

28-Mar-08- Steven Sager sent Derek Dunlop an e-mail.
7:03:48pm

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

Derek,

I have a meeting with the Crown on Monday morning to discuss your case. I want to know what you plan on doing on the 10th. I need your instructions. I do not want to keep going back and forth with e-mail, so please call me or give me a number where you can be reached. CORRESPONDING VIA EMAIL IS EXTREMELY TIME CONSUMING AND I PREFER TO COMMUNICATE VERBALLY WITH YOU AS I DO WITH ALL MY CLIENTS IN ORDER TO ANSWER AND ASK QUESTIONS AS THEY ARISE THROUGHOUT THE CONVERSATION.

If your intent is to attempt to withdraw your plea I need to know. IF YOU ARE GOING TO LET ME DO THE JOB I WAS RETAINED TO DO AND MAKE SUBMISSIONS I NEED TO KNOW. AT THE MOMENT I HAVE NO IDEA WHAT YOUR INTENTIONS ARE. THIS DILEMMA IS CAUSED BY YOUR LONG E-MAILS WITH REQUESTS FOR NUMEROUS DOCUMENTS, SOME MOST OF WHICH YOU ALREADY HAVE AND SOME OF WHICH DO NOT EXIST.

YOU HAVE CAUSED ME SOME SERIOUS CONCERN BY REQUESTING TRANSCRIPTS, TOXICOLOGY REPORTS AND SO ON. SUCH OFFICIAL DOCUMENTS ARE NOT AVAILABLE FREE OF CHARGE. THIS TYPE OF COST IS NOT COVERED BY YOUR RETAINER. Experts reports and transcripts are at a client's cost and can run into thousands of dollars. HAD I WANTED TO EMPLOY A TOXICOLOGY EXPERT I REQUIRED YOUR WRITTEN PERMISSION FOR ANYTHING OVER ONE THOUSAND DOLLARS.

I SINCERELY BELIEVE I CAN STILL HELP YOU WITH REGARDS TO THIS MATTER AND ASK YOU TO TRUST ME THAT I ONLY HAVE YOUR BEST INTEREST AS MY GOAL.

Steve Sager
416-525-5346

31-Mar-08- Steven Sager sent Derek Dunlop an e-mail.
4:57:10pm From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop(derekdunlop12@hotmail.com)

Derek,

I met with the Crown today at Newmarket Court. (Mr. Amit Ghosh) This meeting in my opinion went very well. I went into a great deal of detail with respect to the Barrie matters the betrayal factors involved and the HARSH over the top criminal charges that, in the end, were STAYED. I also spoke to the tremendous stress you have been under and the feelings of remorse and guilt you have had with respect to the injuries to the other drivers, even though they were VERY MINOR, it has still caused you great concern. The fact that you have been attending AA meetings. I GAVE THE CROWN THE LETTERS YOU WROTE TO THE VICTIMS, WHICH HE THOUGHT SAID A LOT ABOUT YOUR CHARACTER. I also gave him a copy of the letter from your AA sponsor and the one from your mother. All made a solid impression.

The Crown admits that our meeting today has SOFTENED his position. We are both looking at case law that will support a Conditional Sentence to be put before Justice Wright. He feels that my arguments do point out that you are person who deserves a break and a Conditional Sentence MAY NOT BE OUT OF ORDER.

He and I will be talking again this week so I will have his position in writing. I have asked him to send it to me via e-mail and I will forward a copy to you. NOTHING HAS BEEN AGREED TO AS OF YET.

AT THE MOMENT TAKING INTO ACCOUNT THE FEED BACK I GOT FROM THE CROWN TODAY I FEEL THAT THIS MATTER is going to go this way.

- 1. A continuation of your driving suspension.** (Taking into account that you have not been allowed to drive for the last year and half).
- 2. Some community service** (the fact that you have always given to the community had a strong bearing on the discussions and your strong feelings about working with young people with the hopes that they will learn by your example)
- 3. A three to for month house arrest conditional sentence.** (The crown may still ask for a period of custodial custody pursuant to the AG's directive, **but he says it is not something that he will necessarily push for, in fact he well may agree to my position of a conditional sentence**)
- 4. The other charges to be withdrawn.**

As soon as I hear from the Crown I will forward the information on to you.

Steve Sager

04-Apr-08- Derek Dunlop sent Steven Sager an e-mail.
10:36:43am

From: Derek Dunlop (derekdunlop12@hotmail.com)

To: srsager@rogers.com

Re: My e-mails dated the 09-Mar-08 and 24-Mar-08

04-Apr-08

Hi Steve:

I am wondering if you have any intention of responding to my e-mails from the 09-Mar-08 and the 24-Mar-08.

Yes or No.

I am wondering if you have any intention of forwarding me any documentation I have requested in relation to the Barrie matter and the Newmarket matter.

Yes or No.

If you do have any intention of forwarding me any of the requested documentation, what documentation will you be forwarding me and when will you be forwarding that documentation to me?

You still have not answered my question about the Honorable Justice and whether he can overrule the agreement made between the Crown and yourself. Can the Honorable Justice establish his own ruling, regardless of what you and the Crown decide?

I AM ASSUMING THAT YOU HAVE NOT RECEIVED AN E-MAIL FROM THE CROWN AS OF YET.

Thank you for your attention to these inquiries.

Yours truly,

Derek Dunlop

04-Apr-08- Steven Sager sent Derek Dunlop an e-mail.
4:31:03pm
From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

With regards to your requests for further documentation, anything I have in my possession from the Barrie matter you have or it is contained in the box you asked me to hold on to at your last court appearance.

AS FAR AS NEWMARKET IS CONCERNED ALL I HAVE ARE PHOTOCOPIES OF THE ORIGINAL DOCUMENTS SENT ON TO YOU PURSUANT TO YOUR REQUEST. EVERYTHING I HAVE OR HAVE HAD OF ANY IMPORTANCE WAS SENT AS PART OF THAT FILE.

YOU HAVE ALL THE DOCUMENTATION THAT I HAVE EVER RECEIVED WITH REGARDS TO YOUR CASES. AS FAR AS THE RESEARCH DOCUMENTATION, EITHER YOU HAVE BEEN PROVIDE WITH THE RESEARCH OR THE CITATIONS TO ACCESS THE LAW THAT HAS BEEN RESEARCHED.

YES JUSTICE WRIGHT CAN DISAGREE WITH ANY AGREEMENT THAT THE CROWN AND I MAY COME UP WITH, BUT IT WOULD BE HIGHLY UNLIKELY IN MY OPINION.

I HAVE NOT RECEIVED AN E-MAIL FROM THE CROWN, AS SOON AS I DO YOU WILL GET IT SENT ON TO YOU FORTHWITH.

Steve Sager

The next page is just another copy of the e-mail that Derek Dunlop sent to Steven Sager on 04-Apr-08 @ 10:36:43am that is contained on page 231 of this document.

07-Apr-08- Derek Dunlop sent Steven Sager an e-mail.
9:50:40am
Pg 1
From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com
RE: Notice of Application.

07-Apr-08

Hi Steve:

At this time, I am going to have create my own Notice of Application, I DO NOT TRUST YOU or the SYSTEM in this matter or any matter related to me. I HAVE PREVIOUSLY REQUESTED THAT YOU BE REMOVED FROM THE RECORD IN THIS MATTER. UNFORTUNATELY, THIS REQUEST HAS NOT COME TO FRUITION.

ON NUMEROUS OCCASIONS, I HAVE NOTIFIED YOU ABOUT THE COLLUSION, CONSPIRACY, CORRUPTION, COINCIDENCES, COVER-UPS AND SO FORTH.

YOU AND THE CROWN would have definitely known something by now. THESE STALL TACTICS ARE UNFATHOMABLE AND ARE A DISSERVICE TO THE VICTIMS AND MYSELF. MONTHS AGO YOU AND THE CROWN HAD AN IDEA ABOUT A POSSIBLE SENTENCE. The continuous delays are just Status Quo for my case and just ANOTHER GAME.

IT IS SO DISHONORABLE THAT WE LIVE IN A SYSTEM THAT TEACHES AND INFLUENCES PEOPLE TO LIE AND BE DECEITFUL. WE ARE TAUGHT TO TELL THE TRUTH WHEN WE ARE YOUNG AND EVERYBODY WHO HAS BEEN INVOLVED WITH MY CASE HAS LIED AND CONTINUES TO DO SO.

*****YOU CONTINUE TO SUGGEST THAT YOU WANT TO HELP ME. AS I HAVE SAID BEFORE, ALL YOU ARE CONTINUING TO DO IS ASSISTING THE CROWN IN THIS MATTER.**

I will proceed to trial.

I am also well aware that even if you do forward me an offer from the Crown that it will not be WORTH the paper that it is on. FURTHERMORE, IT WILL NOT BE LEGALLY BINDING IN ANY WAY, SHAPE OR FORM.

Your opinions about how you view the case will turn out (your e-mail dated 31-Mar-08) and your opinion that the Honorable Justice Wright will not overrule the decision by you and the Crown are all just a façade.

07-Apr-08-
9:50:40am
Pg 2

*****This is just another one of your lies because I asked you TWICE after the Court date on the 07-Mar-08 if the Honorable Justice can overrule what you and the Crown present as far as a term for sentence. YOUR ANSWERS BOTH TIMES WERE “NO,” THE HONORABLE JUSTICE CANNOT OVERRULE THE TERM FOR SENTENCE PRESENTED BY YOU AND THE CROWN.**

I HAVE NEVER WANT TO PLAY GAMES BUT EVERYONE INVOLVED IN THIS CASE HAS AND CONTINUES TO DO SO.

PLEASE LET ME KNOW WHAT YOU WILL BE DOING IN RELATION TO MY MATTER, AS I KNOW YOU HAVE NO INTENTION IN REPRESENTING ME. YOU ARE ONLY DOING SO AS AN ASSISTANCE TO THE CROWN.

Thanks.

Yours truly,

Derek Dunlop

07-Apr-08- Steve Sager sent Derek Dunlop an e-mail.
4:36:49pm
From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Dear Derek

I am truly sorry that you are unable to believe me when I repeat once again that I have always worked with only your best interest as my goal in both of your legal cases. I am still awaiting the information from the crown and will forward it to you as soon I receive it.

I will see you Thursday.

Steve Sager

The next page is a copy of the e-mail Derek Dunlop sent to Steven Sager on the 07-Apr-08 @ 9:50:40am. This e-mail is contained in this document on pages 234 & 235.

08-Apr-08- Derek Dunlop sent Steven Sager an e-mail.
11:13:52am

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

08-Apr-08.

Hi Steve:

IT CERTAINLY DOES NOT SURPRISE ME THAT YOU HAVE NOT HEARD FROM THE CROWN. YOU WERE SUPPOSED TO HEAR FROM HIM LAST WEEK. WHEN YOU INFORMED ME THAT THE CROWN WAS GOING TO PUT SOMETHING IN WRITING AND SEND IT VIA E-MAIL, I KNEW THAT THIS WOULD NOT HAPPEN, SO I HAVE NOT BEEN HOLDING MY BREATH NOR HAVE I EVER EXPECTED THIS TO OCCUR.

Thanks anyway.

Derek

The next page is a copy of the e-mail Derek Dunlop sent to Steven Sager on the 07-Apr-08 @ 9:50:40am. This e-mail is contained in this document on pages 234 & 235.

***A COPY OF THIS APPLICATION FAXED TO STEVEN R. SAGER 08-APR-08.**

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 April 8th, 2008.
2. Affidavit of Derek Dunlop dated April 8th, 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 2:15pm on Thursday, April 10, 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 Justice Wright consider an adjournment, in order to permit the accused to be able to retain and instruct new counsel. This is contingent upon the Honorable Justice Wright removing Mr. Steven R. Sager from the record.

