYS, DIGNITARIES AND SO FORTH. I WOULD ALSO APPRECIATE A COPY OF ANY CASE NOTES, COURT TRANSCRIPTS, RECONSTRUCTION REPORT AND ALL OTHER DOCUMENTATION ASSOCIATED WITH MY CASE. Please forward a copy of any case law that you have referred to in assisting me with my defence. In addition, I would expect that you would inform me of the next procedure I need to follow in this process.

Please respond as soon as feasibly possible to inform me of your intentions.

Thank you for your attention to this information.

Yours truly,

Derek Dunlop

07-Jan-08- 9:56am Left message for Steve Sager at 416-525-5346 on his voice-mail informing him that I sent him a fax earlier this morning and hope that he could respond to me to see where we go from here.

07-Jan-08- Derek Dunlop sent Steve Sager an e-mail.
12:02:36pm

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

Hi Steve:

I have sent you a faxed letter of 3 pages this morning. I would greatly appreciate it if you could respond to the letter.

Thanks for your continued co-operation.

Yours truly,

Derek Dunlop

07-Jan-08- Steve Sager sent Derek Dunlop an e-mail.
3:42:09pm

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

Derek,

I have received yet another Faxed letter. I'll respond forthwith. Steve

07-Jan-08- Steve Sager sent Derek Dunlop an e-mail.
10:53:15pm

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

Derek,

I have read your latest salvo and must say that I am disappointed in what you have to say. I know that you are going through a very stressful time in your life and it is something that a lot of people would not understand, **but I do because I have seen it all before.** After over thirty years in the criminal justice system I have seen the worst and the best in people. I have seen those with the greatest fear come out winners and better people at that end. **I have also seen people sabotage their own cases and end up suffering their worst fears as a result. In my opinion that is what you have been doing for some time.** The proof of this is in these letters you send. They all contain the same thing, over and over again. Each and every time all your questions have been answered. Each and every time you have been told to **call me** if there is anything you want to know. **It seems that you can take the time to write these letters, but can't pick up the telephone to call me.**

I have advised you on more than one occasion what could happen in this matter. The best and worst case scenario's. The day that you got behind the wheel of a car after drinking was the start of the worst day of your life. Being involved in an accident where others could have been killed compounded that. I have explained to you on a number of occasions what if anything was going to win this case. ALL THOSE OPTIONS WERE LOOKED AT IN GREAT DEPTH. MEETING FACE-TO-FACE HAS NEVER BEEN AN ISSUE OTHER THAT THE DISTANCE YOU HAD TO TRAVEL. Any question I had all I had to do was call, the same applied to you. You just very seldom opted for that.

As I have stated in the past and will do so again every possible route had been explored and I have given you my professional opinion as to what direction you should take. There is no trial issue here and you are wasting your time if you think by acting for yourself you are going to find one. I TRULY BELIEVE THAT I HAVE FOUND THE BEST POSSIBLE COURSE OF ACTION FOR YOU IN THIS MATTER. I feel that you are going to obtain the best possible results. At the end of the day acting for yourself is going to do one of two things. (1) THE END RESULTS WILL BE THE SAME. (2) THE END RESULTS WILL BE WORSE. You are not going to find a total win in this matter. I do not care how many other cases you have read. Your case is still more serious then most.

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10:53:15pm
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IF YOU WANT ME TO WITHDRAW AND HAVE MYSELF REMOVED FROM THE RECORD, JUST SEND ME AN E-MAIL TO THAT AFFECT AND I WILL FOLLOW THOSE INSTRUCTIONS ON WED. IF THIS IS GOING TO BE THE CASE YOU WILL NOT BE REQUIRED TO APPEAR. IF YOU WANT TO FOLLOW MY ADVISE AND DEAL WITH THIS MATTER ON WED LET ME KNOW THAT TOO.

I TRULY BELIEVE YOU SHOULD PUT THIS MATTER BEHIND YOU AND GET ON WITH YOUR LIFE. ALL YOU SEEM TO WANT TO DO AT THIS POINT IS DELAY THE FINAL OUTCOME. THESE ARE SERIOUS CHARGES RESULTING FROM A SERIOUS OCCURRENCE. AT THIS STAGE YOU ARE NOT GOING TO WALK AWAY WITHOUT PENALTY. IF THERE HAD BEEN A WAY I WOULD HAVE FOUND IT.

I will be in court all day Tuesday.

Steve Sager

08-Jan-08- Barbara Dunlop (my mother) spoke to Steve Sager.
5:00pm

I spoke to Steve Sager about Derek not appearing at the court house tomorrow (Jan 9/08) in Newmarket.

He said he would look after this and have the date put over. **He would make an excuse for you like being sick.**

He said not to worry about the \$5 000 surety bond.

08-Jan-08- Peter Dunlop (my father) called my mother, Barbara Dunlop
5:10pm

Derek's dad called and he is going down south (to Midland) anyway tomorrow. He is going to meet with Steve Sager on Jan 9/08 at 8:30am at the Court House.

Signed BADunlop

08-Jan-08- Derek Dunlop sent Steven Sager an e-mail.
6:00pm
Pg 1 From: derekdunlop12@hotmail.com
To: srsager@rogers.com

08-Jan-08

Dear Mr. Sager:

This matter is very serious in nature in which the quality of life of two people have been dramatically impacted by the tragic events of the 22-Oct-06. Since the onset of the accident I have wanted to express my deepest remorse to the two drivers of the other vehicles.

Due to the seriousness of this case I realize that it should be dealt with in a reasonable time frame. By no means have I wanted to delay the court process at any juncture.

During this process all I have ever wanted to know is what is going on? I have been so disassociated with the judicial procedures as a result of signing designation of counsel forms with you. INITIALLY, YOU INFORMED ME THAT YOU PREFERRED THAT YOUR CLIENTS ATTEND ALL COURT DATES WITH YOU. YOUR REQUEST TO HAVE ME SIGN THE DESIGNATION OF COUNSEL FORMS HAD ME PERPLEXED AT THE TIME AND STILL DOES TO THIS DAY. I ALWAYS WANTED TO ATTEND ALL MY COURT DATES AS WELL. I SHOULD HAVE ATTENDED EACH COURT DATE AND THEN ALL OF THIS MISCOMMUNICATION COULD PROBABLY HAVE BEEN ABSOLVED.

I FEEL THAT I HAVE BEEN LEFT IN THE DARK AT ALMOST EVERY TURN. THERE HAVE BEEN TIMES THAT YOU HAVE INDICATED TO ME, THAT YOU WOULD CONTACT ME AFTER ATTENDING COURT TO INFORM ME ABOUT THE OUTCOME OF THE OCCURRENCE IN COURT. UNFORTUNATELY, THERE HAVE BEEN INSTANCES IN WHICH YOU HAVE NOT DONE SO. I HAVE THEN HAD TO INITIATE CONTACT WITH YOU TO BE INFORMED OF THOSE HAPPENINGS.

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6:00pm
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IT WAS ONLY DURING OUR MEETING ON THE 04-JAN-08 THAT I WAS MADE PRIVY TO CERTAIN INFORMATION ABOUT WHAT TRANSPIRED DURING THOSE COURT DATES. I HAD NOT BEEN MADE AWARE OF SOME OF THIS INFORMATION IN THE PAST. I ALSO BELIEVE THAT THERE IS SUBSTANTIAL INFORMATION THAT STILL HAS NOT BE RELAYED TO ME.

SINCE MY LAST COURT DATE ON THE 19-SEP-07, I HAVE MADE NUMEROUS REQUESTS THROUGH ORAL AND WRITTEN COMMUNICATIONS ABOUT THE DETAILS AND PERTINENCE OF MY NEXT COURT DATE ON 09-JAN-08. THESE INQUIRIES BASICALLY HAD FALLEN UPON DEAF EARS UNTIL THE 04-JAN-08.

ADDITIONALLY, I WILL RE-ITERATE THAT IF WE DID NOT MEET ON THE 04-JAN-08 (A MEETING THAT I HAD TO EVENTUALLY FACILITATE), I WOULD HAVE BEEN PROCEEDING TO COURT BLIND ON THE 09-JAN-08. WAS IT YOUR INTENTION TO GIVE ME YOUR ADVICE THE MORNING OF COURT ON THE 09-JAN-08? As it stands I have only had a few short days to process your advice.

Furthermore, I still have many outstanding questions such as, can the Crown Attorney appeal the decision if they are not satisfied with the judgment? I have many questions that could not be addressed as I HAVE SPENT A CONSIDERABLE AMOUNT OF TIME TRYING TO ASCERTAIN ANSWERS TO MORE SIGNIFICANT QUESTIONS. THESE QUESTIONS WERE PRIMARILY IN REFERENCE TO COURT PROCEEDINGS AND THEY HAVE PREDOMINANTLY BEEN AVOIDED UNTIL OUR MEETING ON THE 04-JAN-08. IT IS WITH THIS UNCERTAINTY THAT I HAVE BECOME CONFUSED AND FRUSTRATED.

AS A RESULT OF THE ABOVE MENTIONED CONCERNS, I HAVE FELT SO UNPREPARED AND DISASSOCIATED WITH THIS ENTIRE MATTER. THE 11TH HOUR DECISIONS THAT I HAVE BEEN CONFRONTED WITH HAVE ADDED TO AN ALREADY HIGHLY STRESSFUL SITUATION FOR MYSELF AND MEMBERS OF MY FAMILY EVEN SO FAR AS TODAY.

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6:00pm
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I respect your professional opinions and advice. I appreciate the fact that you have spent a significant amount of time on my case, however, **I AM STILL NOT AWARE OF ALL OF YOUR EFFORTS AS YOU HAVE NEGLECTED TO INFORM ME ABOUT ALL OF YOUR DEVOTIONS. AT TIMES I BELIEVE THAT I HAVE HAD TO DEFEND MYSELF AGAINST MY OWN DEFENCE ATTORNEY IN THIS CASE.**

UNFORTUNATELY, IT IS IN RELATION TO THE CONCERNS CONTAINED WITHIN THIS LETTER, AMONG OTHERS THAT I AM EXTREMELY DISAPPOINTED. I WOULD GREATLY APPRECIATE IT IF YOU WOULD ATTEND COURT TOMORROW AND HAVE YOURSELF REMOVED FROM THE RECORD AND INFORM ME OF MY NEXT COURT DATE.

I HOPE THAT YOU WILL INFORM THE JUDGE (JUSTICE WEISS) OF MY CONCERNS AND FORWARD THIS LETTER TO HIM. I WANT TO EMPHASIZE THE FACT THAT I AM NOT TRYING TO DELAY THE JUDICIAL PROCESS IN ANY MANNER.

ALL I EVER WANTED IN THIS CASE IS TO BE THOROUGHLY INFORMED ABOUT THE PROCESSES.

Thank you for your attention to this information. I sincerely appreciate all of your efforts.

Yours truly,

Derek Dunlop

10-Jan-08- Steven Sager sent Derek Dunlop an e-mail.
12:32:22pm

From: srsager@rogers.com
To: derekdunlop12@hotmail.com

Derek,

PURSUANT TO YOUR INSTRUCTION I ATTENDED NEWMARKET COURT ON THE 9TH. I APPEARED BEFORE HIS HONOUR JUSTICE WRIGHT WHO IS THE SAME JUDGE WHO HAS DEALT WITH THIS MATTER COMMENCING WITH JUDICIAL PRE-TRIALS. I MADE TWO MOTIONS BEFORE HIM. THE FIRST THAT YOU BE GIVEN TWO MONTHS TO REVIEW YOUR FILE PERSONALLY OR RETAIN NEW COUNSEL. SECOND THAT I BE REMOVED FROM THE RECORD AT YOUR REQUEST. I ADVISED HIM THAT YOU FELT THERE WAS A COMMUNICATION PROBLEM BETWEEN US.

HIS HONOUR REFUSED BOTH MOTIONS. HE GAVE YOU A ONE MONTH ADJOURNMENT IN ORDER TO REVIEW THE FILE YOURSELF OR RETAIN NEW COUNSEL. HE HAS KEPT ME ON THE RECORD UNTIL THE NEXT RETURN DATE, FEBRUARY 7TH, 2008 9:30 a. m. courtroom 102. AT THIS TIME I WILL FILE AN APPLICATION TO BE REMOVED AS REQUESTED BY HIS HONOUR. THIS WILL IN NO WAY INTERFERE WITH NEW COUNSEL WHO MAY ALSO WANT TO APPEAR ON THIS DATE. HIS HONOUR WAS OBVIOUSLY VERY UPSET WITH YOUR DECISION AS HE STATED THAT HE THOUGHT THIS MATTER WAS TO BE RESOLVED TODAY, AS DID THE CROWN. I truly believe that had you attended and entered a plea you would be sitting at home today with this matter behind you. By your actions you may very well have shot yourself in the foot.

I spoke to both your father and stepmother who were at court as a sign of support which His Honour acknowledged. THEY ARE VERY UPSET BY YOUR DECISION. I think you have made a very serious error in judgement, but I am bound by your instructions.

I advised them that I am more than willing to continue, so if you CHANGE YOUR MIND LET ME KNOW BEFORE THE 7TH.

I WILL GIVE YOU THE COMPLETE DISCLOSURE FILE AS WELL AS MY FINAL STATEMENT OF ACCOUNT ON THE 7TH.

All the best,

Steve Sager

10-Jan-08- Derek Dunlop sent Steve Sager an e-mail in response to e-mail on previous page, page 134 of this document.

From: derekdunlop12@hotmail.com

10-Jan-08

Hi Steve:

I have read both of your e-mails (today and yesterday). **OBVIOUSLY WE HAVE TWO DIAMETRICALLY OPPOSED OPINIONS ABOUT OUR LEVEL OF COMMUNICATION IN THIS MATTER. I am sure you will agree that this is debate that we will not agree upon and it shall be left at agreeing to disagree.**

UNFORTUNATELY, I HAVE BEEN REQUESTING A COPY OF ALL OF THE CROWN'S DISCLOSURE FOR MONTHS AND MONTHS IN ORDER THAT I PERUSE AND ASSESS THE INFORMATION CONTAINED WITHIN. I WOULD HAVE FELT MORE AT EASE WITH THIS INFORMATION IN FRONT OF ME AND BEEN ABLE TO EDUCATE MYSELF MORE ABOUT THE DYNAMICS AND COMPLEXITIES OF THE CASE. I AM SURE I COULD HAVE ASSISTED YOU IN SOME MANNER EVEN IF IT WAS MINUTE IN NATURE. THIS WAS ANOTHER SERIOUS LACK OF COMMUNICATION.

AS A RESULT, I HAVE HAD NO DISCLOSURE TO EXAMINE TO THIS DATE AND YOU HAVE INFORMED ME THAT YOU WILL PROVIDE ME A COPY OF COMPLETE DISCLOSURE ON THE 07-FEB-08. THIS WOULD SUGGEST THAT I AM SUPPOSED TO REVIEW A CASE IN WHICH I STILL DO NOT HAVE ANY DOCUMENTATION TO ANALYZE.

