

SENT TO STEVE SAGER • 17-OCT-06



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derekdunlop11@hotmail.com

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Subject: Just for your information.

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Swan, Ellen

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Hi Steve:

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

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

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

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

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

Copy Message to Sent Folder

Hi Steve:

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

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

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

There are many prominent people who are involved. There is power and money involved.

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

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

Thank you again and we'll talk soon.

Yours truly,

Derek Dunlop

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

PRACTICE OF CRIMINAL LAW

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

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

November 1, 2006

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

Dear Sir:

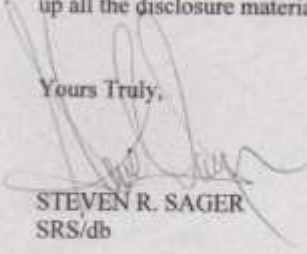
Re: Regina v. Dunlop, Collingwood Criminal Court

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

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

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

Yours Truly,


STEVEN R. SAGER
SRS/db

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

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File No: SRS/1810/06

November 1, 2006

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

Dear Sir/Madam:

Re: Regina v. Dunlop, Barrie Criminal Court

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

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

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

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

Thanking you for your assistance in advance.

Yours Truly,

COPY FOR YOUR
INFORMATION

STEVEN R. SAGER

SRS/db
cc: Mr. Dunlop

STEVE SAGEE

17-NOV-06

2:12PM

I called Mr. Steve Sagee back from this morning as he was busy this morning. Steve asked me if I could call him back in 5 minutes. I said sure.

STEVE SAGER

17-NW-06
2:23 PM

I called Mr. Steve Sager back and he said that I was not going to believe this but he was on the other line with the Neumannet Court. Steve asked if he could call me back. I said sure and asked if he had the number was calling from. Steve said yes.

STEVE SAGER

17-NOV-06
3:21 AM

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

STEVE SAGER

20 NOV 06
9 57 AM

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

AKA - Go over my file, what does he have?

STEVE SAGOR.

21-NOV-06
12:03PM

Steve Sagar had told me to call him at 12:00PM today on the 20-NOV-06. When I called Steve I said to him who I was. Steve said how could he help me. (XXX AS IF HE DID NOT KNOW I WAS WORKING). I said that he had had a couple of questions for me about my file. Steve informed me that he had a client with him, I asked him if he wanted to call me back. Steve ~~says~~ asked if I was going to be at this number for a while. I said yes. It was my mother's at 495-6377. Steve said he would call me back.

STEVE SAGOR

2-NOW-06
1:09PM

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

MA: How would Steve know I was selling my
HOUSE AND WHY WOULD HE ASK ME THAT

STEVE SAGER

-1-

21-NOV-06
8:30 AM

I met with Steve Sager in the office drop at the bottom (BSMT) of the Newark courthouse. Peggy had got coffee and was going to sit at another table. Steve and I insisted that Peggy sit with us. XXX I KNOW THAT STEVE WANTED A WITNESS ANV USTY. Steve asked Peggy if she was my security and Peggy said yes. Steve said you know pretty well what is going on. I asked Steve if I should acknowledge the remorseful feeling that I had toward the injury (d) in the accident. I said that I am really concerned that they were hurt but I was worried about the reputation. Steve said that that would be good but did not elaborate on how I should go about this. I asked Steve if I should be attending my AA and he said that would be good. Steve said that he had a number that he could provide no for services in my area but he never did provide it. I asked Steve if the Crown Attorney from Newark and the Crown Attorney from Bernie would have been talking. Steve said yes but did not seem to elaborate. Steve talked about my Bernie case and said that he could not believe that Amy (now Amy) had not settled this case already. Steve said that he was trying to schedule a telephone conference with the crown in Bernie to discuss the case. Steve said that he would try and get this case closed and then this would be behind me. Steve also discussed about me signing a disclaimer to not have to attend the Newark court in relation to the Impaired Driving allegations. Steve left after 15 minutes ending the meeting and said he was going to go upstairs to see what was going on. Steve asked us

Steve Sloan

- 2 -

22-11-66
8:30 AM

to meet him up there at about 9:00 or 9:10 AM. After the meeting P. C. said that is good that he is going to try and get my case in. Bencie put behind me.

STEVE SAGRE

22-NOV-06

9:07 AM

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

XXX WHAT A BUNCH OF BULLSHIT THIS IS PROBABLY THE BIGGEST AMOUNT OF B.S. GREAT COVER THAT NONE WERE 6 FILES NOT PRESENT. EVERYBODY IS IN ON THIS AND NOW THERE WERE 6 FILES NOT IN COURT. (AS IF). TRY TO MAKE IT LOOK LIKE IT IS NOT JUST MINE.

STEVE SAGUN

29-NOV-06
8:45AM

I met with Steve Dager at the Bernie Coant House. Steve said that he had spoke to the Crown and Bernie briefly - Steve said he was not sure who the Crown he spoke to was, after I asked him if it was Kate Hull who he spoke to. Steve said that he hopes to get my matter over until the 17th of January (2017). Steve said that he had not received all disclosure from Mary Hall. Steve had asked whether I had requested it all from Mary Hall. I said "no." (MIS WAS SUPPOSED TO BE ALL DISCLOSED OFF TO THE CROWN'S OFFICE BY MARY HALL.) Steve said that this should not take that long in court today.

STEVE SARGER

29-NOV-06
9:43 AM

Steve represented us in court and asked that the matter be put over until the 17th of January 2007. Steve said that Myr Hall had been taken off the record and that he was being put on the record today. The judge (JUSTICE _____) asked the Crown whether she would be in agreement. The Crown noted that it has been the 7th appearance. Moments later the Crown agreed to the 17th of January, much to the surprise of the judge. The judge thought that the Crown was object. A Crown LESOUSTON meeting was suggested. Steve did not appear to be ready to make a commitment in relation to a date about a Crown resolution meeting.