2. That the accused, Derek James Dunlop is requesting that this Honorable Court consider that the accused wishes to withdraw his plea from March 6th, 2008.
3. That the accused, Derek James Dunlop is requesting that this Honorable Court consider that the plea of the accused on March 6th, 2008 be stricken from the court record.
4. That the accused, Derek James Dunlop is requesting that this Honorable Court consider and permit the accused to re-elect a mode for trial in this matter.
5. It should be noted that the accused, Derek James Dunlop was not informed by his legal counsel, Mr. Steven R. Sager that he would be required to enter a plea on March 6th, 2008.
6. It should also be noted that the accused, Derek James Dunlop was not informed by his legal counsel, Mr. Steven R. Sager that he would be required to elect mode for trial on the March 6th, 2008.
7. It should also be noted that the accused, Derek James Dunlop had prepared a Notice of Application on March 4th, 2008 that he intended to submit to this Honorable Court but had numerous difficulties having these documents commissioned.
8. It should also be noted that the accused, Derek James Dunlop contacted the law firm of Wrock & Associates, Newmarket, ON, on March 5th, 2008. The law firm of Wrock & Associates informed the accused, Derek James Dunlop that they would be willing to assist the accused in commissioning his Notice of Application. The accused attended the law firm on March 5th, 2008 and spoke to Mr. Kerry P. Evans. Mr. Kerry P. Evans switched the wording of the Notice of Application prepared by the accused. Mr. Kerry P. Evans altered the Notice of Application into his own words. Mr. Kerry P. Evans commissioned the documents that were altered. The accused submitted the altered and prepared Notice of Application of Mr. Kerry P. Evans to this Honorable Court. The original Notice of Application prepared by the accused was not commissioned or submitted to this Honorable Court.
9. Such further and other grounds as the applicant may advise and this Honorable Court may permit.

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

1. Notice of Application dated April 8th. 2008.
2. Affidavit of Derek Dunlop dated April 8th, 2008.
3. Such further and other materials as the applicant may advise and this Honorable Court may permit.

THE RELIEF SOUGHT IS:

4. An order allowing the Application and adjourning this matter, granting the accused, Derek James Dunlop to retain and instruct new counsel.
5. An order allowing the withdrawal of the plea of the accused, Derek James Dunlop that was entered into the court record on March 6th, 2008.
6. An order allowing the withdrawal of the mode for trial that was elected by the accused, Derek James Dunlop that was entered into the court record on March 6th, 2008.

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

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

Tel: (705) 495-6377

DATED AT NORTH BAY THIS 8TH DAY OF APRIL, 2008.

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

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 April 10th, 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 April 08, 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. I am requesting that this Honorable Court consider my application dated April 8th, 2008 requesting an adjournment in this matter. This would provide the accused, Derek James Dunlop the opportunity to retain and instruct new counsel.
3. Further, I have requested that this Honorable Court consider withdrawing the plea of the accused, Derek James Dunlop that was entered into the court record on March 6th, 2008.

4. Additionally, I have requested that this Honorable Court consider and permit the accused, Derek James Dunlop the opportunity to re-elect mode for trial in this matter.
5. On March 6th, 2008, I was not informed by my legal counsel Mr. Steven R. Sager that I would be required to enter a plea.
6. On March 6th, 2008, I was not informed by my legal counsel Mr. Steven R. Sager that I would be required to elect mode for trial.
7. This Affidavit is made in support of an Application for an adjournment permitting the accused to 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 April 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 April 8th, 2008)

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

08-Apr-08- Steven R. Sager sent **Newmarket Crown Attorney, Mr. Amit Ghosh**
3:27:11pm **an e-mail and also sent it to Derek Dunlop.**

From: Steven Sager (srsager@rogers.com)
To: Amit.Ghosh@jus.gov.on.ca
RE:**Regina v Dunlop**

Dear Mr. Ghosh,

This matter comes up before Justice Wright on the 10th. After our meeting you were going to send me a written (e-mail) position with respect to sentence. I have a client who is waiting to hear something from me. You asked me to call you Thursday of last week for this info. I have left a couple of messages, with no response. I know that you are busy with the prep for your jury trial, but I really would like to get something back today if I could.

Your attention to this matter will be truly appreciated. (416) 525-5346

Steven R. Sager

Newmarket Crown Attorney responded to Steven R. Sager's e-mail on page 250 of this document.

“Ghosh, Amit (JUS)” <Amit.Ghosh@ontario.ca> wrote:

Sorry, Steven, I've been absolutely swamped with this jury trial that is to commence shortly for 6 weeks. WE MUST HAVE MISUNDERSTOOD EACH OTHER, I WOULD NOT HAVE AGREED TO PUT A WRITTEN CROWN POSITION ON SENTENCE. IT WAS THE AGREED FACTS THAT I WAS GOING TO EMAIL.

I'm not sure much turns on that, but if it will help you in your discussions with your client:

6 months institutional custody, 18 months probation with counseling as directed etc.

My submissions, however, will be “couched” to telegraph to the Judge that a Conditional Sentence would not be inappropriate in these circumstances, given the unique status of your client and the steps he has taken. I'll also comment on the situational stressors that brought about the UNFORTUNATE ACCIDENT. Weighing all of the countervailing factors, Mr. Dunlop's personal circumstances has not persuaded me to ask for Conditional jail. The injuries, and the dated prior related entry all point to a Crown position of some duration of institutional jail (with the modified submissions above).

I WILL CLEAN UP THE FACTS AND EMAIL THEM TO YOU SHORTLY.

Thanks, Amit.

09-Apr-08- Steven Sager sent **Newmarket Crown Attorney, Mr. Amit Ghosh**
7:57pm **an e-mail and provided a copy of said e-mail to Derek Dunlop at the**
Newmarket Court House on 10-Apr-08.

From: Steven Sager (mailto:srsager@rogers.com)
To: Ghosh, Amit (JUS)
Subject: RE: **Regina v. Dunlop**

**Amit, Thanks for the reply. I TAKE IT YOU WILL NOT BE PROCEEDING
WITH THE OTHER CHARGES.**

Steve Sager.

10-Apr-08- **Newmarket Crown Attorney, Mr. Amit Ghosh responded to**
8:49:19am **Steven Sager's e-mail above. Steven Sager provided a copy of said**
e-mail to Derek Dunlop at the Newmarket Court House on 10-Apr-08.

THAT'S RIGHT, ONLY ONE COUNT OF "IMPAIRED BODILY HARM". Amit

10-Apr-08-
1:25pm
Pg 1

Steve Sager approached my mother and I in the cafeteria of the Newmarket Courthouse prior to my scheduled court time of 2:15pm. Steve Sager gave me an e-mail with what the Crown Attorney (Amit Ghosh) was going to submit to the judge as far as sentence. There was also an e-mail from early on the morning of the 10th of April, 2008 stating that the Crown was only proceeding on one count of bodily harm.

Steve Sager also informed me that Mr. Ghosh had been called on an emergency basis to Whitby as he had to deal with a jury trial that he was involved. Mr. Steve Sager also informed me that he was dealing with another Crown Attorney (Hutchison-female). AT ANOTHER POINT STEVE SAGER INFORMED ME THAT AMIT GHOSH BELIEVED THE CASE (MY CASE) WAS TO BE HEARD THIS MORNING THE 10TH OF APRIL 2008. STEVE SAID AMIT WAS AT COURT TODAY.

*****MY FATHER, PETER DUNLOP & PEGGY GREER ATTENDED THE COURTHOUSE. THIS WAS A SURPRISE. My mother Barb Dunlop was with me.**

My case was being held in the tiny Courtroom of #2002. *It appeared that Mr. Sager and Ms. Hutchison were in this room having a hearing from about 2:15pm until about 4:30pm.*

*****At one point at about 2:45pm, Mr. Sager came out of the courtroom and displayed a copy of what appeared to be the Crown's submissions. Mr. Sager stated that he wanted me to read them. Mr. Sager stated that he did NOT AGREE with the Crown's submissions about the injuries to Mr. Sodhi. Mr. Sager stated that he DID NOT BELIEVE that Mr. Sodhi had ALL THE INJURIES that Crown had written in her submissions.**

10-Apr-08-
1:25pm
Pg 2

Mr. Sager stated that he was VERY CONCERNED about this. MR. SAGER STATED THAT IT MAY BE A GOOD IDEA TO GET AN UPDATE ON THE INJURIES OF MR. SODHI. I READ THE SUBMISSIONS AND IT PRIMARILY APPEARS TO BE A COPY OF THE AGREED FACTS.
(SAGER IS BULLSHITTING THROUGH HIS TEETH, WHAT A LIAR).

MR. SAGER RE-ENTERED THE COURTROOM AND WE AGAIN WAITED IN THE BODY OF THE COURTHOUSE. NOT BEING PRIVY OF WHAT WAS GOING ON.

*****ON A COUPLE OF OCCASIONS MY FATHER LEFT THE COURTHOUSE FOR LENGTHY PERIODS OF TIME. I AM SURE HE WAS ON THE TELEPHONE TO SOMEBODY, PROBABLY, STEVE SAGER.**

Mr. Sager came out of the courtroom on a second occasion and proposed that I wait for Senior Crown, Amit Ghosh to be available and that we adjourn this matter for at least a couple of weeks. Mr. Sager said that he felt it would be in my best interests to deal with Mr. Ghosh. (WHAT A BUNCH OF BULLSHIT, AGAIN).
Mr. Sager stated that he did not want to put me on the spot. Mr. Sager said it was up to me and that it was my choice which Crown I wanted to deal with.

Mr. Sager and the Crown eventually proceeded to acquire a date for an adjournment without consulting me for my decision. They proceeded to scheduling office for this information.

10-Apr-08-
1:25pm
Pg 3

My mother and I proceeded to the courtroom #2002 with Mr. Sager. The matter was adjourned until 10-JUN-08 in front of Justice Wright. Justice Wright stated that this was to ADDRESS THE OTHER TWO CHARGES AND FOR SENTENCING.

I ASKED MR. SAGER THAT IF THEY ACQUIRE AN UPDATED MEDICAL FOR MR. SODHI AND IT IS NOT GOOD COULD THAT BE DETRIMENTAL TO ME. MR. SAGER STATED THAT WE WOULD HAVE TO DEAL WITH THAT AT THAT TIME.

MR. SAGER ALLOWED ME TO PERUSE HIS SUBMISSIONS. (THERE WERE MANY INACCURACIES IN HIS PROPOSED SUBMISSIONS. I DID NOT INFORM HIM OF THIS AT THIS TIME. I DID NOT HAVE TIME TO EVEN READ THEM ALL OR EXTENSIVELY).

STEVE SAGER INFORMED ME THAT HE WOULD FORWARD ME A COPY OF HIS SUBMISSIONS.

***I ALSO DO NOT KNOW WHERE HE OBTAINED A LOT OF INFORMATION ABOUT ME AS I DID NOT GIVE IT TO HIM.

14-Apr-08- Derek Dunlop sent Steven Sager an e-mail.
3:15:12pm
Pg 1 From: Derek Dunlop (derekdunlop12@hotmail.com)
To: srsager@rogers.com

14-Apr-08

Hi Steve:

It is truly unfortunate that I am the only one looking out for my best interests. IT HAS BEEN EVIDENT SINCE THE ONSET OF THIS MATTER AND THE BARRIE MATTER THAT YOU HAVE NEVER HAD ANY INTENTION OF ASSISTING ME WITH A DEFENCE. The only intentions you have had is to SABOTAGE my life and to assist the Crown. At no time, have I ever believed that you have tried to assist me. Your actions are DISGRACEFUL and they have NEVER been in my best interests. You have only treated me in an unfair, unjust and prejudicial manner.

IT IS A SHAME THAT YOU CONTINUE TO CONSISTENTLY LIE TO ME ABOUT EVERYTHING. You only have the interests of the CROWN in mind and you know it. ALL OF YOU EXPERIENCE WORKING FOR THE POLICE WOULD OBVIOUSLY GIVE YOU AN ABUNDANCE OF KNOWLEDGE OF WORKING FOR THE PROSECUTION. You are using that KNOWLEDGE AGAINST ME. You have and continue to have NO REGARD for my BEST INTERESTS and YOUR ACTIONS are APPALLING and REPREHENSIBLE.