I WILL NOT BE ABLE TO REVIEW THE FILE AS I DO NOT HAVE ANY INFORMATION. SUBSEQUENTLY, I WILL NOT BE ABLE TO ADHERE TO JUSTICE WRIGHT'S REQUEST TO REVIEW THE FILE BY 07-FEB-08.

I will also be forwarding you a request for a copy of all other documentation that I may require.

If I do change my mind, we would have to sit down and have a serious heart-to-heart before the 07-Feb-08.

Please call so we can discuss.

Thank you for your attention to this matter.

Yours truly,

Derek Dunlop

10-Jan-08- Steven Sager sent Derek Dunlop an e-mail.
9:24:27pm From: srsager@rogers.com
To: derekdunlop12@hotmail.com

Derek,

The reason I will give you the disclosure on the 7th is so I can **lay it out in binder form to make it easier for you to catch up on. Nothing more.** I also require the file to bring my time up to date. **All Justice Wright will do on the 7th is give you are your new counsel time to sit down review the disclosure and other information contained in the file. You really do not require it until that time. JUSTICE WRIGHT WILL ALLOW YOUR NEW COUNSEL WHATEVER TIME (WITHIN REASON) NEEDED TO GET UP TO SPEED. (Believe me there is really nothing more in it than you already know) Although you must take in to account the time that this matter has already been before the court. Justice Wright made comment about this. I'm still on the record and would feel more comfortable holding onto the file until my part is complete. It is also my right in law while still on the record. My having the file up to the 7th will in no way prejudice your case. Basically you will be beginning this matter from the start. Your new counsel will be required to do the same work as I to satisfy himself/herself that I looked at all the Charter issues. It would be negligent not to do so as new to the matter. I WILL STILL OFFER ANY ASSISTANCE I CAN EVEN THOUGH I WILL NOT BE ON THE RECORD AFTER THE 7TH. I LIKE YOU DEREK and I still feel that this long trail of problems started with Barrie. But enough said by me. On the 7th you will have all the material I have in my possession. TIME TO REVIEW IT AND MY ASSISTANCE IF REQUIRED BY YOUR NEW COUNSEL. I THINK PART OF THE REASON I DID NOT GIVE YOU A COPY OF THE COMPLETE FILE AT THE TIME IS DUE TO THE FACT THAT YOU HAVE BEEN CONSUMED BY THE ENTIRE THING. GOING AS FAR BACK AS BARRIE AND THIS CONCERNED ME FOR YOUR SAKE. I DID NOT FEEL THAT YOU REQUIRED ANYMORE MATERIAL TO COMPLICATE AN OTHERWISE COMPLICATED MATTER.**

YOU HIRED ME TO DO A JOB AND I DID IT IN A MANNER I FELT WAS GOING TO GET YOU THROUGH THIS MESS WITH AS LITTLE TROUBLE AS POSSIBLE. TO FEED YOUR CLIENT A CONSTANT STREAM OF INFORMATION THAT WILL ONLY CAUSE UPSET AND CONFUSION, NOT ONLY CAUSES PROBLEMS FOR THE CLIENT IT MAKE IT THAT MUCH HARDER FOR ME TO DO THE JOB I HAVE HIRED TO DO.

AFTER MARY HALL AND BARRIE YOU MUST ADMIT I DO KNOW HOW TO DO MY JOB. WELL MAYBE NOT. BUT I WILL HAVE TO LIVE WITH THAT. ENOUGH SAID. SIT TIGHT UNTIL THE 7TH EVERYTHING IS ON HOLD UNTIL THEN. IF YOU HAVE ANY OTHER QUESTIONS FOR ME FEEL FREE TO E-MAIL.

Steve Sager

11-Jan-08- Derek Dunlop sent Steven Sager an e-mail.

Pg 1

From: derekdunlop12@hotmail.com

Hi Steve:

Unfortunately, this will not satisfy Justice Wright's request and I will not be able to bring myself up to speed on the case prior to the 07-Feb-08. At that time, he will have to be notified of the reasons why I have not been able to do as he requested. Once again, I have been requesting that you provide me with a copy of all of the disclosure over and over and over again. This has not been addressed until your e-mail date that 10-Jan-08 and I have not been provided a copy or the opportunity and time to review all of the disclosure.

I HAD TO MAKE A STRESSFUL DECISION WHEN DECIDING NOT TO CONTINUE WITH YOU AS MY ATTORNEY. THIS INCLUDED THE KNOWLEDGE THAT I WOULD UPSET JUSTICE WRIGHT, THE CROWN ATTORNEY, THE VICTIMS AND THEIR FAMILIES AND SO FORTH. I ALSO AM WELL AWARE OF THE ADDITIONAL STRESS THAT IT HAD ON MY FAMILY MEMBERS, ESPECIALLY MY FATHER WHO HAS PROVIDED ME A SIGNIFICANT AMOUNT OF FINANCIAL SUPPORT IN THIS MATTER. FURTHERMORE, I REALIZED THAT I HAVE DELAYED THE JUDICIAL PROCESS AND THIS WILL BE SERIOUSLY FROWNED UPON. ADDITIONALLY, I REALIZE THAT I HAVE PLACED ADDITIONAL STRESS ON YOU AND DO APOLOGIZE FOR THAT, WHETHER YOU BELIEVE ME OR NOT.

*****I HAD TO MAKE THIS MOST DIFFICULT DECISION, KNOWING THAT I WOULD UPSET ALL THOSE INVOLVED BUT I HAD TO DO BASED ON PRINCIPLE.**

Currently, you and I both know that I will be representing myself as I am not in a financial position to afford another lawyer.

I will politely ask you to forward me a copy of all disclosure as soon as possible, although that does not appear to be something you are able to adhere to at this time.

Were the victims in court on the 09-Jan-08?

I will send you another e-mail or letter indicating all of the documents that I will be asking for.

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Pg 2

IF CONSENTS OF DISCLOSURE NEED TO BE SIGNED TO ALLOW FOR DOCUMENTS TO BE COPIED THAN PLEASE INFORM ME AND WE CAN PROCEED WITH THAT PROCESS.

Thank you again for your continued cooperation.

Yours truly,

Derek Dunlop

11-Jan-08- Steve Sager sent Derek Dunlop an e-mail.
7:43:23pm

From: srsager@rogers.com
To: derekdunlop12@hotmail.com

Derek,

I have no problem putting the disclosure package together and sending off a copy. But like I said on a number of occasions there is nothing in it that you have not already been apprised of. I'LL GET A COPY OFF TO YOU AT THE START OF THE WEEK. JUSTICE WRIGHT IS NOT EXPECTING ANYTHING FROM YOU ON THE 7TH OTHER THAN TO APPEAR. SO PLEASE DON'T MAKE MORE OF THIS THAN IT IS. It is at that time that he will ask what you intend to do. And how much time you feel might be required.

NO THE VICTIMS WERE NOT IN COURT AND MOST LIKELY THEY NEVER WILL BE UNLESS YOU DECIDE TO TAKE THIS MATTER TO TRIAL. WHICH I WILL ADVISE YOU IN WRITING WOULD BE A VERY DANGEROUS THING TO DO IF YOU WANT TO AVOID JAIL. THE ONLY PERSON WHO WILL BE WASTING THE COURT'S TIME AT THAT STAGE WILL BE YOU, AND IT WILL BRING ABOUT SERIOUS CONSEQUENCES. YOU HAVE BEEN GIVEN GOOD SOLID LEGAL ADVICE AND YOU HAVE DECIDED TO IGNORE IT. JUSTICE WRIGHT MAY COMMENT ON THIS FACT ON THE 7TH. HE MAY CAUTION YOU SO IT WILL BECOME PART OF THE COURT RECORD. YOU ARE PLAYING A VERY DANGEROUS GAME AND I AM ADVISING YOU IT COULD VERY WELL BACKFIRE ON YOU. EVEN IF YOU CANNOT AFFORD ANOTHER LAWYER I WOULD STRONGLY SUGGEST THAT YOU GET A SECOND OPINION. ANYONE I KNOW WOULD TELL YOU THAT YOU WERE GIVEN ONE HELL OF A DEAL.

As I said in my last e-mail I will send you all the information I have in my file. So you do not need to send a list. Taking into account the very serious nature of the charges you faced, you were given an excellent offer and with the small window of opportunity Justice Wright gave you for a CONDITIONAL SENTENCE this matter could have been resolved. If by your efforts you can obtain a better deal the best of luck to you. THE JUDGE AND CROWN KNOW WHAT HAS BEEN OFFERED. THERE WERE NOT, NOR ARE THERE NOW ANY TRIALABLE ISSUES. The question is; what do you want the outcome of this matter to be? What have you always wanted the outcome to be? YOU CAN REVIEW AND STUDY THE DISCLOSURE AND ALL THE OTHER DOCUMENTS CONTAINED IN THE FILE AND YOU WILL NOT FIND ANY ESCAPE ROUTE. I'VE BEEN DOING THIS FOR OVER THIRTY-FIVE YEARS AND COULD NOT FINE ONE. BUT THE BEST OF LUCK TO YOU. I HAVE INFORMED YOU OF ALL THE PERTINENT INFORMATION NEEDED DURING THIS PROCESS.

11-Jan-08-

19:43:23

Pg 2

I HAVE TREATED YOU BETTER THAN ANY CLIENT I HAVE EVER HAD, BECAUSE I HAVE NEVER HAD A CLIENT BECOME SO OBSESSED WITH HIS CASE. Everything I have done to this point I have done for a good reason so please don't say that I have made it difficult for you to make a decision. *You were advised at the very first meeting that you should treat this matter with a jail term in mind if convicted.* Jail has always been a very possible outcome. This past week you had a very good chance of avoiding that. I truly wish I knew what you think your going to archive. THERE AGAIN I HOPE YOU FIND WHAT EVER IT IS YOUR LOOKING FOR.

Steve

Derek Dunlop sent Steve Sager an e-mail.

derekdunlop12@hotmail.com wrote:

Hi Steve:

I am just wondering if you sent the disclosure to me and if you have to what address have sent it. Could you please inform me of the Crown's information. Is it Eccles?

Thank you for your continued cooperation.

Yours truly,

Derek Dunlop

21-Jan-08 Steven Sager responded to Derek Dunlop's e-mail above.
12:21:39pm

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

Derek,

There is quite a bit of material to photocopy I should have all off to you this week **and like I said everything I have you will get.** I'm keeping the photocopy material and sending you the originals. I will be sending everything on the address on your conditions of bail.

Steve

Derek Dunlop sent Steve Sager an e-mail.

derekdunlop12@hotmail.com wrote:

Hi Steve:

Could you please inform about the Crown Attorney's information. Could you please forward me the disclosure as soon as possible as his Honor Justice Wright has requested that I review the file before my next appearance on the 07-Feb-08. At this point, **I do not have the material I need to review and will not be able to adhere to his Honor's directive. Subsequently, either one of us is going to have the daunting task of explaining why this has not transpired.**

Thank you again for your continued cooperation.

Yours truly,

Derek Dunlop

24-Jan-08- Steve Sager responded to Derek Dunlop's e-mail above.
11:47:44

From: srsager@rogers.com
To: derekdunlop12@hotmail.com

Derek,

The Judge has made no such order. As I told you the only thing that will happen next is my getting off the record and Justice Wright asking you what you intend to do, act for yourself or retain new counsel, period, nothing more. You will **not** be required to speak to the case at all on that date other than answer that one question, **unless you plan on entering a plea.** I don't think that is what you are planning to do. So there will be no daunting task for anyone on the 7th.

You will have all the material I have prior to your next date, as I have told already. Although nothing from it will be required on that date. DEREK YOU DO NOT KNOW WHAT YOU ARE DOING AND YOUR GOING TO CAUSE YOURSELF NOTHING BUT GRIEF. SO PLEASE THINK THIS THING OUT CAREFULLY. ROB RAMAGE WAS JUST GIVEN FOUR YEARS WITH NO PAST RECORD WHAT-SO-EVER. AT THE MOMENT I STILL FEEL WE CAN SAVE THIS SITUATION SO YOU MIGHT WANT TO SERIOUSLY CONSIDER MEETING BEFORE I COMPLETE MY REMOVAL APPLICATION AND FILE IT. Other than that I will see you on Feb 7th.

Steve Sager

29-Jan-08- Derek Dunlop sent Steven Sager an e-mail.
11:28:43am

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

Hi Steve:

A meeting may be beneficial, however, a telephone call may be the first priority to establish the essence of the proposed meeting. **I would also like to ask you, have you forwarded me a copy of all the disclosure. Can you also forward me the name and contact information for the Crown Attorney in this case.**

At your convenience, could you please call me within the next day or so in order that we discuss a possible meeting. **I think that at very least, we can discuss the information contained within our e-mail correspondence since the 09-Jan-08.**

Thank you for your continued cooperation.

Yours truly,

Derek Dunlop

30-Jan-08- Steven Sager sent Derek Dunlop an e-mail.
1:56:40pm

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

Derek,

I JUST GOT BACK FROM A TRIAL IN OTTAWA. I HAVE BEEN ADVISED THAT THE DISCLOSURE HAS BEEN SENT AND YOU SHOULD GET IT BY FRIDAY. A meeting before the 7th would be a very good idea. **LET ME KNOW WHEN YOU WOULD LIKE TO COME DOWN.** Almost any day next week is good. Sat or Sun of this week if it is convenient to you.

TWO CROWNS HAVE DEALT WITH THIS MATTER, THE FIRST WAS MS. BARNIER WHO HAD TO STEP ASIDE BECAUSE SHE KNEW OF YOU FROM BARRIE CHILDREN'S AID THE NEXT MR. ENRIGHT.

When I was at court last week I was advised that the matter will be going to a new Crown. So you really will be starting anew. **JUSTICE WRIGHT WILL NOT DEAL WITH THE MATTER AGAIN AFTER THE 7TH SO YOU WILL BE GOING BE FOR A NEW JUDGE.**

Until I come off the record on the 7th the Crowns office will not deal with you directly. After that they will. That is why I said nothing will happen on the 7th other than my removal and you getting a new date for your next appearance. Justice Wright will no doubt discuss the wisdom of your decision and ask what you want to do next. (Meet with the Crown, Have another Judicial Pre-trial etc.)

Let me know what is good for you

Steve Sager

02-Feb-08- Derek Dunlop sent Steven Sager an e-mail.
12:19:33pm
Pg 1 From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com

02-Feb-08

Hi Steve:

I greatly appreciate you forwarding me the disclosure and I received as of yesterday Friday, February 01, 2008. **As a result, I am unable to adhere to both requests made by the Honourable Justice Wright at court on the 09-Jan-08. YOU INFORMED ME THAT HE GRANTED AN ADJOURNMENT OF ONE MONTH, IN ORDER THAT I BE ABLE TO REVIEW THE FILE AND RETAIN NEW COUNSEL. At this time, it is unfortunately not feasible to sufficiently meet either of Justice Wright's requests.**

I AM ALSO OF THE FIRM BELIEF THAT SHOULD I HAVE RECEIVED THIS DISCLOSURE MONTHS AGO (as requested) THIS WOULD HAVE ALLEVIATED SEVERAL OF MY CONCERNS AND MAY HAVE PERMITTED US TO HAVE BETTER LINES OF COMMUNICATION.