At court on the 10-Apr-08, you the Crown Attorney (Hutchison -5th Crown in matter) and the Honorable Justice Wright appear to have proceedings for over 2 HOURS. I AM NOT PRIVY TO THESE PROCEEDINGS. It also appears that my father, Peter Dunlop is made aware of some of the occurrences of these proceedings via e-mail, text message or verbal contact through his cell phone or blackberry. I will request that you produce a copy to me all of your blackberry communications related to this matter. Furthermore, I will request that you acquire a copy of all my father's blackberry and or cell phone communications in this matter and forward a copy to me.

AT ONE POINT YOU EXIT COURTROOM #2002 ON THE 10-APR-08 AND INFORM ME THAT YOU ARE NOT IN AGREEMENT WITH THE CROWN'S SUBMISSIONS IN RELATION TO THE EXTENT OF MR. SODHI'S INJURIES. YOU ASK ME TO READ THE CROWN'S SUBMISSIONS ESPECIALLY THEIR SUBMISSIONS IN RELATION TO MR. SODHI'S INJURIES. YOU SUGGEST THAT IT WOULD BE BENEFICIAL TO ACQUIRE AN UPDATED MEDICAL IN RELATION TO Mr. Sodhi.

14-Apr-08-
3:15:12pm
Pg 2

You know and I know that this can only work against me. IT WOULD APPEAR THAT SOMEBODY KNOWS THAT MR. SODHI IS NOT DOING WELL AND AN UPDATED MEDICAL WILL WORK AGAINST ME.

I TRULY HOPE THAT MR. SODHI IS DOING WELL AND THAT HE IS MAKING A FULL RECOVERY IN ALL ASPECTS OF HIS LIFE.

SINCE YOU AND EVERYONE ELSE CONTINUES TO PLAY GAMES, EVERYONE IS ONLY DISRESPECTING THE VICTIMS, THEMSELVES AND MYSELF.

On the 10-Apr-08 in court, you do not even consult with me prior to you and the Crown deciding to adjourn the matter. ONCE AGAIN, HOW DISRESPECTFUL NOT EVEN TO ASK ME.

At one point during this matter, you informed me that MR. SODHI had a BROKEN CLAVICLE, upon a subsequent conversation you informed me that MR. SODHI DID NOT HAVE A BROKEN CLAVICLE (it was rescinded, recanted or something). Now it appears from the Crown's submissions that MR. SODHI has MORE INJURIES THEN YOU INFORMED ME ABOUT.

IT IS SO SAD AND DISGRACEFUL, THAT YOUR DECEPTION, LIES AND LACK OF ACKNOWLEDGEMENT TO MY REQUESTS FOR DISCLOSURE, THAT I ACTUALLY THOUGHT IT WAS POSSIBLE THAT THERE WAS A FATALITY OR FATALITIES AS A RESULT OF THE EVENTS OF 22-OCT-06. I FINALLY COULD PUT MY OWN MIND AT EASE IN FEBRUARY OF 2008 WHEN I FINALLY DID RECEIVE A COPY OF THE DISCLOSURE. IT IS AN ABSOLUTE TRAVESTY THAT THERE HAS BEEN AND CONTINUES TO BE A MISREPRESENTATION OF SOME FACTS IN THIS CASE.

I will request that you forward all documentation to me in relation to this matter and the Barrie matter in accordance to my e-mails dated the 09-Mar-08 and 24-Mar-08.

EFFECTIVE IMMEDIATELY, I will request that you RELIEVE yourself of all duties in relation to me and my case. I do not want you to represent me any longer as you have only intentionally tried to destroy me for over one year and a half. THIS IS AN ABSOLUTE INHUMANE THING TO DO.

I am sure you will contact my father as you have in the past. You have VIOLATED all of my FIDUCIARY PRIVILEGES since the onset of my PERSONAL and PRIVATE legal matters by having continuous contact with father anyway. What a joke!!

14-Apr-08- IT MUST BE NOTED THAT THIS WILL BE AN ADDITIONAL
3:15:12pm PAGE AS THE E-MAIL IS ONLY ACTUALLY 2 PAGES IN LENGTH.
Pg 3 This document now has an extra page in comparison to the originals.

NOW, I AM EXPECTING YOU TO RESPOND BY SAYING SOMETHING TO THE EFFECT, THAT I AM SORRY YOU FEEL THAT WAY DEREK. I KNOW AND YOU KNOW THIS IS JUST A PATHETIC WAY OF TRYING TO MAKE YOURSELF LOOK GOOD AND TO MAKE ME LOOK BAD. Once again, this would be intentional and only a façade.

Let me know what you intend to do. I will be bringing about a Notice of Application(s) to the court for a various requests similar to the Notice of Application I sent you.

Thank you for your attention to this matter.

Yours truly,

Derek Dunlop

21-Apr-08- Derek Dunlop sent Steven Sager an e-mail.
10:22:43am

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

21-Apr-08

Hi Steve:

I am writing as I will have to assume that you have no intentions of responding to my e-mail dated the 14-Apr-08. I will also have to believe that you will not be forwarding me any of the documentation that I have requested on the 14-Apr-08, 09-Mar-08 and the 24-Mar-08.

On the 14-Apr-08, I requested that EFFECTIVE IMMEDIATELY that you no longer represent me or my interests in this matter. I still would appreciate it if you respond to this issue to inform me what you are doing.

Thank you.

Yours truly,

Derek Dunlop

21-Apr-08- Derek Dunlop sent Mr. T. Corbett a hand-typed letter.
Pg 1

21-Apr-08

Dear Mr. Corbett:

I wanted to forward you a copy of the remorse letter I had written to you on the 11-Jan-07. Furthermore, I want you to know that I did write this letter on my own accord after being legally advised not to do so. I wanted to express my remorse to you immediately following the accident. Once again, I want to inform you that I am so very, very sorry.

It is extremely important to inform you that the crown, my defence attorney and the Honorable Court NEVER wanted this case to proceed to trial. There are so many people who a partially **LIABLE in this matter and the list of potential witnesses is almost endless.**

The malicious, callous, calculating, pre-meditated actions of the employees of the CHILDREN'S AID SOCIETY were oppressive and reprehensible to me. Their acts were discriminatory and inhumane.

I know that the police will have contacted you by now and asked you to turn over the notes I forwarded you. For you own interests I hope that you have maintained that copy or made a copy for yourself.

The collusion, conspiracy, corruptions, cover-ups and coincidences I have been confronted with are an absolute travesty. Furthermore, I have also been framed, set-up, assaulted and the list goes on.

21-Apr-08- Derek Dunlop sent Mr. T. Corbett a hand-typed letter.
Pg 2

There are various criminal charges that people involved me can be charge with. I will NEVER stop fighting this fight.

IT IS TRULY UNFORTUNATE THAT TWO INNOCENT PEOPLE WHOM I DO NOT KNOW FROM ADAM INCURRED DRASTIC AND DRAMATIC LOSSES AS A RESULT OF 22-OCT-06.

I HOPE THAT YOU MAKE A FULL RECOVERY IN ALL ASPECTS OF YOUR LIFE. I WOULD GREATLY APPRECIATE IT IF YOU WOULD CALL ME AT (705) 495-6377 SO I CAN EXTEND MY APOLOGIES OVER THE TELEPHONE. IF THIS IS SOMETHING YOU DO NOT WANT TO DO OR YOU ARE NOT COMFORTABLE DOING, I TOTALLY UNDERSTAND.

I will not bother you anymore but I thought you should be apprised of some of the occurrences prior to the accident.

Thank you for your time.

Yours truly,

Derek Dunlop

24-Apr-08- Derek Dunlop sent a cover-letter to the Office of the Crown Attorney in Newmarket along with Notice of Application and Affidavit.

24-Apr-08

Dear Office of the Crown Attorney:

I have included an additional copy of the Notice of Application and Affidavit dated the 28-Apr-08. I would greatly appreciate it if your office could forward and submit the additional copy of these dockets to the criminal court division of the Newmarket Courthouse located on the 1st floor.

If you have any issue with forwarding this copy of dockets, please contact the undersigned at (705) 495-6377.

Thank you for your co-operation and assistance.

Yours truly,

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

2 COPIES MAILED TO NEWMARKET CROWN ATTORNEY- 24-APR-08

1 COPY MAILED TO STEVEN R. SAGER 24-APR-08.

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 April 24th, 2008.
2. Affidavit of Derek Dunlop dated April 24th, 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 Tuesday, June 10, 2008, or as soon after that time as the application can be heard at Courtroom no. 2002, 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 Justice Wright consider an adjournment, in order to permit the accused to be able to retain and instruct new counsel. This is contingent upon the Honorable Justice Wright removing Mr. Steven R. Sager from the record.

2. That the accused, Derek James Dunlop is requesting that this Honorable Court consider that the accused wishes to withdraw his plea from March 6th, 2008.
3. That the accused, Derek James Dunlop is requesting that this Honorable Court consider that the plea of the accused on March 6th, 2008 be stricken from the court record.
4. That the accused, Derek James Dunlop is requesting that this Honorable Court consider and permit the accused to re-elect a mode for trial in this matter.
5. It should be noted that the accused, Derek James Dunlop was not informed by his legal counsel, Mr. Steven R. Sager that he would be required to enter a plea on March 6th, 2008.
6. It should also be noted that the accused, Derek James Dunlop was not informed by his legal counsel, Mr. Steven R. Sager that he would be required to elect mode for trial on the March 6th, 2008.
7. It should also be noted that the accused, Derek James Dunlop had prepared a Notice of Application on March 4th, 2008 that he intended to submit to this Honorable Court but had numerous difficulties having these documents commissioned.
8. It should also be noted that the accused, Derek James Dunlop contacted the law firm of Wrock & Associates, Newmarket, ON, on March 5th, 2008. The law firm of Wrock & Associates informed the accused, Derek James Dunlop that they would be willing to assist the accused in commissioning his Notice of Application. The accused attended the law firm on March 5th, 2008 and spoke to Mr. Kerry P. Evans. Mr. Kerry P. Evans switched the wording of the Notice of Application prepared by the accused. Mr. Kerry P. Evans altered the Notice of Application into his own words. Mr. Kerry P. Evans commissioned the documents that were altered. The accused submitted the altered and prepared Notice of Application of Mr. Kerry P. Evans to this Honorable Court. The original Notice of Application prepared by the accused was not commissioned or submitted to this Honorable Court.
9. That the accused, Derek James Dunlop is requesting that the Honorable Justice Wright remove himself from the court record of this case for management purposes.
10. That the accused, Derek James Dunlop is requesting that the Honorable Court consider a change of venue in this matter.
11. Such further and other grounds as the applicant may advise and this Honorable Court may permit.

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

1. Notice of Application dated April 24th. 2008.
2. Affidavit of Derek Dunlop dated April 24th, 2008.
3. Such further and other materials as the applicant may advise and this Honorable Court may permit.

THE RELIEF SOUGHT IS:

4. An order allowing the Application and adjourning this matter, granting the accused, Derek James Dunlop to retain and instruct new counsel.
5. An order allowing the withdrawal of the plea of the accused, Derek James Dunlop that was entered into the court record on March 6th, 2008.
6. An order allowing the withdrawal of the mode for trial that was elected by the accused, Derek James Dunlop that was entered into the court record on March 6th, 2008.

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

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

Tel: (705) 495-6377

DATED AT NORTH BAY THIS 24TH DAY OF APRIL, 2008.

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

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 June 10th, 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 April 24, 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. I am requesting that this Honorable Court consider my application dated April 24th, 2008 requesting an adjournment in this matter. This would provide the accused, Derek James Dunlop the opportunity to retain and instruct new counsel.
3. Further, I have requested that this Honorable Court consider withdrawing the plea of the accused, Derek James Dunlop that was entered into the court record on March 6th, 2008.

4. Additionally, I have requested that this Honorable Court consider and permit the accused, Derek James Dunlop the opportunity to re-elect mode for trial in this matter.
5. On March 6th, 2008, I was not informed by my legal counsel Mr. Steven R. Sager that I would be required to enter a plea.
6. On March 6th, 2008, I was not informed by my legal counsel Mr. Steven R. Sager that I would be required to elect mode for trial.
7. This Affidavit is made in support of an Application for an adjournment permitting the accused to retain and instruct new counsel and for no improper purpose.

SWORN BEFORE ME at the
City of Newmarket, in the
Province of Ontario
this 24th day of April 2008.

Sworn by
 ? Guillemette
Justice of the Peace

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 April 24th , 2008)

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

07-May-08- Steven Sager sent Derek Dunlop an e-mail.
3:38:13pm
Pg 1 From: Steven Sager (srsager@rogers.com)
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

I'm going to respond to your last e-mail and your latest Application in brief. **It is time to start trusting someone because if you don't you are truly LOST.**

First the e-mail

The two hours that I sat in the office type court room with only six chairs, which were all taken was to listen to ongoing matters that Justice Wright was dealing with. In other words there was more than just your case heard by Justice Wright. At no time during that period did I speak to Justice Wright at all. The only time that I spoke to the Crown was when she asked me if I wanted your matter adjourned so Mr. Ghosh could speak to it. He had been called to Ajax court to deal with a short notice motion that he had been advised of only that morning with respect to a jury trial..

I came directly out of the court room and spoke to you and advised you what the Crown had said. I also showed you a copy of the e-mail that Mr. Ghose had sent to me that same morning. I MISSED IT because I was already on my way to court. I recommended that you adjourn the hearing in order to have the crown who had a full knowledge of the matter and was open to a conditional sentence speak to it. I PUT THE DECISION INTO YOUR HANDS AS TO WHETHER ARE NOT YOU WANTED TO DEAL WITH THE MATTER ON THAT DAY BECAUSE YOU WERE VERY ANXIOUS TO PUT IT OVER. The decision was not mine and I did not make it. You made it. And it was the correct thing to do. Common sense made it so.

AS TO AN UPDATED MEDICAL REPORT IT COULD NOT POSSIBLY BE ANY WORSE THAN THE ONE THE CROWN HAS ON HAND, WHICH WAS NOT DRAWN FROM THE ACTUAL MEDICAL REPORTS BUT FROM THE VICTIM'S IMPACT STATEMENT THAT HE HAD WRITTEN HIMSELF THAT DID NOT INCLUDE AND SUPPORTING MEDICAL REPORTS.

I have spoken to your father on the telephone approx three to four times, all with relation to court and who should attend. I have also advised him as to what type of questions could be asked of them, including your mother if required to address the court. I have had the same conversation on the telephone with your mother. I don't know anything about a Blackberry.

07-May-08-
3:38:13pm
Pg 2

If you spent the time doing the things I have requested you to do instead of writing these e-mails you would be helping your case not trying to constantly undermine it. You have not rejoined AA in North Bay, nor have you ever made any attempt to get referred to a psychologist.

At this stage of the proceeding JUSTICE WRIGHT WOULD NEVER ALLOW ME TO COME OFF THE RECORD, EVEN IF I WANTED TO. He made it very clear that the next date would deal with SUBMISSIONS and SENTENCE. *If you come into the courtroom with another Application to have ME REMOVED it will FAIL. An application such as this at this stage of the proceedings would be viewed as frivolous and vexatious.*

Justice Wright might let you make your own submissions and speak to the sentence yourself but the matter will be dealt with on the next date June 10th. (It is almost unheard of for a judge at this stage to allow a change in plea).

Justice Wright will then hand down the sentence. At this stage of the proceeding if you feel that the sentence is not fair then you will be required to file an appeal of the sentence with the Ontario Court of Appeal.

June 10th will proceed so I suggest it's TIME TO START TRUSTING SOMEONE.

I have received your latest Application. What a FOOLISH thing to have done. Unsound legally, with factual errors and clearly written by a person who is unfamiliar with the law. Two examples of which Justice Wright will recognize immediately are contained in paragraphs 5 and 6. ON February 7TH I FILED AND APPLICATION TO BE REMOVED FROM THE RECORD YOU DUPLICATED THIS IS YOUR APPLICATION. Justice Wright advised you that a trial date was going to be set that day, Feb 7th, and that your trial would proceed with or without counsel on that trial date. I was instructed to attend at the trial coordinators office with the Crown and obtain a two day trial date and then return to the court room and give the dates to Justice Wright. This was done.

07-May-08- IT MUST BE NOTED THAT THIS WILL BE AN ADDITIONAL
3:38:13pm PAGE AS THE E-MAIL IS ONLY ACTUALLY 2 PAGES IN LENGTH.
Pg 3 This document now has an extra page in comparison to the originals

*****JUSTICE WRIGHT ASKED YOU WHAT MODE OF TRIAL YOU WANTED TO CHOOSE ON FEB 7TH. YOU ADVISED JUSTICE WRIGHT THAT YOU NEEDED TIME TO DECIDE THIS AND GET SOME INDEPENDENT LEGAL ADVICE. Justice Wright adjourned the matter to March 6th at which time you were to return to his court with an answer on how you wanted to proceed. SO YOU WERE TOLD BY HIS HONOUR ON FEB 7TH THAT YOU HAD TO MAKE UP YOUR MIND AS TO YOUR CHOICE OF TRIAL MODE BY MARCH 6TH. JUSTICE WRIGHT PUT MY APPLICATION OVER TO THE SAME DATE. HE ADVISED THE RECORD THAT HE WAS GOING TO LEAVE ME ON JUST IN CASE YOU WANTED MY ASSISTANCE. YOU WERE GIVEN UNTIL MARCH 6TH TO MAKE UP YOUR MIND AS TO HOW YOU WANTED TO BE TRIED IT HAD NOTHING TO DO WITH ME AT ALL. I WAS NOT REQUIRED TO INFORM YOU OF ANYTHING, AS THE JUDGE HAD ALREADY DONE SO.**

On March 6th, I was at court to be taken off the record, but you advised me that you wanted to plead guilty and get this matter over with. I asked if you were sure you said that you were. I asked you if you wanted me to continue on the record and you said yes. So pursuant to your instructions I advised both the Crown and Justice Wright of your decision. I also advised the Crown that you would only plead guilty to one of the charges. After asking you a number questions, to verify your intent, Justice Wright took your plea. I asked to have the matter come back April 10th in order to speak to sentence. So to tell the COURT IN YOUR MOST RECENT APPLICATION THAT YOU DID NOT KNOW THAT YOU HAD TO PLEAD GUILTY IS FAR FROM CORRECT. In fact during the questions being asked by Justice Wright he gave you several opportunities to change your mind or make comments as to his questions. You elected not to do so. Here again this decision had nothing to do with me.

TO SAY THAT I DID NOT ADVISE YOU THAT YOU HAD TO PLEAD GUILTY, when you told he court that you wanted to do so that day does not make any sense.

You have made a very serious error in judgement and it may well have put you in jail. I know that you feel everyone around you is working against you, but it is you who are working against those who are trying to help you as well as you working against yourself. I do not feel that you truly thought this matter through before acting and it may cost you your freedom for a period of time. I HAVE NEVER WORKED AGAINST YOU. I have always worked in your best interest. I will see you on June 10th.

Steve Sager

12-May-08- Derek Dunlop sent Steven Sager an e-mail
10:38:01am
Pg 1 From: Derek Dunlop (derekdunlop12@hotmail.com)
To: Steven Sager (srsager@rogers.com)

12-May-08

Hi Steve:

It is truly unbelievable and incredible that you continue to LIE. I have NO reason to LIE and nothing to gain by doing so. I have already lost everything.

I am not sure exactly why you INSIST on LYING other than the fact that you want to see the worst for me and also the fact that you can't go back on what you have already said. IF YOU EVER HAVE TO TESTIFY IN THIS MATTER YOU WILL HAVE TO PERJURE YOURSELF. I AM DUMBFOUNDED THAT YOU WOULD PUT YOURSELF IN THAT SITUATION. *You have a lot to lose by doing so.*

You know and I know that on the 06-Mar-08 that you informed me that you had talked to the Crown prior to entering court. You informed me that the matter would be PUT OVER FOR A WEEK OR TWO and that we would come back and speak to the matter at that time. At that time outside the courtroom you informed me that I would NOT BE REQUIRED TO ENTER A PLEA UPON ENTERING THE COURTROOM ON THE 06-MAR-08. You informed me that during the week or two adjournment that you would be discussing with the Crown the conditions for sentence. You also did not inform me that I would be required to elect mode for trial on the 06-Mar-08.

I will be writing a WILL SAY STATEMENT and providing it to the court attesting to the above. I will provide you a copy of that statement. I would hope that you will provide YOUR OWN WILL SAY STATEMENT to the court about the 06-Mar-08.

I would suggest that it would be in your BEST INTEREST to NOT continue to LIE. Your LIES will COME OUT at some point. You know and I know that you have lied, regardless of what anybody ever believes. I WILL PROVE THAT YOU LIED. AS I HAVE SAID IN THE PAST IT IS REALLY EASY FOR ME TO DO SO.

I THINK THAT YOU SHOULD RE-READ THE E-MAIL YOU SENT TO ME ON THE 07-MAR-08 AT 9:02:36pm.

I also want it to be noted that my PLEA on the 06-Mar-08 were your words and not mine and that the MODE I ELECTED for TRIAL was your words and not mine.

You also know that the Crown did not want to have to have a long jury selection process in this case. This is why you informed me to elect the mode that you did.

12-May-08- This e-mail is only 1 page in length in the original and there will
10:38:01am be an extra page in this documentation in comparison to the original.
Pg 2

Your attention to this is of the utmost importance. I suggest that you examine your statements with due diligence. Maintaining that YOU DID NOT LIE to me will only be a problem for you later on.

YOU ARE JUST LIKE THE PEOPLE FROM SIMCOE C. A. S. YOU HAVE PRE-MEDITATED AND CALCULATED A CALLOUS AND MALICIOUS PLAN AGAINST ME. WHAT AN INHUMANE THING TO DO AND I AM NOT SURE WHY.

Thanks again.

Derek

The next 3 pages are another copy of the e-mail that Steven Sager sent to Derek Dunlop on Wed. 07-May-08 @ 3:38:13pm that is contained on pages 273, 274 & 275 in this document.

The next 3 pages are another copy of the e-mail that Steven Sager sent to Derek Dunlop on Wed. 07-May-08 @ 3:38:13pm that is contained on pages 273, 274 & 275 in this document.

The next 3 pages are another copy of the e-mail that Steven Sager sent to Derek Dunlop on Wed. 07-May-08 @ 3:38:13pm that is contained on pages 273, 274 & 275 in this document.

27-May-08- Derek Dunlop sent Steven Sager an e-mail.
5:02:27pm

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

27-May-08

Hi Steve:

It is so sad that after informing you that I have been framed, set-up and so on that you felt the need to lie to me, you felt the need to set me up and you feel the need to uphold your LIES.

THE ONLY THING THAT IS FRIVOLOUS AND VEXATIOUS IS THE MANNER IN WHICH YOU HAVE DEALT WITH ME AND THIS MATTER.

I am in the process of completing another application to the court. I will be including a WILL SAY STATEMENT that will attest to the discussions that you and I had prior to entering court on the 06-Mar-08. As you and I both know that the discussions was as follows:

On the 06-Mar-08, you informed me that you had talked to the Crown prior to entering court. You informed me that the matter would be put over for a week or two and that we would come back and speak to the matter at that time. At that time outside of the courtroom you informed me that I would not be required to enter a plea upon entering the courtroom on the 06-Mar-08. You informed me that during the week or two adjournment that you would be discussing with the Crown the conditions for sentence. You also did not inform me that I would be required to elect mode for trial on the 06-Mar-08.