At court on the 09-Jan-08, you proposed a motion to the Honourable Justice Wright to be removed from the record as my attorney. You cited that you and I had communication problems that we could not reconcile. At that time, that would appear to indicate to the court, yourself and myself that you are no longer representing me in this matter. I would presume that everything that has occurred between us since the 09-Jan-08 has just been a formality, as it is INEVITABLE that you will be removing yourself from the record on the 07-Feb-08 anyway.

Therefore, I am graciously, requesting that you attend court on the 07-Feb-08 on my behalf and bring about another motion to have yourself removed from the record. I would greatly appreciated it if could request a 3 month adjournment. This will give me the ability to assess, dissect and analyze all of the disclosure. It will also allow me to seek other legal advice and/or opinions and may permit me to retain another lawyer. It will also give me the opportunity to conduct my own research and prepare myself for the case as I intend to represent myself. You would be informing the court and the Honourable Justice Wright the same thing that I would intend to inform the court, should I be in attendance. This would make the most common sense to me.

02-Feb-08-
12:19:33pm
Pg 2

By attending on my behalf you would also be saving my family and myself a considerable amount of money as this trip would cost m family in the vicinity of at least \$400- \$500. Not to mention some of the hazardous weather conditions that can occur at this time of year.

If you are not willing to attend on my behalf, please let me know. I WANT TO MAKE IT ABUNDANTLY CLEAR TO YOU AND THE COURT THAT I AM NOT TRYINT TO DELAY THE PROCESS BUT I AM LOOKING OUT FOR MY BEST INTERESTS.

Please respond as soon as possible.

Thank you for your time and kind consideration.

Yours truly,

Derek Dunlop

02-Feb-08- Steven Sager sent Derek Dunlop an e-mail.
1:59:47pm

Pg 1 From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

I'll brake this down for you so that there are no misunderstandings.

- 1. MY LAST APPEARANCE ON YOUR BEHALF WAS GOING TO BE A PLEA, THAT WAS MY UNDERSTANDING. HIS HONOUR FELT THE CROWN HAD OFFERED YOU AN EXCELLENT OPPORTUNITY TO PUT THIS MATTER TO AN END AS DID I. THE EVENING PRIOR TO OUR COURT DATE YOU FELT THAT YOU DID NOT HAVE ENOUGH INFORMATION TO ENTER INTO A PLEA. IF YOU FEEL THAT YOU DID NOT HAVE ENOUGH INFORMATION THAN THIS IS MY FAULT. I TRULY THOUGHT THAT I HAD LOOKED AT EVERY OPTION AND EXPLAINED THIS TO YOU AT MY LAST MEETING WITH YOUR MOTHER AT MY OFFICE AND I HAVE ALWAYS TOLD YOU TO CALL ME IF THERE WAS SOMETHING THAT YOU WANTED TO KNOW OR DID NOT UNDERSTAND. But all you ever did was send me those letters, all of which were answered.**
2. You **Must** appear at the February 7th, 08 hearing. Justice Wright did made this an order, and I did tell you this on the phone and be e-mail. Your father and stepmother were both in court on this date and were also advised of His Honours order. Now I am making sure that you are being advised again. **Justice Wright put this matter over from the Jan 9th until Feb 7th for the sole purpose of my preparing the Application for removal which is to filed with him in his court on the 7th.** As I have said to you by e-mail the only thing that is going to happen to you on this date is be asked what you intend to do. You are not required to put evidence forward or anything else. There was never any mention of you requiring time to review the disclosure. That's what I wanted you to have the opportunity to do. " I Derek Dunlop intend to act in person, (**Represent myself and I need time to personally review the physical disclosure that I have just received from Mr. Sager**") Period. Justice Wright will have some discussion with you I am sure, but he will give you another date to come back and speak to the matter. At which time it will be in the form of another judicial pre-trial or setting a date for trial.
3. **At the moment I cannot act for you are speak for you on or after the 7th as I have been required to file the application on that date. EVEN IF YOU DID WANT ME TO CONTINUE WITH THIS MATTER, YOU ARE STILL REQUIRED TO APPEAR PURSUANT TO THE ORDER OF JUSTICE WRIGHT. YOU HAVE BEEN CHARGED BY INDICTMENT. I HAVE ALWAYS APPEARED PURSUANT TO A DESIGNATION. AS OF THE 9TH JUSTICE WRIGHT SUSPENDED THAT DESIGNATION SO YOU MUST APPEAR.** Failure on your part to attend His Honour will issue a warrant for your arrest.

02-Feb-08-

1:59:47pm

Pg 2

4. **I will appear for the sole purpose of being removed from the record on the 7th. At this point even if I wanted to speak for you I cannot. The judge wants to speak to you face to face to find out what you are attempting to do.**
5. You must appear.

Derek I know that you feel that by not having the crown disclosure that for some reason this has affected your ability to come to a better decision on how you should deal with this case. I can tell you now that Justice Wright will not accept that. YOU RETAIN COUNSEL TO REVIEW THE CROWN'S DISCLOSURE AND TO ADVISE YOU, NOT TO REVIEW IT YOURSELF AND DISREGARD THE ADVISE OF EXPERIENCED COUNSEL BECAUSE YOU DID NOT LIKE WHAT YOU WERE BEING TOLD. He knows you had good counsel he knows the case, he knows what the Crown has offered and he has made his position known. Owing to all the circumstances you are not going to any better results. (This is why he will not hear anymore on the matter after the 7th) The only other results one might want to get in this case is a not guilty verdict, based on factual information that there is an error in law, which there is not, or a procedural error by the police, which there is not. There are no triable issues, not one. To go to trial there must be triable issues, even one. This case has none. I HAVE LOOKED AT EVERY POSSIBLE OPTION. I KNOW THAT NO ONE ELSE IS GOING TO FIND ANY SUPPORTIVE LAW TO GET THIS THING TO GO AWAY. But you are the accused and you are entitled to look that's for sure. BUT YOU ARE WASTING YOUR TIME AND AS JUSTICE WRIGHT WILL TELL YOU THE COURT'S. YOU WILL DO SO AT YOUR OWN PERIL. Remember if you attempt to go to trial and do not win (which you will not) there is the matter of a 14 day sentence for the prior impaired. THE CROWN AGREED NOT TO FILE THIS IF THERE WAS A GUILTY PLEA. AT A LATER DATE YOU MAY NOT GET THIS FAVOUR.

I truly believe that you have a chance to get the best possible results on the 7th if you follow my advice. If you attempt to drag this case out either by acting in person, or even by retaining new counsel I truly believe the chances of your doing time will grown exponentially. SO PLEASE THINK LONG AND HARD THIS WEEKEND. JUSTICE WRIGHT LEFT US A SMALL WINDOW OF OPPORTUNITY TO KEEP YOU OUT OF JAIL, DON'T BLOW THIS CHANCE. THE FUTURE OF YOUR LIFE WITH RESPECT TO THIS MATTEER WILL REST IN A POSITIVE OR NEGATIVE WAY DEPENDING ON WHAT YOU DECIDE FOR THE 7TH.

02-Feb-08-

1:59:47am

Pg 3

So I will say this one more time so that there is no mistake. You must appear on the 7th. As far as the disclosure is concerned you can put it on the book shelf at this time because it has no bearing on what is going to happen on the 7th. The only thing that is going to happen on that date is I come off and you go on. That's it. You will just be required to tell Justice Wright what you are going to do next.

LET ME KNOW IN WRITING ONE WAY OR THE THE OTHER BY MONDAY (E-MAIL) IF YOU WANT ME TO ACT. IF YOU DO THE FELLOW FROM AA MUST BE THERE. OTHERWISE I WILL FILE THE APPLICATION AND MOVE ON.

You must understand, that if I believed that there was any issue to take to trial that is what I would have advised you to do. Go to trial. I CANNOT TAKE A CASE TO TRIAL WHERE THERE IS NO CASE, THE BEST THAT CAN BE DONE IS TRY AND KEEP YOUR CLIENT OUT OF JAIL. THAT IS WHAT I FEEL CAN BE DONE ON THE 7TH. THINK ABOUT IT LONG AND HARD, DON'T BLOW IT.

Let me know,

Steve Sager

The next couple of pages are a copy of the e-mail that Derek Dunlop sent to Steven Sager on 02-Feb-08 @ 12:19:33pm already contained on pages 145 & 146 of this document.

07-Feb-08-
9:10am
Pg 1

Steve Sager approached me outside Courtroom #102 at the Newmarket, ON Courthouse. Steve Sager informed me that he completed an application to be removed from the record. Steve provided me a copy of the removal. Steve informed me that I would only have to answer the Judge's questions. Steve informed me that I would be starting anew and would have to start the process all over again. Steve said that all that would happen today is that he would be removed from the record. STEVE SAID THAT I WOULD NOT HAVE TO ENTER A PLEA.

***STEVE ALSO SAID THAT AFTER THIS THAT I COULD CALL HIM IF I HAD ANY QUESTIONS (As if, what kind of game was he playing here. Trying to make himself look good by continuing to offer me assistance or just being a complete idiot.

WHEN ADDRESSING JUSTICE WRIGHT, STEVE CITED THAT I WAS CONCERNED THAT I WAS NOT PROVIDED A COPY OF THE DISCLOSURE TO ASSESS AND THAT I FELT THAT THIS WOULD HAVE ASSISTED ME IN MAKING AN INFORMED DECISION ABOUT THE CASE. STEVE SAID SOMETHING TO THE EFFECT THAT HE COULD UNDERSTAND ME BEING UPSET THAT I WAS NOT PROVIDED THIS DISCLOSURE. Steve was ordered by the Judge (Justice Wright) to retrieve a date for trial for this case and to return to court upon getting a date. The Crown Attorney, Mr. St. Michael was in agreement to this.

STEVE SAGER ADVISED ME THAT I COULD STILL ENTER A PLEA ON THE 06-MAR-08.

07-Feb-08-
9:10am

Upon returning to court after getting a date for trial and submitting it to the judge (Justice Wright). Justice Wright addressed me. **Justice Wright also had the court clerk to read out the possible mode for trial.** Steve Sager submitted a date of 17& 18 of November 2008 for trial. **Upon the court clerk reading the options for trial, Justice Wright asked Steve Sager to assist me. RIGHT AWAY STEVE SAGER SAID TO ME TO GO WITH ONTARIO COURT JUDGE ALONE.**

***** CAN'T IMAGINE THIS, THIS WAS ALL ANOTHER SET-UP.**

07-Feb-08-
10:05am Newmarket, ON. **Justice Wright appeared to have this case ordered to trial. Justice Wright asked me if I agreed with everything Steve Sager had said. I said in part. Justice Wright asked me what I did not agree with. I could not answer in a full sentence as there were numerous discrepancies. Mr. Steve Sager tried to submit or did submit that on 02-Feb-08 that this was when I asked him to be removed from the case. (THIS WAS NOT TRUE!) Justice Wright asked Steve Sager to find out a date for trial and to return to court when he found out. Steve Sager returned to court with a trial date of 17 & 18 of November-08. Justice Wright informed me that the case was going to trial on the 17th & 19th –November-08 with or without counsel. ***I am not sure whether he accidentally made this mistake or this was intentionally done. Justice Wright asked me if I understood. I said “yes.”**

*****I UNDERSTOOD THAT HE WAS MOVING THE CASE TO TRIAL BUT I DID NOT UNDERSTAND WHY AND HOW HE WAS DOING SO.**

Justice Wright asked the Crown Attorney, Mr. St. Michael’s how they intended to proceed. The Crown informed Justice Wright that they would be proceeding by indictment. Justice Wright stated that he would be obtaining a court transcript of the proceedings. JUSTICE WRIGHT STATED THAT HE WOULD HAVE TO REMOVE HIMSELF FROM THE CASE BECAUSE OF MANAGEMENT REASONS. (I believe the new judge to be Justice Menard)

JUSTICE WRIGHT HAD THE COURT CLERK READ ME THE OPTIONS FOR THE MODE AT TRIAL AND ASKED STEVE SAGER TO ASSIST ME. AFTER STEVE SAGER WAS SO QUICK TO ADVISE ME TO SELECT JUDGE ONLY, I ASKED STEVE IF I COULD ASK THE COURT FOR TIME TO SEEK LEGAL ADVICE. STEVE SAID, “YES.” I ASKED JUSTICE WRIGHT IF THE HONOURABLE COURT

07-Feb-08-
10:05am

WOULD CONSIDER GRANTING ME TIME TO SEEK ASSISTANCE. JUSTICE WRIGHT SAID “YES, AND ASKED HOW MUCH TIME DID I THINK THAT I WOULD NEED. BOTH JUSTICE WRIGHT AND I SAID ABOUT 1 MONTH ALMOST SIMULTANEOUSLY. JUSTICE WRIGHT SET A RETURN DATE OF THE 06-MAR-08 TO BE SPOKEN TO IN RELATION TO HOW I ELECT TO HAVE MY MODE FOR TRIAL.

***** I need to acquire court transcript for this date and court proceedings in relation to this matter!**

Information No. 0608133

**ONTARIO COURT OF JUSTICE
(Central East Region)**

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

Steven R. Sager, B. A. (Crim) J. D. C. Med
Defense Counsel
70 East Beaver Creek
Suite 201
Richmond Hill, Ontario
L4B-3B2

Tel: (416) 525-5346

Fax: (416) 284-1826

Email: srsager@rogers.com

**ONTARIO COURT OF JUSTICE
(Central East Region)**

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

INDEX

1. Notice of Application dated February 7th, 2008.
2. Affidavit of Dianne F. Blencoe sworn February 6th, 2008.

3. Such further and other materials as counsel may advise and this Honourable Court permit.

THE RELIEF SOUGHT IS:

4. An order allowing the Application and removing Steven R. Sager as counsel of record of the accused, Derek James Dunlop.