I would hope that you will admit to your lies at this time. The information contained above is the TRUTH AND NOTHING BUT THE TRUTH. I WILL TESTIFY UNDER OATH TO THE INFORMATION CONTAINED ABOVE. IF YOU DENY OR REFUTE ANY OF THE ABOVE, YOU AND I KNOW THAT YOU ARE LYING AND WOULD HAVE TO PERJURE YOURSELF SHOULD YOU BE REQUIRED TO TESTIY.

In my additional application I will asking the Honorable Court to order a copy of all of your CONTACTS with my FATHER. I DID NOT GRANT YOU OR MY FATHER PERMISSION TO DISCUSS MY LEGAL MATTERS. AS A RESULT, MY FIDUCIARY PRIVILEGES HAVE BEEN VIOLATED.

I will also be requesting that the Honorable Court consider moving my case to trial and they provide me with a copy of all court transcripts as it relates to this matter. I will require all evidence to defend myself.

27-May-08-
5:02:27pm
Pg 2

In my brief perusal of your submissions to the court they appear to be somewhat inaccurate, but I would need a copy to ensure the information you have is accurate. I do not even know who provided you the information because you did not receive it from me.

IT SHOULD BE NOTED THAT I AM CURRENTLY SELF-REPRESENTED IN A CIVIL MATTER AGAINST THE CHILDREN'S AID SOCIETY OF THE SIMCOE COUNTY WHICH IS RELATED TO THE ACCIDENT.

Thanks again.

Yours truly,

Derek Dunlop

28-May-08- Steven Sager sent Derek Dunlop an e-mail.
5:37:54pm

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

Derek,

There is nothing more for me to add to what I previously stated in responses to your repetitive e-mails. I will see you in court on June 10th, at which time I WILL LISTEN WITH KEEN INTEREST WHEN YOU SPEAK to your Application(s) before Justice Wright.

Steven R. Sager

02-Jun-08- Derek Dunlop sent a cover-letter to the Office of the Crown Attorney in Newmarket along with Notice of Application, Affidavit and Will Say Statement.

02-Jun-08

Dear Office of the Crown Attorney:

I have included an additional copy of the Notice of Application, Affidavit and Will Say Statement dated the 02-Jun-08. I would greatly appreciate it if your office could forward and submit the additional copy of these dockets to the criminal court division of the Newmarket Courthouse located on the first floor.

If you have any issue with forwarding this copy of dockets, please contact the undersigned at (705) 495-6377.

Thank you for your continued co-operation and assistance.

Yours truly,

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

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 June 2nd, 2008.
2. Affidavit of Derek Dunlop dated June 2nd, 2008.
3. Exhibit “A”- Will Say Statement of Derek Dunlop dated June 2nd, 2008.

**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 Tuesday, June 10, 2008, or as soon after that time as the application can be heard at Courtroom no. 2002, 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 applicant Derek Dunlop is submitting a Will Say Statement in relation to the events that transpired between his lawyer, Mr. Steven R. Sager and the applicant Derek Dunlop at the Newmarket Courthouse on the 06-Mar-08.
2. That the applicant is requesting that the Honorable Court request that Mr. Steven R. Sager produce a copy of all his recorded contacts, documents, e-mails, disclosure and any other materials that Mr. Sager has in his possession related to this matter to the applicant, Derek Dunlop.

3. That the applicant, Derek Dunlop is requesting that the Honorable Court order Mr. Steven R. Sager to produce a copy of all contacts that the Mr. Sager had with the applicant's father Mr. Peter Dunlop. The applicant, Derek Dunlop did not grant permission to Mr. Sager or Mr. Peter Dunlop to speak to one another about Derek Dunlop's private legal matters. The applicant asserts that his fiduciary rights and privileges have been violated by Mr. Steven R. Sager.
4. That the applicant, Derek Dunlop is requesting that the Honorable Court order Mr. Steven R. Sager to respond to the Will Say Statement of Derek Dunlop dated June 2nd, 2008. That the Honorable Court order Mr. Steven R. Sager to testify under oath to the events that transpired in court on March 6th, 2008 between the applicant, Derek Dunlop and Mr. Steven R. Sager.
5. That the applicant, Derek Dunlop is requesting that the Honorable Court consider providing the applicant with a copy of all court transcripts in relation to this matter.
6. That the applicant, Derek Dunlop is requesting that the Honorable Court consider moving this case to trial while the applicant, Derek Dunlop acquires all related evidence that will assist in defending the applicant, Derek Dunlop in this matter.

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

1. Notice of Application dated June 2nd, 2008.
2. Affidavit of Derek Dunlop dated June 2nd, 2008.
3. Exhibit "A" – Will Say Statement of Derek Dunlop dated June 2nd, 2008
4. Such further and other materials as the applicant may advise and this Honorable Court may permit.

THE RELIEF SOUGHT IS:

5. An order allowing the Application and adjourning this matter, granting the accused, Derek Dunlop time to retain and instruct new counsel.
6. An order allowing the withdrawal of the plea of the accused, Derek Dunlop that was entered into the court record on March 6th, 2008.

7. An order allowing the withdrawal of the mode for trial that was elected by the accused, Derek Dunlop that was entered into the court record on March 6th, 2008.
8. An order providing the applicant, Derek Dunlop with a copy of all of Mr. Steven R. Sager's documentation and contacts related to this matter.
9. An order providing the applicant with a copy of all court transcripts related to this matter.
10. An order requesting Mr. Steven R. Sager respond to the Will Say Statement of the applicant, Derek Dunlop dated June 2nd, 2008.

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

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

Tel: (705) 495-6377

DATED AT NORTH BAY THIS 2nd DAY OF JUNE, 2008.

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

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 June 10th, 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 June 2nd, 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. I am requesting that this Honorable Court consider my application dated June 2nd, 2008 requesting an adjournment in this matter. This would provide the applicant, Derek Dunlop the opportunity to retain and instruct new counsel.
3. I am requesting that this Honorable Court consider my application dated June 2nd, 2008, providing the applicant, Derek Dunlop with a copy of all of Mr. Steven R. Sager's documentation and contacts related to this matter.

4. I am requesting that this Honorable Court consider my application dated June 2nd, 2008 requesting that this Honorable Court provide the applicant, Derek Dunlop a copy of all court transcripts related to this matter.
5. I am requesting that Honorable Court consider moving this case to trial while the applicant, Derek Dunlop acquires all related evidence that will assist in defending the applicant, Derek Dunlop in this matter.
6. Further, I am requesting that this Honorable Court consider withdrawing the plea of the applicant, Derek Dunlop that was entered into the court record on March 6th, 2008.
7. Additionally, I am requesting that this Honorable Court consider and permit the applicant, Derek Dunlop the opportunity to re-elect mode for trial in this matter.
8. I am requesting that this Honorable Court order Mr. Steven R. Sager to respond to the Will Say Statement of the applicant, Derek Dunlop dated June 2, 2008.
9. This Affidavit is made in support of an Application for an adjournment permitting the applicant to obtain all related evidence that will assist in defending the applicant, Derek Dunlop in this matter and for no improper purpose.

SWORN BEFORE ME at the
City of North Bay, in the
Province of Ontario
this 2nd day of June 2008.

Sworn by William Brownell, B. A.
Presiding Justice of the Peace
Province of Ontario

Commissioner for Taking Affidavits
(or as may be)

Derek James Dunlop

Also stamped by William Brownell

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 June 2nd, 2008)

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

This is Exhibit “A” referred to in the
Affidavit of Derek Dunlop
sworn before me this 2nd
day of June 2008.

Sworn by William Brownell, B. A.
Presiding Justice of the Peace
Province of Ontario

A Commissioner for taking affidavits.

Also stamped by William Brownell

EXHIBIT “A”

Will Say Statement of Derek Dunlop dated June 2nd, 2008:

I, Derek Dunlop will say and testify under oath that on the 06-Mar-08 at the Newmarket Court House in Newmarket, Ontario that I spoke to my lawyer Mr. Steven R. Sager prior to entering court. I will say that I asked Mr. Sager what would happen if I decided to enter into a plea. I will say that Mr. Sager said that he would have to speak to the Crown Attorney, Mr. Amit Ghosh about me entering a plea. Mr. Sager apparently approached Mr. Ghosh in confidence. After Mr. Sager apparently spoke to Mr. Ghosh about me entering a plea, Mr. Sager returned to me outside the courtroom and informed me of the following information.

I will say that Mr. Sager informed me that Mr. Sager had talked to Mr. Ghosh prior to entering court. I will say that Mr. Sager informed me that after his discussion with Mr. Ghosh, Mr. Sager informed me that this matter would be adjourned for a week or two and that we would come back and speak to this matter at that adjourned date. I will say that Mr. Sager also informed me that Mr. Sager and I would have time to discuss possible options for sentencing and then Mr. Sager would discuss those possible options with Mr. Ghosh prior to the adjourned court date. I will say that Mr. Sager informed me that we would come back on the adjourned court date, enter a plea and sentencing would also occur on that adjourned date. I will say that at that time outside of the courtroom on the 06-Mar-08, Mr. Sager informed me that I would **not** be required to enter a plea upon entering the courtroom on the 06-Mar-08.

I will say that upon entering the courtroom on the 06-Mar-08 that I was put on the spot to respond to plea to the charge against Mr. Terry Corbett. I will say that my lawyer, Mr. Sager did **not** inform that this would be transpiring on the 06-Mar-08. As a result, I will say that I was in a total state of shock. I will say that as a result of **not** being informed, I did **not** know what to do. I will say that since Mr. Sager did **not** even inform me that I would be required to enter a plea on the 06-Mar-08 that Mr. Sager obviously did **not** inform me about what a plea to this charge could mean to my future. In addition, I will say that I did **not** know what a plea to this charge could mean to the other charges against me. Once again, I was **not** informed by Mr. Sager that I was entering a plea or any pleas on the 06-Mar-08.

Next, I will say that I am put on the spot again, to respond to a plea to a Highway Traffic Act charge. Once again, I am **not** prepared to respond to this charge. Mr. Sager did **not** inform me that I would be required to enter a plea to the Highway Traffic Act. In fact, I will say that it caught me by such a surprise that I was **not** even made aware by Mr. Sager that I had even been charged under the Highway Traffic Act in this matter. I will say that I was aware that I had been charged with 1 count of over 80mgs and 2 counts of Impaired Driving Causing Bodily Harm and the charges were all in accordance with the Criminal Code of Canada. I will say that Mr. Sager did **not** inform me about what a plea to the Highway Traffic Act could mean to my future.

Next, I will say that I was also required to elect a mode for trial. I will say that Mr. Sager did **not** inform me that I would still be required to elect mode for trial on the 06-Mar-08. I will say that I was informed by Mr. Sager that the matter would be adjourned for a week to two weeks and that we would enter a plea on that adjourned date and that sentencing would also occur on that adjourned date. As a result, I did **not** know that I was going to have elect a mode for trial on the 06-Mar-08. Once again, I am put on the spot at a moments notice to respond to something I am **not** prepared to respond to. I will say that I was forced to make a decision at a moments notice at the advice and words of my lawyer, Mr. Steven R. Sager. I will say that I relinquished my chance for a preliminary inquiry and am unable to re-elect my mode for trial as a result of electing the mode for trial that Mr. Sager suggested. I will say that this was something that I was unprepared to respond to and that my lawyer Mr. Sager did **not** inform me that this was still going to occur in court on the 06-Mar-08.

I will say that should Mr. Sager refute or deny the following true facts that Mr. Sager would be dishonest with me, himself, the Honorable Presiding Justice and this Honorable Court. I will say that the above facts are the truth and nothing but the truth.