THE APPLICANT MAY BE SERVED WITH DOCUMENTS PERTINENT TO THIS APPLICATION:

5. By service in accordance with Rule 5, at

Steven R. Sager
Defense Counsel
70 East Beaver Creek
Suite 201
Richmond Hill, Ontario
L4B-3B2

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

Email: srsager@rogers.com

DATED AT RICHMOND HILL THIS 6TH DAY OF FEBRUARY, 2008

Steven R. Sager
Defense Counsel
70 East Beaver Creek,
Richmond Hill, Ontario
L4B-3B2

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

Email: srsager@rogers.com

**TO: Ministry of the Attorney General
Office of the Crown Attorney
York Region
Newmarket Court House
50 Eagle Street, West
2nd Floor
Newmarket, Ontario
M5H 2M4**

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION
(returnable February 7th, 2008)

Steven R. Sager,
Defense Counsel
70 East Beaver Creek, Suite 201
Richmond Hill, Ontario
L4B-3B2

Tel: (416) 525-5346
Fax: (416) 284-1826
Email: srsager@rogers.com

Counsel to the Applicant/Accused

SWORN BEFORE ME at the)
City of Toronto, in the)
Province of Ontario)
this 6th day of February 2008)

Commissioned by Steve Sager

Commissioner for Taking Affidavits (or as may be)

DIANNE F. BLENCOE

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

**AFFIDAVIT OF
DIANNE F. BLENCOE**
(Sworn February 6th, 2008)

Steven R. Sager,
Defense Counsel
70 East Beaver Creek, Suite 201
Richmond Hill, Ontario
L4B-3B2

Tel: (416) 525-5346
Fax: (416) 284-1826
Email: srsager@rogers.com

Counsel to the Applicant/Accused

11-Feb-08 Derek Dunlop sent Steven Sager an e-mail.
10:05:43am
Pg 1 From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com

Hi Steve:

First, I want to be sure that there are no issues with fees as I believed this matter was a blocked fee arrangement. In court on the 07-Feb-08. I said that there were no issues with fees as I believed this to be true. I apologize for not directing the Honourable Justice Wright to ask you if there were any issues with fees from your standpoint. So I hope that there aren't any issues with fees. Please confirm.

It was my understanding from you that I would be starting this case from the beginning once you were removed from the record. You informed me that I would have my own judicial pre-trial and so forth. **I understand that Justice Wright has apparently ordered this case to trial and skipped those other intermediate steps.** However, I do not understand what has happened to permit this case to be moved to trial. I am confused about how and why this has transpired at this stage. I would appreciate any feedback in relation to my confusion. **I am also wondering if I have any recourse?**

It is my understanding that any motions to the court will be heard by Justice Wright and not Justice Menard. Is this true?

I forwarded you a copy of all my notes prior to the accident. I would greatly appreciate it if you could forward all that documentation back to me at your earliest convenience.

In court on the 07-Feb-08, you suggested that I elect to proceed with a Judge alone in this case. Could you please inform me why you think that this is the best was to proceed.

On 07-Jan-08, AFTER WE HAD NUMEROUS COMMUNICATION ISSUES YOU REQUESTED THAT I SEND YOU AN E-MAIL ASKING YOU TO BE REMOVED FROM THE RECORD IF THIS WAS WHAT I WANTED. ON THE 08-JAN-08, I FORWARDED YOU AN E-MAIL ATTESTING TO THAT FACT. SO THERE APPEARS TO BE CONFUSION ABOUT THE DATE WHEN THIS REQUEST WAS MADE. I ALSO INCLUDED THIS IN MY E-MAIL ON THE 02-FEB-08 BUT THAT WAS NOT THE INITIAL DATE. THE COURT HAS BEEN INFORMED THAT IS WAS THE 02-FEB-08. I AM NOT SURE WHETHER THIS NEEDS TO BE STRAIGHTENED OUT WITH THE COURT OR NOT.

11-Feb-08-
10:05:43am
Pg 2

On the 06-Mar-08, I am under the impression that I am supposed to inform the court of the mode in which I elect for the trial. I am also under the impression that this is the only thing that the court is expecting from me. Please confirm that this is all I am required to do. Do you know what Section of the Criminal Code of Canada that these options are outlined.

I am also confused about the fact whether you are still my attorney or not. At this point, I am of the belief that you are not and that you will be removed from the record as of the 06-Mar-08. Please confirm.

Thank you again for your continued assistance.

Yours truly,

Derek Dunlop

11-Feb-08- Steven Sager sent Derek Dunlop an e-mail.
4:28:07pm
Pg 1 From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

First there is no problem with fees. The time spent on this case has far exceeded the time I anticipated primarily due to your inability to trust in the legal advice and efforts I have made on your behalf. If nothing else I have been required to attend Newmarket court at least two additional times. I will leave it at that. There seemed to be more emotional issues to deal with than actual legal issues.

I AM ON THE RECORD FOR THE SOLE PURPOSE OF GIVING YOU ADVISE AS TO TRIAL ELECTION. JUSTICE WRIGHT MADE THIS VERY CLEAR WITH YOU STANDING RIGHT BESIDE ME. I personally feel a judge alone is the best option. (I HAVE NEVER BEEN QUESTIONED BY A CLIENT AS TO THIS IN OVER THIRTY FIVE YEARS, YOU ARE THE FIRST.) You want a judge to hear the facts and interpret them in law. You do not want a jury to hear all the emotional issues from witnesses who feel they have suffered because of your actions more than they have. (Unlike a judge who has heard these types of cases before, the people sitting in the jury box are doing it for the first time) I am sure that a good Crown would even call in the family members to tell the jury how the family has been affected because of the accident that you caused because you were drunk behind the wheel. Harsh I know but if I were the Crown I would use these people for strong effect. A jury will almost always lean to the victims. The pictures the jury would see are very damaging and would be very harmful to your case with a jury.

You will be starting this case from the beginning. You have a right to meetings with the Crown. You have the right to another Judicial Pre-Trial. You have the right to a preliminary hearing. But Justice Wright wants all of this done before the date set for the trial of this matter, November 17th and 18th. So this gives you 9 months to prepare.

PRIOR TO YOUR DECISION TO TAKE OVER, THIS CASE WAS ON TRACK. A POINT JUSTICE WRIGHT MADE AND WHICH BECAME PART OF THE RECORD. It has gone on over sixteen months. All of which has been spent attempting to get you the best possible result. Justice Wright is more than aware of this fact and has given you the right to start over again, but with a time limit. Yes, you do have recourse. You can file a motion explaining why you need more time to prepare. This is why Justice Wright has made an order that he is to hear any motions that you may bring.

11-Feb-08-
4:28:07pm
Pg 2

The fact that you advised Justice Wright that you wanted me off the record was all that was required. The date on record for that request became the date we appeared before him.

THE ONLY THING THAT WILL HAPPEN ON MARCH 6TH WILL BE YOUR TRIAL ELECTION AND MY FORMAL REMOVAL FROM THE RECORD. You will not be required to give any evidence or address the court on any other issue. Although I would suggest that you ask Justice Wright for another Judicial Pre-trial date. THIS I FEEL WILL HELP YOU GAIN A BETTER UNDERSTANDING OF THE CROWNS CASE AND WHAT YOU HAVE IN OPPOSITION TO IT.

The only notes that I have are contained in the box that included all the Barrie case materials. I will bring the box with me on March 6th.

All the sections of these charges are listed in the disclosure material. Notwithstanding I will put some code materials together for you and send them off by mail. Despite your right to do so I must in all conscience advise you against representing yourself on such a complicated life altering legal matter. You have many questions which will only multiply as the case progresses.

All the best,

Steve Sager.

The next two pages are a copy of the e-mail Derek Dunlop sent to Steven Sager on the 11-Feb-08 @ 10:05:43am that are contained on pages 163 & 164 of this document.

01-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
4:45:57pm
Pg 1 From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com

Hi Steve:

I am writing to inquire about a **witness** who was at the scene of the accident moments after the accident occurred. I spoke to her at that time. Her name is **Debbie Heitto** and I know her **personally**. I definitely think that the **police** would have interviewed her a **witness**. **I am wondering if you have ever seen any documentation in relation to a statement provided by Ms. Heitto. Is it possible the Crown still has this information and has not turned a copy over to our defence?**

CAN YOU PLEASE CONFIRM WHETHER THE FOLLOWING IS TRUE OR NOT?

1) If I elect to have a trial with judge alone and no preliminary inquiry, Do I forfeit the opportunity to have a preliminary inquiry? Once I relinquish this opportunity for a preliminary inquiry is it true that I can't get this back? If I elect this mode, does the case remain in the Ontario Provincial Court and does not proceed to the Ontario Superior Court? If I elect this mode is it true that I am prevented from re-electing if need be?

2) If I elect to have a trial with judge alone with a preliminary inquiry, does the case automatically proceed to the Ontario Superior Court with an Ontario Superior Court Judge? If I elect this mode can I re-elect if need be. How would a process of re-election transpire or occur?

3) If I elect to have a trial with judge and jury and with a preliminary inquiry, does the case automatically proceed to the Ontario Superior Court with an Ontario Superior Court Judge? If I elect this mode can I re-elect if need be. How would a process of re-election transpire or occur?

4) What modes am I permitted to have a judicial pre-trial and what modes am I not permitted to have a judicial pre-trial?

5) How long would a preliminary inquiry in this approximately take?

Do you know if the Crown Attorney is going to seek custody time prior to trial? If so, do I have any recourse, can I file an application to counteract this. Does section 515 of the Criminal Code of Canada come into effect?

If I am to file a Notice of Motion, where can I acquire a Criminal Notice of Motion Form? Can I access them at the courthouse or the internet. Do I just professional comprise my own?

01-Mar-08-
4:45:57pm
Pg 2

I AM OF THE UNDERSTANDING THAT YOU RECENTLY SENT AN E-MAIL TO MY FATHER IN RELATION TO FEES. COULD YOU PLEASE INFORM ME WHAT THIS IS ABOUT OR FORWARD ME A COPY OF THAT E-MAIL.

I sent you a similar e-mail on the 28-Feb-08 but it does not appear to have been sent. Sorry, if it has been sent.

Thank you for your attention to these questions and your continued assistance.

Yours truly,

Derek Dunlop

03-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
3:28:05pm

From: Derek Dunlop (derekdunlop12@hotmail.com)

To: srsager@rogers.com

Re: Police Communications on the night of the Accident

Hi Steve:

Do you have any of the contacts made by police on the night of the accident. Do you have any of their transmissions, ie Dispatch and so on? Do you have any of the video-tapes from the police station the night of the accident, ie Booking, Breathalyzer and so on. Has any of this ever been requested?

Do you have a toxicology report?

Once again, thank you for your attention to these questions?

I would hope that you can respond to these e-mails by tomorrow the 04-Mar-08.

Thanks.

Yours truly,

Derek Dunlop

04-Mar-08- Steven Sager sent Derek Dunlop an e-mail.
11:27:35am

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

Derek,

I will break down each of your questions as follows:

I have never seen any statement given to the police by Ms. Heitto. If there was one it was required to be enclosed in the disclosure package. (I never saw it) How would it help?

With respect to questions 1-5. Nothing in procedure is carved in stone. Anything can be addressed by way of motion. As long as what you are seeking has merit and can be supported in substantive law. **This is the reason Justice Wright has kept all motion requests before him up to the point of trial. I KNOW BY HIS COMMENTS THAT HE FEELS YOU ARE ATTEMPTING TO DRAG THIS MATTER OUT AND HE IS GOING TO MONITOR IT CAREFULLY. YOU ARE ENTITLED TO A PRELIMINARY HEARING NO MATTER WHAT PATH YOU ELECT.** Justice Wright has already made that order. You are also entitled to judicial pre-trial. **In your case you might want to have a pre-trial prior to proceeding to a preliminary hearing. Although I feel a preliminary would be a waste of time because the crown has more than enough evidence to take the matter to trial.** (and in my opinion win)

With respect to the time a preliminary hearing might take depends on the evidence you plan to put forward. Just the factual evidence the crown has is enough to support its position. There was serious accident with injuries, it closed the 400 hwy down for four hours, and police evidence will be given that the driver that caused the accident had been drinking and in the opinion of the police was impaired, (forget the over 80mgs) these facts are enough to have the preliminary judge put the matter over for trial. **My advise would be to wave the preliminary and go directly to trial.** The crown has more than enough evidence to proceed to trial the question is do you have enough evidence to prove theirs incorrect?

If you go to the Ontario Attorney General web site there is a section for forms.

Each time we have appeared in court your father has advised me that he knows I must be over the block fee I put in place for this case. The answer was yes. He expressed a desire to pay more. **I SENT HIM A SHORT E-MAIL WITH**

04-Mar-08-
11:27:35am
Pg 2

RESPECT TO TIME SPENT BUT NEVER PUT ANY DEMAND ON HIM FOR ADDITIONAL FUNDS. I AGREED TO A BLOCKED FEE AND I WILL HONOUR THAT AGREEMENT. YOUR PARENTS ARE ONLY CONCERNED FOR YOUR WELL BEING.

I take this opportunity to advise you again that you should consult with a lawyer for a second opinion on the course of action you are now intending to take. I PERSONALLY FEEL THAT IT IS INCORRECT.

If the Crown intended to use any of the booking room or breathalyzer tapes, (if there are any) they would be a required part of the disclosure. What help would they be? THERE IS NO TOXICOLOGY REPORT BECAUSE WHEN I ARGUED THE TIME FRAME OF THE BREATH TEST, (at the second part of the judicial pre-trial) THE CROWN ADVISED THAT THEY WOULD PROCEED WITH THE IMPAIRED DRIVE ONLY IF THEY HAD TO BECAUSE THEY HAD ENOUGH EVIDENCE TO CONVICT ON IT BY ITSELF. AFTER A REVIEW OF THE BREATH OPERATOR'S REPORT A TOXICOLOGY REPORT WOULD NOT HELP, in fact it could hurt the case. (also my blocked fees are for just that fees and normal disbursements, not expert reports. A toxicology report could cost you up to \$5, 000.00 by itself and if you required the expert in court the cost would be that again) Notwithstanding the report would be of little value taking into account the crown's position.

As I have told you before and will tell you again you are grasping at straws. EVERYTHING YOU ARE LOOKING AT NOW HAS ALREADY BEEN DONE BY ME. I HAVE LOOKED AT EVERY POSSIBLE AVENUE THAT COULD BE OPEN TO YOU. I FOUND NONE. That is why I suggested that you take the deal offered by the crown. Remember I have been doing this for a very long time.

I FEEL THAT JUSTICE WRIGHT LEFT A WINDOW OF OPPORTUNITY OPEN FOR A CONDITIONAL SENTENCE WITH NO JAIL TIME. IF THIS MATTER IS KEPT BEFORE HIM WITH A PLEA ON THE 6TH I BELIEVE THAT OPPORTUNITY STILL REMAINS. If not and you carry on as you seem to intend, IT WILL BE LOST. THE CROWN WILL BE OUT FOR BLOOD. Every person has the right to their day in court the Charter guarantees it. THIS DOES NOT MEAN THAT YOU HAVE A CASE, IT IS ONLY YOUR RIGHT IN LAW.

Take care,

Steve Sager

04-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
2:13:00pm

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

Thanks Steve, I appreciate your answer to my questions. I am still wondering if the Crown will request custody time prior to trial. Are they permitted to do this at any time? Will Section 515 of the Criminal Code of Canada come into effect.

Thanks
Derek

04-Mar-08- Steven Sager send Derek Dunlop an e-mail.
2:17:27pm

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

Hi,

No pre-trial custody you are on bail and have had no problems with respect to that bail. The only thing I would do is request a variance in your bail conditions move from your fathers address to your mothers. If you want to do this make certain that everyone is in court on Thurs and we can speak to this.

Steve

Information No. 0608133

**ONTARIO COURT OF JUSTICE
(Central East Region)**

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

Derek Dunlop B. A. (Hons)
Applicant/Accused
401-295 Lakeshore Dr.
North Bay, ON
P1A 3N8

Tel: (705) 495-6377

**ONTARIO COURT OF JUSTICE
(Central East Region)**

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

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1. Notice of Application dated March 4th, 2008.
2. Affidavit of Derek Dunlop dated March 4th, 2008.