I will say that I have had issues with Mr. Sager in the past and had requested that he be removed from the record as my lawyer. I will say that Mr. Sager has **not** been removed from the record as my lawyer.

I will say that I know that Mr. Sager has had contact with my father, Mr. Peter Dunlop. I will say that I did **not** grant permission to Mr. Sager or Mr. Peter Dunlop to discuss my private legal matters.

I will say that Mr. Sager has treated me in an unfair, unjust and dishonest manner which is prejudicial to my best interests. I will say that I am dumbfounded by the reprehensible and dishonest actions of Mr. Steven R. Sager.

Thank you for your attention to these statements.

Yours truly,

Derek Dunlop

30-Jul-08-
2:40pm

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

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

FAX COVER SHEET-

MARCY SEGAL
Barrister, Solicitor

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

July 30/08 2:40

Please deliver the following pages to

Name: David Dunlop

5 pages transmitted.

Name: Catherine Keller-Yeh

STEVEN R. SAGER

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

June 15, 2008

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

Your Honour:

Re: Regina v. Dunlop

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Yours Truly,

STEVEN R. SAGER

cc. Law Society of Upper Canada

17-Jun-08- Steven R. Sager sent Derek Dunlop an e-mail.
2:50:42pm

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

Derek,

This e-mail will confirm receipt of your telephone call. **As your are now represented by court appointed counsel who's fees are being paid for by the office of the Attorney General and owing to the circumstances you should not be calling, writing or e-mailing me directly. Everything should now be done through you counsel.**

I hope you do the right thing and get this case behind you and get on with your life. As always I wish you the best of luck.

Steven R. Sager.

21-Jul-08- Derek Dunlop sent Steven Sager an e-mail.
11:21:20am

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

21-Jul-08

Dear Mr. Sager:

I would greatly appreciate it if you could return all the monies that I have paid to you. Owing to the circumstances I would hope that you would agree that this is the proper thing to do.

It was suggested by the Amicus Curaie, Ms. Marcy Segal that I send you a letter in relation to the above request.

Thank you for your attention to this matter.

Yours truly,

Derek Dunlop

05-Aug-08- Derek Dunlop sent an e-mail to Mr. Amit Ghosh, Ms. Marcy Segal,
1:35:40pm Mr. Adrian Greenaway and Mr. Steven R. Sager.

Pg 1

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

04-Aug-08

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

Dear Mr. Amit Ghosh, Ms. Marcy Segal, Mr. Adrian Greenaway & Mr. Steven R. Sager:

I greatly appreciate the fact that Mr. Steven R. Sager apparently has health issues that are effecting his life and wish Mr. Sager the best in dealing with those issues.

The fact remains that Mr. Steven R. Sager has falsely represented himself as a lawyer to the Honorable Court, the Honourable Justice Wright, the Crown Attorneys, the legal community and to myself, Derek Dunlop. Mr. Sager's letter appears to be trying to COVER-UP for his wrong doing and by placing BLAME TOWARDS ME.

Mr. Sager has not considered my best interests n the matters that he has dealt with. This has been pre-judicial to my best interest nd my defence. Mr. Sager has only tried to discredit me and intentionally SABOTAGE my life. Once again this intent is evident in his APPALLING LETTER dated the 15-Jun-08.

I HAVE MAINTAINED A FILE ON MR. SAGER THAT IS APPROXIMATELY 300 PAGES IN CONTENT.

UNFORTUNATELY, I HAVE HAD TO THOROUGHLY ANALYZE THE CONTENTS OF MR. SAGER'S FABRICATED LETTER AND NOW I HAVE TO DISCREDIT HIM.

As I have said previously, I am SHOCKED that MR. SAGER WOULD WRITE SUCH AN INCRIMINATING LETTER. UNLESS, THERE IS SOME ALTERNATE HYPOTHESIS AND REASONS THAT MR. SAGER HAS PURPOSELY WRITTEN SUCH A LETTER THAT I WILL BE MADE AWARE OF AT A LATER DATE.

I have attached an outline of my assessment of Mr. Sager's letter dated he 15-Jun-08.

05-Aug-08-
1:35:40pm
Pg 2

Thank you for your attention to this information.

Yours truly,

Derek Dunlop

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #1- Paragraph #2-

1. Mr. Sager did **not** inform me that he was closing his office shortly after taking me on as a client.
2. Mr. Sager **never** informed me that he was retiring. The first I have heard about Mr. Sager retiring is in Mr. Sager's letter dated the 15-Jun-08.
3. Mr. Sager **never** informed me that I was going to be one of his last clients before retiring.
4. Mr. Sager provides **no** date when he closed his office. Mr. Sager only states that shortly after taking on Mr. Dunlop as a client that he closed his office due to some serious health problems.
5. I **know** that I met with Mr. Steven R. Sager on the 16-Oct-06. On the 16-Oct-06, Mr. Sager had an office located at 115 Torbay Road, Suite #2, Markham, ON.
6. I **know** that Mr. Sager relocated his office to 70 East Beaver Creek, Suite #201, Richmond Hill, ON. I do **not** know the date when Mr. Sager relocated his office.

Page #1- Paragraph #3-

1. There are inaccuracies in Mr. Sager's assertions in this paragraph and there were numerous inaccuracies in Mr. Sager's submissions to the court.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #2- Paragraph #1-

1. I **never** informed Mr. Sager that I was moving to North Bay, ON as I had no intentions of returning to North Bay, ON. I ended up in North Bay as I was released to my surety who resided in North Bay, ON.

Page #2- Paragraph #2-

1. Mr. Sager **never** informed me that he was **not** a lawyer. Mr. Sager led me to believe that he was a lawyer at the first meeting and continued to do so during the entire time that he represented me.
2. Mr. Sager **never** informed me that he was a criminal defense agent and/or a paralegal.

Page #2- Paragraph #3

1. Mr. Sager did **not** ask me to have Mr. Don Thorne attend our first meeting.
2. Mr. Don Thorne did **not** attend the first meeting between Mr. Sager and myself, Mr. Derek Dunlop.
3. I did **not** advise Mr. Sager of future civil action against the Barrie Children's Aid Society. At the time of our first meeting, I already was involved with litigation against the Children's Aid Society and had legal representation.
4. I **know** that Mr. Sager used letterhead with the address 70 East Beaver Creek, Suite #201, Richmond Hill, ON to me in a letter dated 03-Dec-07.
5. I **know** that my mother, Ms. Barbara Dunlop and myself attended a meeting with Mr. Sager at 70 East Beaver Creek, Suite #201, Richmond Hill, ON on the 04-Jan-08.
6. I **know** that Mr. Sager and legal assistant Ms. Dianne F. Blencoe used the address 70 East Beaver Creek, Suite #201, Richmond Hill, ON in an Application and Affidavit to the Newmarket Court on the 07-Feb-08 and 06-Feb-08 respectively.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #2- Paragraph #4-

1. Mr. Sager states that it would be impossible for Mr. Dunlop not to have known that Mr. Sager was a agent/paralegal. I do **not** know how Mr. Sager can make inferences about the impossibilities of my knowledge of him.
2. I **know** that Mr. Sager had numerous documents on his walls in his office during our first meeting. I did **not** ask him what each document represented.
3. I **know** that during our first meeting that Mr. Sager informed me that he had obtained a law degree in California.
4. I **know** that Mr. Sager's office at 115 Torbay Road, Suite #2, Markham, ON, was located in an industrial area.
5. I **know** that Mr. Sager's office at 115 Torbay Road, Suite #2, Markham, ON, was adjacent to a private investigating company.
6. I **know** that the signage on the outside of the building was in reference to the private investigating company.
7. I **know** that there was no signage indicating that Mr. Sager was a paralegal, otherwise I would have questioned it at the time. If there was any signage I did **not** notice any.
8. I do **not** understand how Mr. Sager can comment on what my opinion of him was. My opinion of Mr. Sager was that he was a lawyer.
9. Mr. Sager states that he was **not** a lawyer nor did he ever hold himself out to be one at any time. This is interesting given the fact that Mr. Sager falsely represented himself to the Honorable Court, the Honorable Justice Wright, the Crown Attorneys, the legal community and to myself.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #2- Paragraph #6-

1. Mr. Sager indicates that when he first took on Mr. Dunlop's mischief case, Mr. Sager had no idea that it was also being preceded by way of indictment and as soon as he found this out he advised Mr. Dunlop that he could not continue. (This is very confusing)
2. Mr. Sager must have eventually obtained the knowledge that the Crown was proceeding by way of indictment.
3. If as soon as Mr. Sager found this out he advised me, Mr. Dunlop that he could not continue then we would **not** be where we are today as neither of us would have proceeded forward.
4. Mr. Sager **never** advised me that he could **not** continue with the Mischief case. If Mr. Sager could **not** continue then why did Mr. Sager continue.
5. Mr. Sager has repeatedly informed me that Mr. Sager has had **no** discussions with Ms. Mary Hall.
6. If point #5 is true, that I am **not** sure how Mr. Sager obtained his information about Ms. Mary Hall that he refers to in this paragraph.
7. At the time, I was **never** informed that the case was not supposed to go to trial.
8. Ms. Mary Hall did **not** ask myself, Mr. Derek Dunlop to enter into a peace bond, as we **never** made it to that juncture.
9. Ms. Mary Hall and Mr. Dunlop did **not** have an issue over a peace bond and that was not the entire issue as Mr. Sager indicates in this paragraph.
10. I have **never** stated to anyone that I felt by entering into a peace bond that I was agreeing that the Barrie Children's Aid Society was correct to fire me because of the charge. (I do **not** know what Mr. Sager is talking about in this instance)
11. The entire rest of paragraph #6 that continues on the top of page #3 is very inaccurate in its contents and Mr. Sager once again is very confusing.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #2- Paragraph #6-(continued on top of page #3)

12. Mr. Sager informed me that in his discussions with Crown Attorney, Ms. Kathryn Hull that if I attended an anger management program that the Crown would withdraw the charges. This did **not** occur.
13. Mr. Sager states that unfortunately just prior to this I was charged with impaired causing bodily harm. At the time, I **had** not hired Mr. Sager for the Mischief matter. Furthermore, Mr. Sager indicates the Mischief charge was already stayed. This did **not** occur until sometime in June of 2007. (Once again, Mr. Sager is extremely confusing and inaccurate)
14. Mr. Sager **never** advised me that Mr. Sager acted for persons charged for impaired driving when the Crown elected to proceed by way of summary conviction.
15. Mr. Sager **never** informed me that I would need a lawyer. If Mr. Sager informed me that I needed a lawyer than I would have done so and Mr. Sager would have stepped aside.

Page #3- Paragraph #2-

1. **No** doctor has attempted to take blood from me as Mr. Sager is indicating.
2. I, Derek Dunlop have **never** made a statement to anyone that they were all trying to implant a tracking device into my body. First of all, who is Mr. Sager referring to when he indicates **all**. (This statement is ludicrous)
3. I do **not** know what Mr. Sager is referencing about people trying to put me in jail in letters that I wrote.
4. I **know** that there are numerous legalities involved but I did **not** admit to Mr. Sager that I was guilty of the new charges as Mr. Sager indicates.
5. Mr. Sager has made reference to my mental breakdown. I did **not** realize that Mr. Sager is qualified to make such an assessment.
6. Mr. Sager indicates that the mental breakdown began with my previous lawyer and she could not deal with it. Once again, where is this information coming from.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #3- Paragraph #3-

1. If Mr. Sager wanted to walk away then why did Mr. Sager just **not** walk away.
2. Mr. Sager **knew** he should stay clear of this matter but he stayed anyway. (Once again, Mr. Sager is very confusing)
3. Why did Mr. Sager feel a need to help Mr. Dunlop.
4. Mr. Sager **never** stated to me that he would only assist me with respect to a guilty plea. (What an outrageous statement)

Page #3- Paragraph #4-

1. Mr. Sager's information in this paragraph is totally inaccurate. (I possess documentation that outlines what transpired)

Page #3- Paragraph #5-

1. Mr. Sager did **not** file an Application to be removed because he found it impossible to deal with Mr. Dunlop. I had requested his removal.
2. Mr. Sager's statement about me still stating I was guilty but was convinced I had to have a trial in order to obtain a fair sentence makes **no** sense whatsoever. Once again, I did **not** state to Mr. Sager that I was guilty.
3. Mr. Sager and I did **not** have an arrangement **not** to discuss the details with my parents. (I would have thought that Mr. Sager's professional obligation is **not** to discuss my legal matters with anyone without my permission, thus we would **not** have to have an arrangement)
4. I have **never** informed Mr. Sager that I do not trust my parents.
5. I did **not** grant permission for Mr. Sager to talk to my parents in the beginning.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #4- Paragraph #2-

1. Mr. Sager has indicated that he closed his office shortly after taking on my case and he has worked on my case from home. Mr. Sager apparently has had another office in Richmond Hill, ON. Mr. Sager has also informed me of other cases that he has been representing clients in other jurisdictions in the Province of Ontario.