Information No. 0608133

**ONTARIO COURT OF JUSTICE
(Central East Region)**

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

TAKE NOTICE that an application will be brought at 9:30am on Thursday, March 6th, 2008, or as soon after that time as the application can be heard at Courtroom no. 105, Newmarket Court House, 50 Eagle Street, West, Newmarket, Ontario L3Y-6B1, for an order requesting adjournment.

THE GROUNDS FOR THIS APPLICATION ARE:

1. That the accused, Derek James Dunlop is requesting that this Honorable Court and the Honorable Presiding Judge consider a 3 month adjournment, in order that the accused be able to retain and instruct new counsel. This is contingent upon the Honorable Court removing Mr. Steven R. Sager from the record. If this Honourable Court grants this request than at the advice of new counsel, the accused will elect mode for trial. It should be noted that the accused is not forfeiting his right to elect a mode for trial or defaulting to a trial by judge and jury, as a result of this request.
2. That the accused, Derek James Dunlop is requesting that this Honourable Court and the Honourable Presiding Judge consider a motion for another judicial pre-trial as soon as reasonably possible after the accused has retained and instructed new counsel.
3. Such further and other grounds as counsel may advise and this Honourable Court may permit.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES UPON THE FOLLOWING:

1. Notice of Application dated March 4th, 2008.
2. Affidavit of Derek Dunlop dated March 4th, 2008.
3. Such further and other materials as counsel may advise and this Honourable Court permits.

THE RELIEF SOUGHT IS:

4. An order allowing the Application and adjourning the matter, granting the accused, Derek James Dunlop to retain and instruct new counsel.

THE APPLICANT MAY BE SERVED WITH DOCUMENTS PERTINENT TO THIS APPLICATION:

5. By service in accordance with Rule 5, at
Derek Dunlop
Applicant/Accused
401-295 Lakeshore Drive
North Bay, ON
P1A 3N8

Tel: (705) 495-6377

DATED AT NORTH BAY THIS 4TH DAY OF MARCH, 2008.

Derek Dunlop
Applicant/Accused
401-295 Lakeshore Drive
North Bay, ON
P1A 3N8

Tel: (705) 495-6377

**TO: Ministry of Attorney General
Office of the Crown Attorney
York Region
Newmarket Court House
50 Eagle Street, West
2nd Floor
Newmarket, Ontario
M5H 2M4**

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

(Returnable March 4th, 2008)

Derek Dunlop
Applicant/Accused
401-295 Lakeshore Drive
North Bay, ON
P1A 3N8
Tel: (705) 495-6377

Information No. 0608133

**ONTARIO COURT OF JUSTICE
(Central East Region)**

BETWEEN: HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

**AFFIDAVIT OF DEREK JAMES DUNLOP
(Dated March 4th, 2008)**

I, Derek James Dunlop, of the City of North Bay, in the Province of Ontario, MAKE OATH AND SAY as follows:

1. I am the applicant/accused and have been represented by Mr. Steven R. Sager in this matter.
2. There has been an application dated February 7th, 2008 provided by Mr. Steven R. Sager indicating that I have requested that this Honourable Court have Mr. Steven R. Sager removed from the record as counsel.
3. I am requesting that this Honourable Court consider my application dated March 4th, 2008 requesting an adjournment in this matter. This would provide me the opportunity to retain and instruct new counsel. This would also allow me to obtain legal advice in assisting me with electing mode for trial.
4. Further I have submitted that this Honourable Court consider my request for another judicial pre-trial.
5. This Affidavit is made in support of an Application for an adjournment permitting the accused to obtain, retain and instruct new counsel and for no improper purpose.

SWORN BEFORE ME at the
City of Newmarket, in the
Province of Ontario
this _____th day of March 2008.

Commissioner for Taking Affidavits
(or as may be)

Derek James Dunlop

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

**AFFIDAVIT OF
DEREK JAMES DUNLOP
(Dated March 4th, 2008)**

Derek Dunlop
Applicant/Accused
401-295 Lakeshore Drive
North Bay, ON
P1A 3N8

Tel: (705) 495-6377

05-Mar-08-
3:05pm I contacted Wrock & Associates at 905-898-5161 and spoke to the secretary. I asked the secretary if somebody could commission an Affidavit and she said yes. I said how much will that cost. She asked me to hold on and put me on hold. She came back on the line and she said to come on in and they would take care of me.

05-Mar-08-
3:48pm I attended the Wrock & Associates office at 17837 Yonge St. Mr. Kerry P. Evans eventually assisted me. I spoke to Mr. Kerry P. Evans in his office. Mr. Evans introduced himself. **I said that I knew him as I had worked as a Probation Officer in Collingwood while he was there.** He asked me what I was doing. I informed him that I was going through a lot of personal stuff. We exchanged some pleasantries. **Mr. Evans wanted to change point #2 of my affidavit. Mr. Evans also questioned my request of a 3 months adjournment. Mr. Evans stated that 3 months could set the judge off. MR. EVANS ASKED IF I CONSENTED TO HAVING MR. STEVEN R. SAGER REMOVED FROM THE RECORD. I PLAYED ALONG AND SAID I AGREE.**

MR. EVANS WENT DOWNSTAIRS AND HAD A FEMALE ASSISTANT TYPE UP A NOTICE OF ADJOURNMENT AND CHANGED MY NOTICE OF APPLICATION & AFFIDAVIT. THESE THOUGHTS AND WORDS WERE MR. EVANS' NOT MINE.

I EVEN RAN TO THE COURTHOUSE TO PLAY ALONG.

***THE THOUGHTS THAT WERE ENTERED INTO THE NOTICE OF ADJOURNMENT WERE MR. KERRY P. EVANS THOUGHTS NOT MINE.**

***BEFORE TODAY I HAVE NEVER HAD ANYTHING AGAINST KERRY P. EVANS.**

***MR. BILL BLACKSTOCK JR. & MS. ERIN REGAN WERE SUPPOSED TO HAVE MR. EVANS CALL ME.**

Court File No.

ONTARIO

**COURT OF JUSTICE
Central East Region**

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant

NOTICE OF APPLICATION

TAKE NOTICE that an Application will be brought on Thursday, March 6th, 2008 at 9:30 a.m. at the Ontario Court of Justice, 50 Eagle Street, West, Newmarket, Ontario, for an Order adjourning the Trial commencing November 17th, 2008.

THE GROUNDS FOR THE APPLICATION ARE:

1. The Accused before the Court, Derek James Dunlop is currently represented by Mr. Steven R. Sager.
2. Mr. Sagar has presented to the Court on February 7th, 2008 an Application to be Removed as Counsel of Record.
3. This Application will be heard before the presiding Justice Wright in Courtroom 105 on March 6th, 2008.
4. The Applicant is consenting to the Motion to have Mr. Sager removed as Counsel of Record.
5. The offences before this Court are serious and the Applicant requires the assistance of Legal Counsel in order to defend himself in these matters.
6. The Applicant will require time to retain and instruct new Counsel and to allow Counsel to familiarize themselves with the file currently in the possession of Mr. Sager.

IN SUPPORT OF THIS APPLICATION, THE APPLICANT RELIES UPON THE FOLLOWING:

1. Notice of Application dated March 4th, 2008.
2. Affidavit of Derek Dunlop dated March 4th, 2008.
3. Such further and other materials as counsel may advise and this Honourable Court permits.

THE RELIEF SOUGHT IS:

4. An order allowing the Application and adjourning the matter, granting the accused, Derek James Dunlop to retain and instruct new counsel.

THE APPLICANT MAY BE SERVED WITH DOCUMENTS PERTINENT TO THIS APPLICATION:

5. By service in accordance with Rule 5, at
Derek Dunlop
Applicant/Accused
401-295 Lakeshore Drive
North Bay, ON
P1A 3N8

Tel: (705) 495-6377

DATED AT NORTH BAY THIS 4TH DAY OF MARCH, 2008.

Derek Dunlop
Applicant/Accused
401-295 Lakeshore Drive
North Bay, ON
P1A 3N8

Tel: (705) 495-6377

**TO: Ministry of Attorney General
Office of the Crown Attorney
York Region
Newmarket Court House
50 Eagle Street, West
2nd Floor
Newmarket, Ontario
M5H 2M4**

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

(Returnable March 4th, 2008)

Derek Dunlop
Applicant/Accused
401-295 Lakeshore Drive
North Bay, ON
P1A 3N8
Tel: (705) 495-6377

Court File No.

**ONTARIO COURT OF JUSTICE
(Central East Region)**

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant

**AFFIDAVIT OF
DEREK JAMES DUNLOP**

Sworn March 5th, 2008

I, DEREK JAMES DUNLOP, Barrister & Solicitor, of the City of North Bay, Regional Municipality of Nipissing, Province of Ontario, **MAKE OATH AND SAY AS**

FOLLOWS:

1. I am the Applicant/Accused in this matter and have been represented in this matter by Legal Counsel Mr. Steven R. Sager.

2. There has been an Application by Mr. Sager on February 7th, 2008 requesting that this Honourable Court remove him as Counsel of Record.
3. This Application is being heard on March 6th, 2008 in Courtroom 105 before Justice Wright.
4. I am consenting to his removal as Counsel of Record.
5. If this Motion is granted I will require time to retain and instruct new Counsel.
6. I am unable to defend myself and/or elect mode of Trial without proper legal advice.

SWORN before me at)
 The Town of Newmarket)
 in the Regional Municipality)
 of York, Province of Ontario)
 this 5th day of March 2008)

DEREK JAMES DUNLOP

Signed Kerry P. Evans

 “A Commissioner, etc.”

06-Mar-08(accidentally marked 05)
9:15am

I spoke to Mr. Steve Sager about the POSSIBILITY of entering a plea today and what that would entail. Steve informed me that if that were to occur and the case would be adjourned for about 1-2 weeks and that I would return on that date to enter a plea and sentencing would occur at that time.

***** There was no discussion about entering a plea today.**

***** There was also no discussion about electing a mode for trial.**

I informed Mr. Sager that I filed an application with the court. We discussed having that application dismissed.

06-Mar-08 (accidentally marked 05)
9:35am

UPON ENTERING COURT, MR. SAGER INFORMED THE COURT THAT I WAS WILLING TO ENTER A PLEA. THEN HE INFORMED THE JUDGE THAT IT WAS FEAR THAT I WAS PRIMARILY WORRIED ABOUT AND THAT HE WOULD LEAVE IT AT THAT. The Honourable Justice Wright discussed the application dated the 05-Mar-08. It was dismissed.

*****THEN I WAS PUT ON THE SPOT AGAIN TO MAKE A DECISION ABOUT A PLEA. MR. SAGER WANTED ME TO PLEA TO ONE CHARGE AS A GUARANTEE TO THE CROWN. THE HONOURABLE JUSTICE READ THE CHARGE IN RELATION TO Mr. Terry Corbett. I ended up pleading guilty to this charge. I also ended up pleading to the Highway Traffic Act charge.**

*****WILL NEED TO OBTAIN TRANSCRIPT OF COURT**

The Honourable Justice Wright read numerous facts about whether I entered this plea free on my own will and without any pressure. I replied “yes.” However, THIS IS NOT TRUE. I HAVE BEEN PRESSURED BY YOU AND MY FAMILY AND FRIENDS FROM THE ONSET. The Honourable Justice also read other facts about whether I understood.

There was also a change in variation of my recognizance from my mothers to my fathers.

07-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
12:38:38pm
Pg 1 From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com

Hi Steve:

I am fully aware that the Crown Attorney is **not** going to do me any favours. I know that I am **not** a favourite of the Crown, **not** a favourite of the Honourable Justice Wright and I know that I am **not** a favourite of yours.

*****I WANT IT TO BE NOTED THAT I AM LEAVING NOTHING TO CHANCE AND THAT I WILL NOT BE THE BEARER OF ANYMORE UNEXPECTED SURPRISES.**

I am extremely concerned about the events that transpired yesterday in court. Outside the courtroom you informed me that the matter would be adjourned for about a week or two weeks and that we would come back and speak to it then. You also informed me that you and I would have time to discuss the possible options and then you would discuss this with the Crown. You informed me then we would come back enter a plea and sentencing would occur on that adjourned date. THIS DID NOT OCCUR. INSTEAD, I AM PUT ON THE SPOT TO MAKE A DECISION IN RELATION TO A PLEA AT THAT MOMENT. I plea to the charge against Mr. Corbett. I also plea to a Highway Traffic Act charge. YOU DID NOT INFORM me either of these possibly occurring. In addition, I am expecting to make a decision without being informed what either of this pleas could mean to my future.

- 1) I would greatly appreciate it if you could put something in writing attesting all the facts associated with my plea. I ALSO WANT TO KNOW WHETHER THE CROWN WILL BE PROCEEDING TO PROSECUTE ON THE OTHER CHARGES?
- 2) *****I WANT IT TO BE NOTED THAT MY PLEAS THAT WERE ENTERED INTO THE COURT RECORD WERE ENTERED UNDER DURESS AND STRESS AND UNDER A TIME CONSTRAINT. THESE PLEAS WERE ENTERED WITH NO NOTIFICATION FROM YOU THAT THIS MAY TRANSPIRE IN COURT, AS OF YESTERDAYS DATE THE 06-MAR-08.**
- 3) *****I ALSO WANT IT TO BE NOTED THAT MY DECISION TO ENTER A PLEA HAS NOT BEEN ENTERED ON MY OWN FREE WILL. I HAVE RECEIVED PRESSURE FROM YOU, MY FAMILY AND FRIENDS TO ENTER A PLEA AND NOT PROCEED TO TRIAL. This has occurred since the onset of this matter.**

07-Mar-08-
12:38:38pm
Pg 2

- 4) **ONCE AGAIN, I WAS NOT INFORMED ABOUT THE POSSIBLE PROCESSES BY YOU AND I AM PLACED INTO A CORNER TO MAKE ON THE SPOT DECISIONS ABOUT VERY SERIOUS MATTERS.**

- 5) **As I believed that this matter was going to be adjourned for a week or two, I was also unaware that I would still have to elect mode for trial. ONCE AGAIN, YOU DID NOT INFORM ME THAT THIS WOULD BE HAPPENING. AGAIN I AM FORCED TO MAKE A DECISION AT A MOMENTS NOTICE. I HAVE NOW RELINQUISHED MY CHANCE A PRELIMINARY INQUIRY, AND CAN NOT RE-ELECT MODE FOR TRIAL, AS A RESULT OF ELECTING WHAT YOU SUGGESTED. This was something that I was unprepared to do.**

I had prepared a Notice of Application that I brought to Mr. Kerry P. Evans. Mr. Kerry P. Evans switched many of my requests and put these into his own words. I ENDED UP FORWARDING HIS NOTICE OF APPLICATION ANYWAYS. I am sure you aware of this. MR. EVANS APPEARED TO ADJUST THIS NOTICE OF APPLICATION FOR YOUR BENEFIT. I still have a copy of my application that I wanted to have commissioned and entered into the court record.