Page #4- Paragraph #3-

1. Mr. Sager has indicated that what he has done for me he did in good faith to help a man whom he truly believed needed his help to get through a serious emotional time in my life. (What????) This does **not** make sense to me.

Page #4- Paragraph #4-

1. Mr. Sager makes it a point again to say that I have always admitted my guilt but just wanted a fair sentence to the charges against me. This is **not** true.

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

Information No. 0608133

**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 August 4th, 2008.
2. Affidavit of Derek Dunlop dated August 4th, 2008.
3. Exhibit "A"- Will Say Statement of Derek Dunlop dated June 2nd, 2008.
4. Exhibit "B"- Will Say Statement of Derek Dunlop dated August 4th, 2008.

**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, August 13th, 2008, or as soon after that time as the application can be heard at Courtroom no. 200, 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 applicant Derek Dunlop is submitting a Will Say Statement in relation to the events that transpired between his lawyer, Mr. Steven R. Sager and the applicant Derek Dunlop at the Newmarket Courthouse on the 06-Mar-08.
2. That the applicant Derek Dunlop is submitting a Will Say Statement in relation to the letter dated the 15-Jun-08 that his lawyer, Mr. Steven R. Sager submitted to the Honourable Court.

3. That the applicant is requesting that the Honourable Court request that Mr. Steven R. Sager produce a copy of all his recorded contacts, documents, e-mails, disclosure and any other materials that Mr. Sager has in his possession related to this matter to the applicant, Derek Dunlop.
4. That the applicant, Derek Dunlop is requesting that the Honourable Court order Mr. Steven R. Sager to produce a copy of all contacts that the Mr. Sager had with the applicant's father Mr. Peter Dunlop. The applicant, Derek Dunlop did not grant permission to Mr. Sager or Mr. Peter Dunlop to speak to one another about Derek Dunlop's private legal matters. The applicant asserts that his fiduciary rights and privileges have been violated by Mr. Steven R. Sager.
5. That the applicant, Derek Dunlop is requesting that the Honorable Court order Mr. Steven R. Sager to respond to the Will Say Statement of Derek Dunlop dated June 2nd, 2008. That the Honourable Court order Mr. Steven R. Sager to testify under oath to the events that transpired in court on March 6th, 2008 between the applicant, Derek Dunlop and Mr. Steven R. Sager.
6. That the applicant, Derek Dunlop is requesting that the Honorable Court order Mr. Steven R. Sager to respond to the Will Say Statement of Derek Dunlop dated August 4th, 2008. That the Honourable Court order Mr. Steven R. Sager to testify under oath to the contents of Mr. Sager's letter dated the 15-Jun-08 that he submitted to the Honourable Court.
7. That the applicant, Derek Dunlop is requesting that the Honorable Court consider providing the applicant with a copy of all court transcripts in relation to this matter.
8. That the applicant, Derek Dunlop is requesting that the Honorable Court consider moving this case to trial while the applicant, Derek Dunlop acquires all related evidence that will assist in defending the applicant, Derek Dunlop in this matter.

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

1. Notice of Application dated August 4th, 2008.
2. Affidavit of Derek Dunlop dated August 4th, 2008.
3. Exhibit “A” – Will Say Statement of Derek Dunlop dated June 2nd, 2008.
4. Exhibit “B”- Will Say Statement of Derek Dunlop dated August 4th, 2008.
5. Such further and other materials as the applicant may advise and this Honorable Court may permit.

THE RELIEF SOUGHT IS:

6. An order allowing the Application and adjourning this matter, granting the accused, Derek Dunlop time to retain and instruct new counsel.
7. An order allowing the withdrawal of the plea of the accused, Derek Dunlop that was entered into the court record on March 6th, 2008.
8. An order allowing the withdrawal of the mode for trial that was elected by the accused, Derek Dunlop that was entered into the court record on March 6th, 2008.
9. An order providing the applicant, Derek Dunlop with a copy of all of Mr. Steven R. Sager’s documentation and contacts related to this matter.
10. An order providing the applicant with a copy of all court transcripts related to this matter.
11. An order requesting Mr. Steven R. Sager respond to the Will Say Statement of the applicant, Derek Dunlop dated June 2nd, 2008.
12. An order requesting Mr. Steven R. Sager respond to the Will Say Statement of the applicant, Derek Dunlop dated August 4th, 2008.
13. An order removing Amicus Curaie, Ms. Marcy Segal from the record.
14. An order removing the Crown Attorney, Mr. Amit Ghosh from the record.
15. An order removing the Honourable Justice Wright from the record.

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

16. By service in accordance with Rule 5, at
- Derek Dunlop
Applicant/Accused
401-295 Lakeshore Drive
North Bay, ON
- Tel: (705) 495-6377

DATED AT NORTH BAY THIS 6th DAY OF August, 2008.

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

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 August 13th, 2008)

Derek Dunlop
Applicant/Accused
401-295 Lakeshore Drive
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

**AFFIDAVIT OF DEREK JAMES DUNLOP
(Dated August 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. I am requesting that this Honourable Court consider my application dated August 4th, 2008 requesting an adjournment in this matter. This would provide the applicant, Derek Dunlop the opportunity to retain and instruct new counsel.
3. I am requesting that this Honourable Court consider removing Ms. Marcy Segal as Amicus Curaie until the applicant, Derek Dunlop is able to secure suitable legal representation in this matter.

4. I am requesting that the Honourable Court consider removing Crown Attorney, Mr. Amit Ghosh from the record in this case, owing to all the circumstances and biases that Mr. Ghosh would have at this juncture in this matter.
5. I am requesting that the Honourable Court consider removing the Honourable Justice Wright from the record in this case, owing to all the circumstances and biases that the Honourable Justice Wright would have at this juncture in this matter.
6. I am requesting that this Honourable Court consider my application dated August 4th, 2008, providing the applicant, Derek Dunlop with a copy of all of Mr. Steven R. Sager's documentation and contacts related to this matter.
7. I am requesting that this Honourable Court consider an order that would secure any private communications between Mr. Steven R. Sager and Mr. Derek Dunlop in this matter.
8. I am requesting that this Honourable Court consider my application dated August 4th, 2008, requesting that this Honourable Court provide the applicant, Derek Dunlop a copy of all court transcripts related to this matter.
9. I am requesting that Honourable Court consider moving this case to trial while the applicant, Derek Dunlop acquires all related evidence that will assist in defending the applicant, Derek Dunlop in this matter.
10. Further, I am requesting that this Honourable Court consider withdrawing the plea of the applicant, Derek Dunlop that was entered into the court record on March 6th, 2008.
11. Additionally, I am requesting that this Honourable Court consider and permit the applicant, Derek Dunlop the opportunity to re-elect mode for trial in this matter.
12. I am requesting that this Honourable Court order Mr. Steven R. Sager to respond to the Will Say Statement of the applicant, Derek Dunlop dated June 2nd, 2008 and enter this Will Say Statement into evidence in this matter.
13. I am requesting that this Honourable Court order Mr. Steven R. Sager to respond to the Will Say Statement of the applicant, Derek Dunlop dated August 4th, 2008 and enter this Will Say Statement into evidence in this matter.

14. I am requesting that the Honourable Court accept approximately 300 pages of documentation in relation to Mr. Steven R. Sager in this matter.
15. I am requesting that the Honourable Court accept over 600 pages of documentation in relation to this matter.
16. This Affidavit is made in support of an Application for an adjournment permitting the applicant to obtain all related evidence that will assist in defending the applicant, Derek Dunlop in this matter and for no improper purpose.

SWORN BEFORE ME at the
City of North Bay, in the
Province of Ontario
this 6th day of August 2008.

Sworn by James Morris
Presiding Justice of the Peace
Province of Ontario

Commissioner for Taking Affidavits
(or as may be)

Derek James Dunlop

Also stamped by James Morris

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 August 4th, 2008)

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

This is Exhibit “A” referred to in the
Affidavit of Derek Dunlop
sworn before me this 6th
day of Aug 2008.

Sworn by James Morris
Presiding Justice of the Peace
Province of Ontario

A Commissioner for taking affidavits.

Also stamped by James Morris

EXHIBIT “A”

Will Say Statement of Derek Dunlop dated June 2nd, 2008:

I, Derek Dunlop will say and testify under oath that on the 06-Mar-08 at the Newmarket Court House in Newmarket, Ontario that I spoke to my lawyer Mr. Steven R. Sager prior to entering court. I will say that I asked Mr. Sager what would happen if I decided to enter into a plea. I will say that Mr. Sager said that he would have to speak to the Crown Attorney, Mr. Amit Ghosh about me entering a plea. Mr. Sager apparently approached Mr. Ghosh in confidence. After Mr. Sager apparently spoke to Mr. Ghosh about me entering a plea, Mr. Sager returned to me outside the courtroom and informed me of the following information.

I will say that Mr. Sager informed me that Mr. Sager had talked to Mr. Ghosh prior to entering court. I will say that Mr. Sager informed me that after his discussion with Mr. Ghosh, Mr. Sager informed me that this matter would be adjourned for a week or two and that we would come back and speak to this matter at that adjourned date. I will say that Mr. Sager also informed me that Mr. Sager and I would have time to discuss possible options for sentencing and then Mr. Sager would discuss those possible options with Mr. Ghosh prior to the adjourned court date. I will say that Mr. Sager informed me that we would come back on the adjourned court date, enter a plea and sentencing would also occur on that adjourned date. I will say that at that time outside of the courtroom on the 06-Mar-08, Mr. Sager informed me that I would **not** be required to enter a plea upon entering the courtroom on the 06-Mar-08.

I will say that upon entering the courtroom on the 06-Mar-08 that I was put on the spot to respond to plea to the charge against Mr. Terry Corbett. I will say that my lawyer, Mr. Sager did **not** inform that this would be transpiring on the 06-Mar-08. As a result, I will say that I was in a total state of shock. I will say that as a result of **not** being informed, I did **not** know what to do. I will say that since Mr. Sager did **not** even inform me that I would be required to enter a plea on the 06-Mar-08 that Mr. Sager obviously did **not** inform me about what a plea to this charge could mean to my future. In addition, I will say that I did **not** know what a plea to this charge could mean to the other charges against me. Once again, I was **not** informed by Mr. Sager that I was entering a plea or any pleas on the 06-Mar-08.

Next, I will say that I am put on the spot again, to respond to a plea to a Highway Traffic Act charge. Once again, I am **not** prepared to respond to this charge. Mr. Sager did **not** inform me that I would be required to enter a plea to the Highway Traffic Act. In fact, I will say that it caught me by such a surprise that I was **not** even made aware by Mr. Sager that I had even been charged under the Highway Traffic Act in this matter. I will say that I was aware that I had been charged with 1 count of over 80mgs and 2 counts of Impaired Driving Causing Bodily Harm and the charges were all in accordance with the Criminal Code of Canada. I will say that Mr. Sager did **not** inform me about what a plea to the Highway Traffic Act could mean to my future.