FURTHERMORE, I WAS NOT INFORMED BY YOU ABOUT WHAT MAY TRANSPIRE IN COURT ON THE 07-FEB-08. PRIOR TO THAT COURT DATE ON THE 07-FEB-08, I WAS INFORMED BY YOU THAT I WOULD BE BEGINNING THIS PROCESS OVER AND THAT I WOULD BE BEGINNING FROM THE JUDICIAL PRE-TRIAL STAGE. YOU DID NOT INFORM ME THAT THE JUDGE COULD BE MOVING THE CASE TO TRIAL. YOU ALSO DID NOT INFORM ME THAT I WOULD HAVE TO ELECT MODE FOR TRIAL.

ONCE AGAIN, YOU, THE CROWN AND THE COURT KNOWING THAT THERE ARE MANY INTRACICIES, DYNAMICS AND COMPLEXITIES INVOLVED WITH MAKING A DECISION TO ELECT MODE FOR TRIAL, PLACE ME IN A CORNER TO MAKE A DECISION ON THE SPOT.

07-Mar-08-
12:38:38pm
Pg 3

YOU PROVIDE ME WITH SPLIT SECOND ADVICE AT THE TIME TO SELECT A PROVINCIAL COURT JUDGE ALONE WITH NO PRELIMINARY. I AM NOT AWARE THAT THIS IS EVEN GOING TO OCCUR AND I AM PLACED IN THAT POSITION. IN ADDITION, I POSSESS NO KNOWLEDGE OF ELECTING A MODE FOR TRIAL.

SINCE I BELIEVE THAT MY FIDICUIARY PRIVILEGE HAS BEEN VIOLATED IN THIS MATTER, I SEE NO REASON NOT TO INFORM BOTH OF MY PARENTS OF ALL OF OUR CORRESPONDENCE FROM THIS MOMENT ON.

I will ensure that my father, Peter Dunlop and my mother, Barbara Dunlop receive a copy of all of our correspondence as of the 07-Mar-08.

IF THIS CASE WERE EVER TO PROCEED TO TRIAL, I AM SURE THAT YOU ARE WELL AWARE THAT 100's and 100's OF PEOPLE WOULD BE CALLED TO TESTIFY.

Thank you for your attention to all of this information.

Yours truly,

Derek Dunlop

cc: Peter Dunlop
Barbara Dunlop

07-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
12:39:02pm
Pg 1 From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com

07-Mar-08

Hi Steve:

I want to inform you that I will **not** entertain any agreements with the CROWN without it being in writing.

My past experience with YOU, Mr. Dennis Fenton and the North Bay case are not great. Things change in a moment and are not what I initially expected.

*****IF THE CROWN IS NOT PREPARED TO NEGOTIATE AN AGREEMENT IN WRITING THEN THERE IS NO SENSE IN PROCEEDING FORWARD.**

I would hope that you would negotiate the following in the agreement:

- 1) That the Crown is willing to proceed by way of summary conviction.**
- 2) That the Crown and accused if in agreement with this arrangement, will not pursue any appeals and that this case will not be re-prosecuted at anytime in the future.**
- 3) That the sentence that is agreed upon can not be superceded by the Honourable Justice Wright or any other Justice, now or in the future.**
- 4) The agreement stipulates what it is that I plea to.**
- 5) That the agreement outlines that EXACT conditions of my sentence. This will include details of what the sentence is comprised of, where it is to be served and who is going to monitor the conditions of sentence. (I am assuming that you will advocate for a conditional sentence)**
- 6) That there is an endorsement section for yourself, the Crown Attorney, the Honourable Justice and myself.**
- 7) I want to be able to view this agreement well before the 10-Apr-08. If it is something that is not satisfactory then a renegotiating could occur.**

07-Mar-08-
12:39:02pm
Pg 2

*****I TRULY BELIEVE THAT I HAVE BE TREATED IN AN UNFAIR, UNJUST AND PRE-JUDICIAL MANNER IN THIS MATTER, I WILL LEAVE NOTHING TO CHANCE.**

I wrote you an e-mail on the 17-Oct-06 informing you about the collusion that has occurred this has NOT appeared to change since that time. This e-mail was sent five days prior to the accident.

At this time, I will assume that you can have some fairly substantial discussions with the Crown prior to Monday 16-Mar-08. I hope to something from you in writing by that date. If not, I will have to determine how I proceed at that time.

Thank you for your attention to this request.

Yours truly,

Derek Dunlop

cc: Peter Dunlop
Barbara Dunlop

07-Mar-08- Steven Sager sent Derek Dunlop an e-mail.
9:02:36pm
Pg 1 From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

After reading your email all I can say is that I am in a state of total shock. I understand that you are under enormous stress and experiencing much anxiety. You have little knowledge of the judicial system which is why you retained me. Derek, you caused a very serious motor vehicle accident, that resulted in personal injuries and in fact could have caused death all while under the influence of alcohol. This is a serious criminal offence. My goal has always been the best solution for you under these very serious charges.

When I attended court on Thursday March 6th it was my understanding that you were going to assume looking after your own case and I was to be removed from the record. YOU WERE THE ONE WHO ADVISED ME THAT YOU THOUGHT THE BEST THING TO DO WOULD BE TO PLEAD GUILTY AND GET IT OVER WITH. I ASKED TO BE VERY CLEAR IN THIS DECISION BEFORE GOING INTO THE COURTROOM. YOU ADVISED ME THAT THIS WAS WHAT YOU WANTED TO DO. I ASKED IF YOU WANTED TO SPEAK TO THIS YOURSELF OR HAVE ME SPEAK TO IT. YOUR REQUEST WAS TO HAVE ME SPEAK TO THIS. I WENT INTO THE COURTROOM AND SPOKE TO THE CROWN WITH RESPECT TO YOUR INSTRUCTIONS. I ALSO ASKED THE CROWN FOR AT LEAST TWO WEEKS TO ALLOW YOU AND I TIME TO GO OVER SUBMISSIONS WITH RESPECT TO SENTENCE. WE GOT A MONTH. THE CROWN AGREED, ALTHOUGH HE WANTED YOU TO PLEAD GUILTY TO ALL OF THE CHARGES, I REFUSED TO AGREE TO THAT, BUT DID AGREE, BASED ON YOUR INSTRUCTIONS OUTSIDE THE COURTROOM, TO A PLEA OF GUILTY ON ONE CHARGE.

***YOU KNEW GOING INTO THE COURTROOM THAT YOU WOULD BE PLEADING GUILTY TO AT LEAST ONE CHARGE BECAUSE YOU ADVISED ME IN THE HALLWAY OF THE COURT THAT THIS WAS INDEED YOU DECISION. YOU WANTED TO PLEAD GUILTY AND GET IT OVER WITH. YOUR INFERENCE THAT THIS WAS A SURPRISE TO YOU INSIDE THE COURTROOM IS SIMPLY UNTRUE.

Justice Wright asked you a number of questions prior to accepting your plea.

1. Do you understand the charge?
Your answer was yes.

2. Do you understand that the crown is proceeding by way of indictment?
Your answer was yes.

07-Mar-08-
9:02:36pm
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**3. Do you understand that the crown could ask for a period of time in jail?
Your answer was yes.**

Justice Wright asked you

**4. Are you pleading to this charge of your own free will?
Your answer was yes.**

**5. Has Mr. Sager or anyone else forced you by way of pressure or fear to plead guilty to this charge.
Your answer was no.**

**6. You are aware that Mr. Sager and the crown will have discussions with respect to sentence?
Your answer was yes.**

7. Are you aware that I am not a party to these discussions and will not be bound by any agreement made by them? Your answer was yes.

These questions and answers are all part of the court record. If my conversations with the crown go well, and I hope they will, THIS MIGHT BE THE ONLY CHARGE YOU WILL BE PLEADING TO. THE CROWN, HOWEVER, HAS THE SOLE DISCRETION WHETHER TO PROCEED WITH ALL THE OTHER CHARGES. DEREK, YOU HAVE PLEADED GUILTY AND MUST PROCEED FROM HERE RATHER THAN CONTINUALLY GRASP AT STRAWS OF WHAT MIGHT BE OR MAKE ANY TYPE OF DEMAND AS TO HOW THE SENTENCE PROCESS WILL PROCEED.

With regards to Mr. Kerry P. Evans, I have absolutely no personal knowledge of this person. I am assuming you are referring to the application that Justice Wright referred to in court with respect to changing the November trial date. This was the document Justice Wright suggested had been created in a law office. Justice Wright made this order for trial preemptive and and as such I do not believe any such motion would have been successful. The reason Justice Wright made an order having all applications and motions brought back before him was for a reason, to make certain that no applications or motions were made to cause any further delay. You were advised o Feb. 7, 2008 by Justice Wright that you were to return to court on March 6, 2008 with a decision on how you elected to proceed. In that time period, you contacted me less than a week before returning to court and I ADVISED YOU, IN MY OPINION, HOW TO PROCEED ONCE AGAIN. Until the morning of March 6, 2008, I believed I would be taken off the record as your counsel.

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9:02:36pm
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YOU REQUESTED I CONTINUE TO REPRESENT YOU WHEN WE MET OUTSIDE THE COURTROOM WITH YOUR FATHER BESIDE YOU.

I have answered numerous lengthy e-mails during the past few months, answering your questions and giving you my opinion as to how you should proceed. On Thursday March 6, 2008 you told me that you wanted to plead guilty and have done with all of this. You stood right beside me, with you father when I advised Justice Wright of your decision. You could have said something then. You did not. You could have stopped it right there. You did not. Justice Wright asked if you wanted me to continue on the record and you said yes. As such Justice Wright dismissed my application to be removed from the record.

On Thursday March 6th, 08 you were given every opportunity to change your mind as to how you wanted to proceed with this case. You chose to proceed with a plea of guilty.

WITH RESPECT TO THE CROWN AGREEING TO PROCEED BY WAY OF SUMMARY CONVICTION AT THIS TIME IS ANOTHER EXAMPLE OF YOUR LACK OF KNOWLEDGE OF THE PROCESS. THE CROWN'S ELECTION IS SET, DUE TO THE SERIOUS NATURE OF THE CHARGE AND YOU SHOULD EXCEPT THIS. THIS IS NOT GOING TO CHANGE.

TO SAY THAT YOU HAVE BEEN TREATED UNFAIRLY AND UNJUST IS SOMETHING YOU SHOULD RETHINK. EVERY SINGLE EMAIL I HAVE RESPONDED TO HAS GIVEN YOU THE ANSWERS TO ALL YOUR QUESTIONS GIVING YOU THE OPPORTUNITY TO THINK AND MAKE WHATEVER DECISION YOU FELT CORRECT.

What you must realize is that you are in the hands of the crown with respect to the charge that you have pleaded guilty to. THE CROWN ADVISES THE COURT WHAT HE BELIEVES IS A CORRECT SENTENCE FOR THE CHARGE. IT IS MY JOB AT THAT STAGE TO GET A SENTENCE THAT DOES NOT INVOLVE JAIL TIME. This is my goal and my only goal at this stage. THE CROWN IS NOT GOING TO GIVE YOU ANYTHING IN WRITING, BECAUSE IN LAW, HE IS NOT REQUIRED TO DO SO. NOR WOULD I ASK FOR IT. Justice Wright is not bound by the crown, not bound by me and MOST DEFINITELY NOT BOUND BY YOU. JUSTICE WRIGHT WILL MAKE THE DECISION ABOUT YOUR SENTENCE BASED ON THE SUBMISSIONS MADE BY MYSELF AND THE CROWN. THIS IS WHERE YOU SHOULD BE DIRECTING YOUR TIME, LOOKING AT WHAT THE SUBMISSIONS SHOULD CONTAIN.

07-Mar-08- (This page in this document will be one page longer than the original
9:02:36pm email- it required 4 pages in this document as opposed to 3 original
Pg 4 pages of the email)

DEREK, I HAVE GIVEN YOU EVERY BIT OF MY EXPERIENCE AND SKILL TO NAVIGATE YOU THROUGH THIS DIFFICULT CASE. YOU WILL EITHER ACCEPT MY OPINION AND ADVICE OR YOU WILL NOT. IF NOT, PLEASE SEND ME A FORMAL LETTER STATING THAT YOU NO LONGER WANT ME TO ACT FOR YOU. I have other clients that I must give time to and this going back and forth with you has taken and exorbitant amount of time.

I STRONGLY SUGGEST THAT YOU REREAD YOUR E-MAIL. ALMOST EVERYTHING IN IT IS FAR FROM FACT.

You are either going to accept responsibility for your own actions or you are not. Remember you were behind the wheel of that car. WHAT EVIDENCE ARE HUNDREDS AND HUNDREDS PEOPLE GOING TO TESTIFY TO THAT ARE GOING TO CHANGE THAT FACT? Remember again there were no procedural errors made by the police nor errors in law to take to trial. GOING TO TRIAL JUST TO HAVE YOUR DAY IN COURT COULD BE COSTLY TO YOUR FREEDOM.

Steven R. Sager

08-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
2:56:13pm

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

Hi Steve:

Once again we have diametrically opposed opinions of the events at court on the 06-Mar-08 and all other issues for that matter. I AM NOT GOING TO BANTER BACK AND FORTH ABOUT THEM ALL, HOWEVER, I WILL EMPHATICALLY STATE THAT YOU ARE WRONG ABOUT WHAT YOU INFORMED ME.

YOU NEVER INFORMED ME THAT ANY OTHER OCCURRENCES WOULD HAPPEN IN THE COURTROOM ON THE 06-MAR-08. YOU HAD SPECIFICALLY INFORMED ME THAT THE MATTER WOULD BE ADJOURNED FOR A WEEK OR TWO AND IN THAT TIME WE COULD DISCUSS WHAT THE PLEA WOULD BE. YOU ALSO INFORMED ME IN THAT TIME OF A WEEK OR TWO WEEK ADJOURNMENT THAT YOU WOULD SPEAK TO THE CROWN AND DISCUSS WITH THEM WHAT THE WHAT THE PLEA AND SENTENCE WOULD BE.

I AM TOTALLY DUMBFUNDED AND CAN NOT BELIEVE THAT ASSERTIONS IN YOUR E-MAIL. YOU WANT TO RE-READ YOUR E-MAIL BECAUSE IT IS SO FAR FROM THE TRUTH.

ONCE AGAIN, I AM NOT AWARE OF WHAT YOU DISCUSS WITH THE CROWN. NOT UNTIL YOUR E-MAIL WAS I MADE AWARE THAT THE CROWN WANTED ME TO PLEA TO ALL 3 CHARGES.

YOU NEVER INFORMED THAT I WOULD BE PLEADING AND YOU NEVER INFORMED ME WHAT I WOULD BE PLEADING TO.

PLEASE DO NOT CONTINUE TO LIE IN YOUR E-MAILS. YOUR ASSERTIONS OF YOUR E-MAIL OF THE 07-MAR-08 ARE INCREDULOUS AND SO FAR FROM THE TRUTH.

Thanks

Yours truly,

Derek Dunlop

08-Mar-08- Derek Dunlop sent hand-typed letter to Steven Sager.
(THIS LETTER INCLUDES A COVER-LETTER AND
10 PAGES OF CONCERNS)

Dear Mr. Steven R. Sager:

Please be informed that I comprised this list of concerns in December 2007. It should be noted that this list is nowhere near exhaustive or comprehensive in nature. Furthermore, this list fails to include many additional concerns and issues that I HAVE HAD WITH YOU SINCE THAT TIME.

IN ADDITION, I AM EXTREMELY CONCERNED WITH THE ENTICEMENT, INDUCEMENT AND ENTRAPMENT FROM YOU AND THE JUSTICE SYSTEM IN RELATION TO THIS MATTER.

I will also be forwarding you a copy of my Notice of Application and a copy of Mr. Kerry P. Evans Notice of Application. This is order that you can view the significant differences.

Thank you.

Yours truly,

Derek Dunlop

cc: Peter Dunlop
Barbara Dunlop

08-Mar-08- **SIGNIFICANT ISSUES, CONCERNS AND BREACHES**

Pg 1

1. You have not considered my best interests.
2. You have violated my fiduciary privilege by having third party contacts without my knowledge and consent.
3. You have had contact with my father violating my fiduciary privilege. I am not sure how this arrangement has transpired but it is ethically pre-judicial to my interests.
4. Upon our initial meeting in October 2006, you informed me that you hourly rate was \$230/hr. Later you informed me that your hourly rate was \$320/hr.
5. You changed your monetary values of your retainer agreements. Pretending to do me a favour.
6. On one occasion you inform me that you could box my Newmarket case for \$20 000. Upon subsequent discussion you informed me that you would box the Newmarket case for \$25 000. It is not a coincidence that the fee increased \$5 000 when you discovered I was going bankrupt.
7. It was ironic that a couple of months later you arrive at a blocked fee figure of \$18 000 (How did you arrive at this amount as it was substantially different than \$25 000)
8. You have informed me months ago that you had printed off case law related to the Newmarket Case. You stated that you mailed this case law to my

08-Mar-08- **SIGNIFICANT ISSUES, CONCERNS AND BREACHES**

Pg 2

8. **father's residence at 3 Sunnyside Road, Corbeil, ON. I have NEVER received any documented case law from you in relation to impaired operation causing bodily harm.**
9. **You had me provide a statement to Mr. Chris Heindl, an insurance adjustor. You weren't going to advise me about what I should or shouldn't say until I asked you. At a later date when referencing this interview with Mr. Heindl, you said that I had not provided the police with much of a statement.**
10. **Apparently there are 6 inches of disclosure which the Crown Attorney in Newmarket has produced. You will not provide me a copy of this documentation nor will you discuss the contents with me.**
11. **Recently in an e-mail you sent on the 23-Nov-07, YOU REFERRED TO THIS 6 INCHES OF DISCLOSURE AS BULLSHIT. YOU ALSO INFORMED ME THAT IT IS ONLY 4 INCHES IN ACTUAL SIZE. (WHAT HAPPENED TO THE OTHER 2 INCHES?)**
12. **IF THIS 4 OR 6 INCHES OF DISCLOSURE WAS ACTUAL BULLSHIT THEN THIS CASE SHOULD NOT BE THAT COMPLEX, SHOULD IT?**
13. **Initially you were always accessible and you have not maintained that level of professionalism or continued with that standard.**
14. **You informed me that you would contact the North Bay Police Service to have my WITHDRAWN charges of Cause a Disturbance and Escape Lawful Custody REMOVED from my CPIC RECORD. YOU never completed this task.**

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Pg 1

COURT APPEARANCES

1. **Initially, you informed me that you preferred your clients to attend all court appearances with you. SUBSEQUENTLY, YOU CHANGED YOUR MIND AND WANTED ME TO SIGN DESIGNATION OF COUNSEL FORMS. YOU PRESENTED THIS AS A FAVOUR TO ME AS IT WOULD REDUCE THE NUMBER OF TRIPS I WOULD HAVE TO MAKE TO COURT. AS A RESULT, I HAVE BECOME SO DISASSOCIATED WITH THE ENTIRE COURT PROCESS, WHEN IT IS ABOUT ME.**

2. **After attending court on my behalf, you have notified me that you would contact me to inform me the outcome of specific court appearances. ON NUMEROUS OCCASIONS YOU DID NOT CONTACT ME TO INFORM OF THE OUTCOME OF MY COURT APPEARANCES, WHEN YOU SAID THAT YOU WOULD DO SO. In those instances, I have eventually had to make contact with you in order to find out the occurrences of court. Furthermore the information you have provided me has been LIMITED AND CONVULUTED. You also have not presented the ongongs of my court matters in a succinct manner.**

3. **In relation to my court date of 09-Jan-08, I COULD NOT GET A DIRECT ANSWER FROM YOU ABOUT THE PERTINENCE OF THIS COURT DATE. UNFORTUNATELY, IT REQUIRED MY LETTER OF 03-DEC-07 TO RECEIVE A WRITTEN RESPONSE FROM YOU IN REGARD TO THE RELEVANCE OF COURT ON THE 09-JAN-08. I AM STILL UNCERTAIN ABOUT THE POSSIBLE OCCURRENCES OF COURT ON THE 09-JAN-08, AS YOU HAVE BEEN SO EVASIVE IN ANSWERING MY QUESTIONS. FURTHERMORE, I REQUIRE CLARIFICATION ABOUT THE DYNAMICS OF COURT ON THE 09-JAN-08.**

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Pg 1

BARRIE CASE

1. **You constantly informed me over & over again that the Barrie case would be WITHDRAWN upon my completion of PARS. You said you had an AGREEMENT with the Crown Attorney whom I believe to have been Ms. Kate Hull.**
2. **I requested in writing that you obtain written confirmation from the Barrie Crown attesting to the above AGREEMENT. MR. SAGER YOU DID NOT ACQUIRE WRITTEN DOCUMENTATION IN RELATION TO THIS REQUEST NOR DID YOU ACKNOWLEDGE MY THIS REQUEST.**
3. **I also suggested that we have the case DISMISSED upon my completion of Pars. YOU WERE NOT WILLING TO PURSUE THIS WITH THE BARRIE CROWN AND IT WAS NOT A VIABLE OPTION ACCORDING TO YOU.**
4. **This case was eventually STAYED for 12 months WITHOUT MY AGREEMENT OR CONSULTATION. I WAS NOT INFORMED ABOUT THIS OCCURRENCE UNTIL AFTER THE FACT. YOU INFORMED ME THAT THE BARRIE CROWN HAD CHANGED THEIR MIND IN RELATION TO HAVING THE CASE WITHDRAWN. You notified me that Ms. Maria Malvaso was apparently claiming that she was afraid of me.**
5. **On 22-Jun-07, YOU STATED THAT THE NEWMARKET CROWN ATTORNEY, BETH BARNIER HAD HAD PREVIOUS DEALINGS WITH SIMCOE C. A. S. MS. BARNIER INFORMED YOU THAT SIMCOE C. A. S. WAS ONE OF THE MOST DYSFUNCTIONAL C. A. S.'s TO DEAL WITH. MR. SAGER YOU SAID THAT MS. BARNIER NOTIFIED YOU THAT THERE WAS SOME MALE WHO ENDED UP COMMITTING SUICIDE AS A RESULT OF WORKING AT SIMCOE C. A. S.**

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Pg 1

WHITE CASE

1. **You informed me about the White Case that you were apparently going to use as part of our defense strategy, KNOWING FULL WELL THAT THIS WOULD NOT WORK.**
2. **You notified me that the WHITE CASE was part of YOUR PRE-TRIAL discussion material in your e-mail dated the 09-JUL-07, You knew at that time that it would NOT HELP as you stated in that e-mail (09-JUL-07- that my own admission put me behind the wheel.**
3. **On the 15-Aug-07 you informed me that you could not really argue the White Case as it was brought up by the Crown that I had admitted to the female officer that I was behind the wheel. You previously had knowledge of this as you REFERRED to this in your e-mail date 09-JUL-07. (We both already knew this).**
4. **You would not provide me any answers to my research about this case. I informed you that I discovered a Joann Kimberly White Case that went to the Supreme Court of Canada in 1999. You did not respond to me to notify me whether this was the case or not.**
5. **You allowed me to continue to research and did not respond to my e-mails about the White Case. Subsequently, I notified you that I found a White Case in Nova Scotia in 1994 but I did not believe this was the case. You did NOT ACKNOWLEDGE this e-mail either.**
6. **After requesting you to provide me the CITATION and DOCKET numbers to the WHITE CASE on NUMEROUS OCCASIONS AND YOU SAID YOU WOULD DO SO, I waited for a response. YOU NEVER DID PROVIDE THE INFORMATION TO ME.**

08-Mar-08- MITIGATING FACTORS AND REMORSE LETTERS

Pg 1

1. You have not focused on the mitigating circumstances associated with the Newmarket Case that would assist in my defense.
2. Initially, you did not even want to discuss the mitigating factors with me. When I suggested to provide you with a list of the mitigating factors, you said that that would NOT be necessary as you knew some of those factors anyway.
3. **ON MY OWN VOLITION, I PROVIDED YOU A LIST OF MITIGATING CIRCUMSTANCES THAT IS COMPREHENSIVE BUT NOT EXHAUSTIVE. THE RARE DISCUSSION OF THESE FACTORS HAVE ALWAYS BEEN INTRODUCED BY ME DURING SOME OF OUR DISCUSSIONS.**
4. **I CONTINUOUSLY ASKED YOU IF I SHOULD PROVIDE REMORSE LETTERS. YOU ADVISED ME NOT TO DO SO.**
5. **FROM THE ONSET OF THE ACCIDENT I WANTED TO EXPRESS MY REMORSE. ON MY OWN ACCORD I COMPILED REMORSE LETTERS TO MR. T. SODHI AND MR. T. CORBETT. THESE LETTERS WERE DATED 11-JAN-07 AND I FORWARDED THESE LETTERS TO YOU.**
6. **ON NUMEROUS OCCASIONS I HAVE ASKED YOU IF YOU HAVE FORWARDED THE REMORSE LETTERS ONTO THE NEWMARKET CROWN ATTORNEY. YOU HAVE INFORMED ME THAT YOU HAVE NOT DONE SO. AS FAR AS I KNOW YOU STILL HAVE NOT FORWARDED THE REMORSE LETTERS TO THE CROWN.**

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Pg 1

PROPOSED MEETING

1. **On 16-Aug-07- YOU suggested that you and I get together for a meeting for an hour. THIS STILL HAS NOT COME TO FRUITION.**
2. **On 15-Nov-07- YOU sent me an e-mail requesting to meet with both parents and myself.**
3. **On 21-Nov-07- Steve asked me to coordinate a time to get my mother and father together to meet in December. Mr. Sager said that his schedule was open in December and he could probably accommodate any time. (preferably a week day)**
4. **On 23-Nov-07- YOU are still requesting a meeting with both of my parents, myself, and now the fellow from AA had been added.**
5. **On the 03-Dec-07- YOU are still wanting to set-up a meeting.**
6. **On the 13-Dec-07- I contacted you and asked you if you could meet on Tuesday 18-Dec-07. You said that you did not see a problem but you would have to check your daytimer and get back to me.**
7. **ON THE 14-DEC-07, I CONTACTED YOU TO DETERMINE IF TUESDAY 18-DEC-07 IS A GOOD DAY TO MEET. YOU INFORM ME THAT YOU CAN JUST TALK TO EVERYONE OVER THE TELEPHONE AS OPPOSED TO EVERYONE MEETING.**

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Pg 1

CIVIL SUIT

1. **I am unaware of any Civil Statement of Claim, but I am assuming there is a wrongful injured Civil law suit.**
2. **As of 15-May-07, YOU informed me that you were unaware of any civil lawyer being involved. I informed you that I believed Mr. Rocco Lofranco of Lofranco & Chagpar was representing Mr. Sodhi in this matter.**
3. **Initially you informed me that the severely injured person in the accident had a broken scapula & broken ribs. UPON A SUBSEQUENT DISCUSSION WITH YOU, YOU INFORMED ME THAT THEY ALSO HAD A BROKEN CLAVICLE. LATER ON, YOU RECANTED THIS STATEMENT AND SAID THAT HE DID NOT HAVE A BROKEN CLAVICLE.**
4. **YOU HAVE INFORMED ME THAT MR. SODHI HAS HAD NO CATASTROPHIC INJURIES AND DOES NOT MEET THE THRESHOLD TO WARRANT A CIVIL LAW SUIT.**

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Pg 1

PSYCHOLOGIST/PSYCHIATRIST

1. **On the 28-Aug-07, YOU hinted at the fact that I probably should speak to a psychologist.**
2. **On the 22-Oct-07, YOU are still insisting I meet with a psychologist as it would be good if they could assess whether I will DRINK again or not.**
3. **IN YOUR LETTER DATED 03-DEC-07 YOU WRITE THAT I WAS TO SPEAK TO MY AA SPONSOR AND SEE IF HE COULD DIRECT ME TO A SOCIAL WORKER OR PROFESSIONAL WHO DEALS WITH DRINKING PROBLEMS AND HOW ONE DEALS WITH THE EFFECTS ON A SOCIOLOGICAL LEVEL. *****THIS IS TOTALLY DIFFERENT FROM A PSYCHOLOGIST OR PSYCHIATRIST.****

08-Mar-08-
Pg 1

MISCELLANEOUS

1. You have not discussed or incorporated the Labour Law aspect related to my Newmarket case.
2. On 21-Nov-06- YOU spoke to me about SELLING MY HOUSE IN BARRIE. I HAD NOT INFORMED YOU ABOUT THIS. WHO INFORMED YOU ABOUT THIS?
3. You have informed me that you have NEVER had contact with my previous defense attorney, MS. MARY HALL in relation to my cases.
4. WHEN I HAVE ASKED YOU IF YOU HAVE TALKED TO MR. VICTOR MATANOVIC SR., YOU DO NOT RESPOND AND DISREGARD MY QUESTION.
5. On your e-mail dated the 16-Jul-07, YOU SAID THAT YOU REQUESTED A JUDICIAL TRIAL. IS THERE A TRIAL OR NOT?
6. My request to have my bail conditions varied in order that I reside with my mother, Barbara Dunlop became a COMPLICATED PROCESS AND WAS IGNORED ON NUMEROUS OCCASIONS.
7. On the 22-Oct-07- YOU SAID YOU WERE GOING TO PUT SOMETHING IN WRITING AND SEND IT TO ME. YOU DID NOT SEND ME ANYTHING.
8. On the 21-Nov-07- you informed me that you had fallen down the stairs and you had broke your ankle.
9. On the 23-Nov-07- in your e-mail you informed me that you had 2 sprained ankles and a fractured left foot.