Next, I will say that I was also required to elect a mode for trial. I will say that Mr. Sager did **not** inform me that I would still be required to elect mode for trial on the 06-Mar-08. I will say that I was informed by Mr. Sager that the matter would be adjourned for a week to two weeks and that we would enter a plea on that adjourned date and that sentencing would also occur on that adjourned date. As a result, I did **not** know that I was going to have elect a mode for trial on the 06-Mar-08. Once again, I am put on the spot at a moments notice to respond to something I am **not** prepared to respond to. I will say that I was forced to make a decision at a moments notice at the advice and words of my lawyer, Mr. Steven R. Sager. I will say that I relinquished my chance for a preliminary inquiry and am unable to re-elect my mode for trial as a result of electing the mode for trial that Mr. Sager suggested. I will say that this was something that I was unprepared to respond to and that my lawyer Mr. Sager did **not** inform me that this was still going to occur in court on the 06-Mar-08.

I will say that should Mr. Sager refute or deny the following true facts that Mr. Sager would be dishonest with me, himself, the Honorable Presiding Justice and this Honorable Court. I will say that the above facts are the truth and nothing but the truth.

I will say that I have had issues with Mr. Sager in the past and had requested that he be removed from the record as my lawyer. I will say that Mr. Sager has **not** been removed from the record as my lawyer.

I will say that I know that Mr. Sager has had contact with my father, Mr. Peter Dunlop. I will say that I did **not** grant permission to Mr. Sager or Mr. Peter Dunlop to discuss my private legal matters.

I will say that Mr. Sager has treated me in an unfair, unjust and dishonest manner which is prejudicial to my best interests. I will say that I am dumbfounded by the reprehensible and dishonest actions of Mr. Steven R. Sager.

Thank you for your attention to these statements.

Yours truly,

Derek Dunlop

This is Exhibit “B” referred to in the
Affidavit of Derek Dunlop
sworn before me this 6th
day of Aug 2008.

Sworn by James Morris
Presiding Justice of the Peace
Province of Ontario

A Commissioner for taking affidavits.

Also stamped by James Morris

EXHIBIT “B”

Will Say Statement of Derek Dunlop dated August 4th, 2008.

I, Derek Dunlop will say and testify under oath that the letter Mr. Steven R. Sager has submitted to the Honourable Court dated June 15th, 2008 is dishonest and fabricated. I am attaching 7 pages of my analysis of Mr. Sager’s letter and will testify under oath to the contents of this analysis.

Thank you for your attention to this information.

Yours truly,

Derek Dunlop

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #1- Paragraph #2-

1. Mr. Sager did **not** inform me that he was closing his office shortly after taking me on as a client.
2. Mr. Sager **never** informed me that he was retiring. The first I have heard about Mr. Sager retiring is in Mr. Sager's letter dated the 15-Jun-08.
3. Mr. Sager **never** informed me that I was going to be one of his last clients before retiring.
4. Mr. Sager provides **no** date when he closed his office. Mr. Sager only states that shortly after taking on Mr. Dunlop as a client that he closed his office due to some serious health problems.
5. I **know** that I met with Mr. Steven R. Sager on the 16-Oct-06. On the 16-Oct-06, Mr. Sager had an office located at 115 Torbay Road, Suite #2, Markham, ON.
6. I **know** that Mr. Sager relocated his office to 70 East Beaver Creek, Suite #201, Richmond Hill, ON. I do **not** know the date when Mr. Sager relocated his office.

Page #1- Paragraph #3-

1. There are inaccuracies in Mr. Sager's assertions in this paragraph and there were numerous inaccuracies in Mr. Sager's submissions to the court.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #2- Paragraph #1-

1. I **never** informed Mr. Sager that I was moving to North Bay, ON as I had no intentions of returning to North Bay, ON. I ended up in North Bay as I was released to my surety who resided in North Bay, ON.

Page #2- Paragraph #2-

1. Mr. Sager **never** informed me that he was **not** a lawyer. Mr. Sager led me to believe that he was a lawyer at the first meeting and continued to do so during the entire time that he represented me.
2. Mr. Sager **never** informed me that he was a criminal defense agent and/or a paralegal.

Page #2- Paragraph #3

1. Mr. Sager did **not** ask me to have Mr. Don Thorne attend our first meeting.
2. Mr. Don Thorne did **not** attend the first meeting between Mr. Sager and myself, Mr. Derek Dunlop.
3. I did **not** advise Mr. Sager of future civil action against the Barrie Children's Aid Society. At the time of our first meeting, I already was involved with litigation against the Children's Aid Society and had legal representation.
4. I **know** that Mr. Sager used letterhead with the address 70 East Beaver Creek, Suite #201, Richmond Hill, ON to me in a letter dated 03-Dec-07.
5. I **know** that my mother, Ms. Barbara Dunlop and myself attended a meeting with Mr. Sager at 70 East Beaver Creek, Suite #201, Richmond Hill, ON on the 04-Jan-08.
6. I **know** that Mr. Sager and legal assistant Ms. Dianne F. Blencoe used the address 70 East Beaver Creek, Suite #201, Richmond Hill, ON in an Application and Affidavit to the Newmarket Court on the 07-Feb-08 and 06-Feb-08 respectively.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #2- Paragraph #4-

1. Mr. Sager states that it would be impossible for Mr. Dunlop not to have known that Mr. Sager was a agent/paralegal. I do **not** know how Mr. Sager can make inferences about the impossibilities of my knowledge of him.
2. I **know** that Mr. Sager had numerous documents on his walls in his office during our first meeting. I did **not** ask him what each document represented.
3. I **know** that during our first meeting that Mr. Sager informed me that he had obtained a law degree in California.
4. I **know** that Mr. Sager's office at 115 Torbay Road, Suite #2, Markham, ON, was located in an industrial area.
5. I **know** that Mr. Sager's office at 115 Torbay Road, Suite #2, Markham, ON, was adjacent to a private investigating company.
6. I **know** that the signage on the outside of the building was in reference to the private investigating company.
7. I **know** that there was no signage indicating that Mr. Sager was a paralegal, otherwise I would have questioned it at the time. If there was any signage I did **not** notice any.
8. I do **not** understand how Mr. Sager can comment on what my opinion of him was. My opinion of Mr. Sager was that he was a lawyer.
9. Mr. Sager states that he was **not** a lawyer nor did he ever hold himself out to be one at any time. This is interesting given the fact that Mr. Sager falsely represented himself to the Honorable Court, the Honorable Justice Wright, the Crown Attorneys, the legal community and to myself.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #2- Paragraph #6-

1. Mr. Sager indicates that when he first took on Mr. Dunlop's mischief case, Mr. Sager had no idea that it was also being preceded by way of indictment and as soon as he found this out he advised Mr. Dunlop that he could not continue. (This is very confusing)
2. Mr. Sager must have eventually obtained the knowledge that the Crown was proceeding by way of indictment.
3. If as soon as Mr. Sager found this out he advised me, Mr. Dunlop that he could not continue then we would **not** be where we are today as neither of us would have proceeded forward.
4. Mr. Sager **never** advised me that he could **not** continue with the Mischief case. If Mr. Sager could **not** continue then why did Mr. Sager continue.
5. Mr. Sager has repeatedly informed me that Mr. Sager has had **no** discussions with Ms. Mary Hall.
6. If point #5 is true, that I am **not** sure how Mr. Sager obtained his information about Ms. Mary Hall that he refers to in this paragraph.
7. At the time, I was **never** informed that the case was not supposed to go to trial.
8. Ms. Mary Hall did **not** ask myself, Mr. Derek Dunlop to enter into a peace bond, as we **never** made it to that juncture.
9. Ms. Mary Hall and Mr. Dunlop did **not** have an issue over a peace bond and that was not the entire issue as Mr. Sager indicates in this paragraph.
10. I have **never** stated to anyone that I felt by entering into a peace bond that I was agreeing that the Barrie Children's Aid Society was correct to fire me because of the charge. (I do **not** know what Mr. Sager is talking about in this instance)
11. The entire rest of paragraph #6 that continues on the top of page #3 is very inaccurate in its contents and Mr. Sager once again is very confusing.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #2- Paragraph #6-(continued on top of page #3)

12. Mr. Sager informed me that in his discussions with Crown Attorney, Ms. Kathryn Hull that if I attended an anger management program that the Crown would withdraw the charges. This did **not** occur.
13. Mr. Sager states that unfortunately just prior to this I was charged with impaired causing bodily harm. At the time, I **had** not hired Mr. Sager for the Mischief matter. Furthermore, Mr. Sager indicates the Mischief charge was already stayed. This did **not** occur until sometime in June of 2007. (Once again, Mr. Sager is extremely confusing and inaccurate)
14. Mr. Sager **never** advised me that Mr. Sager acted for persons charged for impaired driving when the Crown elected to proceed by way of summary conviction.
15. Mr. Sager **never** informed me that I would need a lawyer. If Mr. Sager informed me that I needed a lawyer than I would have done so and Mr. Sager would have stepped aside.

Page #3- Paragraph #2-

1. **No** doctor has attempted to take blood from me as Mr. Sager is indicating.
2. I, Derek Dunlop have **never** made a statement to anyone that they were all trying to implant a tracking device into my body. First of all, who is Mr. Sager referring to when he indicates **all**. (This statement is ludicrous)
3. I do **not** know what Mr. Sager is referencing about people trying to put me in jail in letters that I wrote.
4. I **know** that there are numerous legalities involved but I did **not** admit to Mr. Sager that I was guilty of the new charges as Mr. Sager indicates.
5. Mr. Sager has made reference to my mental breakdown. I did **not** realize that Mr. Sager is qualified to make such an assessment.
6. Mr. Sager indicates that the mental breakdown began with my previous lawyer and she could not deal with it. Once again, where is this information coming from.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #3- Paragraph #3-

1. If Mr. Sager wanted to walk away then why did Mr. Sager just **not** walk away.
2. Mr. Sager **knew** he should stay clear of this matter but he stayed anyway. (Once again, Mr. Sager is very confusing)
3. Why did Mr. Sager feel a need to help Mr. Dunlop.
4. Mr. Sager **never** stated to me that he would only assist me with respect to a guilty plea. (What an outrageous statement)

Page #3- Paragraph #4-

1. Mr. Sager's information in this paragraph is totally inaccurate. (I possess documentation that outlines what transpired)

Page #3- Paragraph #5-

1. Mr. Sager did **not** file an Application to be removed because he found it impossible to deal with Mr. Dunlop. I had requested his removal.
2. Mr. Sager's statement about me still stating I was guilty but was convinced I had to have a trial in order to obtain a fair sentence makes **no** sense whatsoever. Once again, I did **not** state to Mr. Sager that I was guilty.
3. Mr. Sager and I did **not** have an arrangement **not** to discuss the details with my parents. (I would have thought that Mr. Sager's professional obligation is **not** to discuss my legal matters with anyone without my permission, thus we would **not** have to have an arrangement)
4. I have **never** informed Mr. Sager that I do not trust my parents.
5. I did **not** grant permission for Mr. Sager to talk to my parents in the beginning.

Mr. Steven R. Sager's letter dated 15-Jun-08.

Page #4- Paragraph #2-

1. Mr. Sager has indicated that he closed his office shortly after taking on my case and he has worked on my case from home. Mr. Sager apparently has had another office in Richmond Hill, ON. Mr. Sager has also informed me of other cases that he has been representing clients in other jurisdictions in the Province of Ontario.

Page #4- Paragraph #3-

1. Mr. Sager has indicated that what he has done for me he did in good faith to help a man whom he truly believed needed his help to get through a serious emotional time in my life. (What????) This does **not** make sense to me.

Page #4- Paragraph #4-

1. Mr. Sager makes it a point again to say that I have always admitted my guilt but just wanted a fair sentence to the charges against me. This is **not** true.