09-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
10:42:18am

Pg 1 From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com

09-Mar-08

Hi Steve:

In the most serious of cases in which the lives of 2 individuals have been drastically altered, YOU PLAY GAMES. Well, I will not be playing anymore games and there will be no more BEATING AROUND THE BUSH.

ON THE 06-MAR-08, YOU COLLUDE WITH THE CROWN ATTORNEY TO HAVE ME PLEA TO 1 OF THE 2 MOST SERIOUS CHARGES IN THIS CASE. IT IS THE LEAST SERIOUS (INJURY WISE) OF THE 2 SERIOUS IMPAIRED CAUSING BODILY HARM CHARGES. YOU ALSO COLLUDE TO HAVE ME PLEA TO THE HIGHWAY TRAFFIC ACT. THIS IS DONE IN A PRE-MEDITATED MANNER, AS IT IS KNOWN THAT IF I PLEA TO THOSE CHARGES THAT I WOULD OBVIOUSLY HAVE TO BE GUILTY OF THE OTHER CHARGES AND THE CROWN WILL PROSECUTE ON THOSE OTHER CHARGES. IT IS OBVIOUS THAT IF I PLEA TO IMPAIRED CAUSING BODILY HARM THAT I AM GOING TO BE GUILTY OF OVER 80MGS.

*****THE HONOURABLE JUSTICE IS EVEN PREPARED AS WITHOUT HESITATION HE READS THE CHARGE IN RELATION TO MR. TERRY CORBETT. (THIS IS NOT A COINCIDENCE)**

YOU KNOW IT, THE CROWN KNOWS IT, THE HONOURABLE JUSTICE WRIGHT KNOWS IT, MY FATHER KNOWS IT, ANYONE ELSE WHOM YOU HAVE DISCUSSED THIS WITH KNOWS IT, THE ENTIRE NEWMARKET COURTHOUSE PROBABLY KNOWS IT AND I DEFINITELY KNOW IT.

*****THERE ARE MANY OTHERS THAT ARE GUILTY AND LIABLE IN THIS MATTER AND THAT INCLUDES YOU. YOU KNOW IT AND I KNOW IT.**

YOU HAVE WORKED SO FEVERISHLY HARD TO PROVIDE ME WITH NO OPTIONS IN THIS CASE. YOU HAVE CONTINUOUSLY STATED THAT YOU HAVE DONE EVERYTHING POSSIBLE FOR ME (LIE) YOU HAVE DONE EVERYTHING POSSIBLE FOR THE BENEFIT OF THE CROWN. YOU HAVE NOT LOOKED OUT FOR MY BEST INTERESTS AFTER BEING PAID GOOD MONEY TO DO SO. I ALSO INFORM YOU ABOUT THE COLLUSION AND CONSPIRACY THAT I HAD EXPERIENCED DURING OUR INITIAL MEETING WHICH WAS DAYS BEFORE THE ACCIDENT. INSTEAD OF HELPING ME, YOU DECIDE TO JUMP ABOARD AND WORK DILIGENTLY TO DESTROY ME.

09-Mar-08-
10:42:18am
Pg 2

You have ensured through numerous professional contacts, your own knowledge, experience and research, discussion with the Crown and Honourable Justice Wright behind closed doors that there APPARENTLY are NO TRIALABLE ISSUES, NO ERRORS AT LAW and NO PROCEDURAL ERRORS by the POLICE. This was on a pre-meditated basis in order to back me into a corner and hopefully FORCE ME INTO A GUILTY PLEA. AT ALL TIMES NOT KEEPING ME INFORMED.

YOU WANTED ME TO ENTER A GUILTY PLEA WITHOUT INFORMING ME WHY. *I TELL YOU WHY, THE REASON WHY IS THAT YOU WANT TO ENSURE THAT NOBODY ELSE IS HELD LIABLE IN THIS MATTER.**

ON 07-MAR-08, YOU RESPOND TO MY E-MAIL AND HAVE THE AUDACITY TO COVER-UP YOUR SET-UP WITH LIES. OF COURSE, YOU ARE GOING TO DO THIS BECAUSE YOU WOULD NEVER ADMIT TO LYING IN THIS MATTER.

YOU HAVE TRIED TO FORCE, COERCE, ENTICE, INDUCE ME INTO A PLEA OF GUILTY IN THIS MATTER. UPON BEING UNSUCCESSFUL IN DOING THIS, YOU THEN ENTRAP ME INTO A PLEA ON THE 06-MAR-08. ALL THE WHILE WORKING FOR THE CROWN AND NOT INFORMING OF ANY OF THE PROCESSES.

EVERYBODY REALIZES THAT IF THIS CASE GOES TO TRIAL, WHAT THIS WILL MEAN. I TRULY BELIEVE THAT Mr. Corbett and Mr. Sodhi SHOULD BE MADE PRIVY OF ALL OF THE CRIMINAL ACTS OF ALL OTHERS INVOLVED. IT WOULD BE VERY INTERESTING TO FIND OUT ABOUT THE CONSPIRACY, COLLUSION, CORRUPTION, COLLABORATION, COINCIDENCES AND COVER-UPS.

All the best,

Derek

09-Mar-08- Derek Dunlop sent Steven Sager an e-mail
11:14:22am
Pg 1 From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com
Re: **A copy of all other disclosure and your contacts (Newmarket)**

09-Mar-08

Hi Steve:

After finally willing to provide me a copy of the 6 inches of disclosure, which turn out to be ABOUT 3 INCHES of DISCLOSURE (CONSIDERABLE DIFFERENCE). I informed you that I was going to send you a list, but you said not to bother.

HERE IS THE LIST THAT I WAS GOING TO PREVIOUSLY SEND YOU.

I would greatly appreciate a copy of all the following:

- 1) ALL COURT TRANSCRIPTS RELATING TO THIS MATTER- AS IT APPEARS THAT YOU HAVE THEM.**
- 2) A copy of all contact with my father by telephone, e-mail, meetings, verbal or anything else.**
- 3) Your contacts with Ira Book by telephone, e-mail, meetings, verbal or anything else.**
- 4) Your contacts with any other experts, lawyers, by telephone, e-mail, verbal, or anything else.**
- 5) If you have not already done so order a copy of all police communications, the night of the accident, ie: Dispatch Transmissions, radio communications, a video-tape of the booking, a video-tape of the breathalyzer and so on.**
- 6) Fire Department records of accident.**
- 7) The Accident Scene Reconstruction expert's notes that you had review the OPP report.**
- 8) A copy of any documentation that the Crown may have previously given you in relation to their expectations of a sentence of 4-6 months of custody.**
- 9) Any contacts with Mr. Dennis Fenton, by telephone, e-mail, verbal or anything else.**
- 10) Any contacts with Ms. Mary Hall, by telephone, e-mail, verbal or anything else.**
- 11) Any contacts with Mr. Victor Matanovic Sr., by telephone, e-mail, verbal or anything else.**

09-Mar-08-
11:14:22am
Pg 2

- 12) Any contacts with Mr. Art Messom, from my AA Group by telephone, e-mail, verbal or anything else.**
- 13) Any contacts with my surety, Ms. Peggy(Margaret Greer), by telephone, e-mail, verbal or anything else.**
- 14) Any contacts with my mother, Ms. Barbara Dunlop, by telephone, e-mail, verbal or anything else.**
- 15) Any contacts with any other police officers, including contact with any members of the Barrie Police Service, North Bay Police Service, Aurora O. P. P. or any other officers of any service by telephone, e-mail, verbal or anything else.**
- 16) A copy of any media reports, clippings, Sgt. Cam Wooley's report and so forth.**
- 17) A toxicology report.**
- 18) Any other contacts, documentation, notes, correspondence that you have in relation to this matter.**

Thank you.

Yours truly,

Derek Dunlop

09-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
11:32:16pm
Pg 1
From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com
Re: A copy of all of your disclosure (Barrie)

09-Mar-08

Hi Steve:

I would greatly appreciate it if you could provide me a copy with all the following in relation to Barrie.

- 1) A copy of all of your contacts with Crown Attorney, Ms. Kate Hull or any other Crown Attorney that you dealt with in this matter, by telephone, e-mail, meetings, verbal or anything else.**
- 2) A copy of any case law that you dealt with or referred to in relation to this matter.**
- 3) A copy of all court transcripts in relation to this matter.**
- 4) A copy of all communications with my father, Peter Dunlop, by telephone, e-mail, meetings, verbal or anything else.**
- 5) A copy of all police documents in relation to this matter, including CVD's, DVD's, radio communications, video-taped interviews, apparent 911 call and anything else you may have.**
- 6) A copy of all communications with any police officers of the Barrie Police Service, OPP, the North Bay Police Service and so on.**
- 7) A copy of your request to the North Bay Police Service to have my withdrawn charges of cause a disturbance and escape lawful custody removed from my CPIC record.**
- 8) Any victim impact statement that you may have.**
- 9) A copy of all statements by witnesses interview by the Barrie Police Service in this matter.**
- 10) A copy of any of the documents that you may have from the independent investigation conducted by Simcoe C. A. S.**
- 11) A copy of all of your contacts with Ms. Peggy Greer in relation to this matter by telephone, e-mail, meetings, verbal or anything else.**

09-Mar-08-
11:32:16am
Pg 2

12) A copy of all of your contacts with my mother Ms. Barbara Dunlop by telephone, e-mail, meetings, verbal or anything else.

13) A copy of all your contact with Mr. Jonathan Collins, PARS facilitator, by telephone, e-mail, meeting, verbal or anything else.

14) A COPY OF ANY THE CONTACTS BETWEEN YOURSELF STEVEN R. SAGER AND MYSELF DEREK DUNLOP IN RELATION TO THIS MATTER.

15) A copy of any other documentation, correspondence, contacts in relation to this matter.

Thank you.

Yours truly,

Derek Dunlop

09-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
11:42:16am

From: Derek Dunlop (derekdunlop12@hotmail.com)

To: srsager@rogers.com

Re: Additional request for Newmarket Contacts

09-Mar-08

Hi Steve:

I would greatly appreciate it if you would please forward any of the following:

- 1) **A copy of any contacts with Mr. Rocco Lofranco who is Mr. Sodhi's civil lawyer in this matter by telephone, e-mail, meetings, verbal or anything else.**
- 2) **A copy of any contacts with any other civil lawyers who may be representing Mr. Corbett or Mr. Sodhi, by telephone, e-mail, meeting, verbal or anything else.**
- 3) **A copy of any contacts with Mr. Chris Heindl, Insurance Adjustor, by telephone, e-mail, meetings, verbal or anything else.**
- 4) **A copy of any contacts with Gore Mutual Insurance (Mark Bernier), by telephone, e-mail, meetings, verbal or anything else.**
- 5) **A copy of any of the contacts between yourself, Mr. Steven R. Sager and myself Derek Dunlop.**

Thank you.

Yours truly,

Derek Dunlop

09-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
12:16:38pm
From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com
Re: All of your other lies in these matters.

09-Mar-08

Hi Steve:

AT THIS TIME, I AM GOING TO REFRAIN FROM PROVIDING YOU A LIST OF ALL OF YOUR OTHER LIES IN THESE MATTERS, HOWEVER, YOU AND I BOTH KNOW THAT THEY ARE SUBSTANTIAL, SERIOUS AND PLENTIFUL.

As a result, the abundance of lies and cover-ups of your e-mail dated that 07-Mar-08 will be EASILY UNCOVERED. YOU MUST HAVE SPENT A CONSIDERABLE AMOUNT OF TIME DEVISING THAT STORY THAT YOU PUT TOGETHER IN YOUR E-MAIL DATED THE 07-MAR-08.

IT IS BAD ENOUGH THAT YOU HAVE INTENTIONALLY TRIED TO DESTROY MY LIFE AND KNOW YOU MAKING UP FICTITIOUS AND FABRICATED EVENTS. I HOPE THAT YOU ARE PREPARED TO TESTIFY TO THIS INFORMATION.

Yours truly,

Derek Dunlop

09-Mar-08- Steven Sager sent Derek Dunlop an e-mail.
12:33:53pm
From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Dear Derek

I AM SORRY THAT YOU FEEL THIS WAY. I HAVE NOT LIED TO YOU NOR COLLUDED IN ANY FASHION BUT RATHER HAVE AT ALL TIMES ENDEAVOURED TO SEEK A FAIR JUST RESOLUTION TO YOUR CASES.

AFTER ALL, I DID ACHIEVE A STAY FOR THE BARRIE CHARGES WHICH WAS A GOOD RESULT, IF YOU WOULD LET ME DO MY JOB, NEWMARKET COULD BE A GOOD RESULT TOO.

Yours truly,
Steve Sager

The next page is another copy (included in this document on page 220) of the e-mail that Derek Dunlop sent to Steven Sager on 09-Mar-08 @ 12:16:38pm and includes a blank page.

The next 2 pages are in relation to a letter of apology that I sent to Ms. Carriere, Ms. Porter & Mr. Pollard. I do not believe that I ever did sent Mr. Steven R. Sager a copy of this letter although I intended to do so. I provided a copy of the letter to both my mother and father.

The next 2 pages are in relation to a letter of apology that I sent to Ms. Carriere, Ms. Porter & Mr. Pollard. I do not believe that I ever did sent Mr. Steven R. Sager a copy of this letter although I intended to do so. I provided a copy of the letter to both my mother and father.

24-Mar-08- Derek Dunlop sent Steven Sager an e-mail.
12:16:36pm

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

24-Mar-08

Hi Steve:

I am wondering if you plan on responding to my requests for the documentation that I have requested in relation to the Newmarket and Barrie matters. Please let me know what your intentions are in relation to my requests.

I am wondering if you intend to continue to represent me in the Newmarket matter in light of where things stand. Please let me know what your intentions are and whether you intend represent me or if you intend to file an application to have yourself removed from the record.

If you are still working on my behalf, I would assume that you and the Crown have a discussed the terms of sentence as this has already been established months ago. Please let me know where this stands. I am also of the belief that no matter what you and the Crown decide that there is a possibility that the Honourable Justice can overrule the agreement between the Crown and yourself (our defence) and establish his own ruling.

Please respond as soon as possible, because if this case does proceed to trial, I will need to educate myself about my next course of action.

Thank you.

Yours truly,

Derek Dunlop

27-Mar-08- Steven Sager sent Derek Dunlop an e-mail.
11:01:25am

From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)
Re: April 10th hearing

Derek,

Could you please give me a telephone number and time I can call Friday afternoon.

Have you spoken to your AA sponsor for an up dated letter as I requested?

Steve Sager

28-Mar-08- Derek Dunlop sent Steve Sager an e-mail
10:18:33am
From: Derek Dunlop (derekdunlop12@hotmail.com)
To: Steven Sager (srsager@rogers.com)

28-Mar-08

Hi Steve:

At this time, I will request that any further communication and correspondence between us be conducted by e-mail. Your consideration would be greatly appreciated.

Thank you for your attention to this request.

Yours truly,

Derek Dunlop

28-Mar-08- Steven Sager sent an e-mail to Derek Dunlop
2:20:36pm
From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

Did you get an up dated letter from the fellow at AA?

Steve Sager