STEVE SAUER.

30-NOV-06
1:31 PM

Steve Sauer returned my message from 10:30 AM earlier this morning. Steve said that the Crown in Neumarbat may just have made a mistake by not having the file at my last court date. I asked Steve if he had had contact with the Crown in Neumarbat and he had said "no." I said to Steve that he said there was other disclosure. Steve said that there were some tapes and that I was on tape. I said "no," and that I declined to provide them a statement. (THE POLICE). Steve said there was some other disclosure. Steve said he had a pre-trial scheduled with the Banca Crown for the 7TH of DECEMBER. Steve said he tried to put this behind me. Steve asked me to have information about an anger management program for him for the 7TH of DECEMBER. Steve informed that he had drafted a letter for the unincorporated adjacent to be able to talk to me.

NOTE IT WAS MERELY A COINCIDENCE THAT HE SCHEDULED A PRE-TRIAL WITH THE CROWN ON THE 7TH OF DECEMBER, ONE DAY AFTER MY CASE IN NEUMARBAT ON THE 6TH OF DECEMBER.

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

STEVE SAGER

CA-DEC-06
1:05PM

I called Steve Sager and the first thing Steve Sager asked me about was I staying out of trouble. I said yes. Steve then said he had not received any calls from the police. I asked Steve if he knew if there were any civil suits launched. Steve said that he was not aware of any civil suits. I asked Steve if he knew what the extent of the injuries were to the person that was severely hurt in the accident. Steve said he did not know and he had not talked to the Crown. I asked Steve if Wednesday was just disclosure. Steve said that he thought so but that he was not sure and he had shown the Crown to throw a hat at you. I asked Steve if this would be in conjunction with the Brame case. Steve said that this had nothing to do with the Brame case.

STEVE SAGOR.

06 DEC-06
9:57AM

Once again the Municipal court again did not have my file in court. The Clerk and a Special Constable had to make contact with the Assessor O.P.P. to get the file to court. The Special Constable came back to me at about 10:15 AM and said that it was either going to be forced or dropped off by the police. There were numerous delays. I asked Steve if he got my message from yesterday and he said, No. Steve averaged with the court to have my case moved until the 21-JAN-06. Steve said that I would wait around for the disclosure. There was no file. It was just a CHARGE SCREENING SHEET with annotations by the police officers and a synopsis and supplementary occurrence report. They are just wasting my time and not being ready on purpose.

*** ONCE AGAIN A BENEFIT OF B.S. WASTING MY MONEY (MY DAD'S MONEY) THAT WAS PAID TO STEVE SAGOR - CASE AGAIN THERE IS MORE COLLUSION.

*** STEVE STAYED UNTIL 10:30 AM AND SUPPOSEDLY HAD TO GO TO OLD PLYMOUTH CITY HALL BUT THREW MEET WITH ME FOR 20 MINUTES BEFORE HE LEFT. ONCE AGAIN - DEPRIVING FINANCIAL RESOURCES. IT IS A SET-UP.

*** PERCH GARDER + STEVE SAGOR APPEAR TO HAVE CONTACT WITH EARN OTHER BEHIND THE SCENES OR THROUGH A THIRD PARTY.

STEVE SAGER

07-DEC-06
5:15PM

Steve Sager contacted me after I had left him a message at 3:50PM earlier today. Steve said that the Barrie Crown did not give us that much. I said no, that they only gave me about 8-10 sheets. Steve asked about the charge screening sheet said. I said that the charge screening sheet said that they were going to pursue by indictment as Steve said they had asked me how they (THE crown) was proceeding. I said that the Crown was also going to ask for custody before trial and custody after trial. Steve said that they are going to go heavy bonded. I said it looks like it. Steve said that he had met with Catharina (KATE MULL) for a better part of the day in Barrie. Steve said that it appears that things are going to go our way. Steve said that if I get myself involved with the corporation management that the Crown may and Steve said he would probably get this behind. I asked Steve whether this would be a conditional discharge. Steve said so that if I get going with the corporation management that if there is a report forwarded to the Barrie Crown then they would be willing to consider withdrawing the charges. I said that I would follow up right away. Steve said that we are going to have difficulties with the other case. Steve said that the Barrie Crown would be willing to extend the case from 17-NOV-06 if I do not get involved. (P.M.A. BULLHIT?)

XXX STEVE AGAIN WASTING MY TIME + MONEY, THIS IS A SET-UP.

NOT ONLY AGAIN ADDLE GETTING ME TO PAY FOR COURSE IT IS A SET-UP, AGAIN.

10-DEC-06

Hi Mr. Sager:

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

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

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

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

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

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

Thank you for your continued assistance and co-operation.

Yours truly,

Derek Dunlop

STEVEN R. SAGER B.A. (Crim) J.D. C.Med
PRACTICE OF CRIMINAL LAW

115 Torbay Road
Suite 2
Markham Ontario
L3R-2M9

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(416) 284-2065
Fax (416) 284-1826
Markham Fax (905) 947-8451

Steven R. Sager, B.A. (Crim) J.D., C.Med
Please Reply To: SRS1810/06

December 21, 2006

Mr. Derek Dunlop
3 Sunnyside Road
Corbeil, Ontario
P0H-1K0

Dear Mr. Dunlop

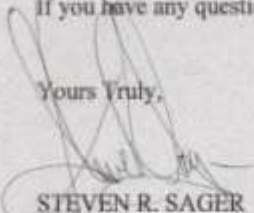
Re: Regina v. Dunlop

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

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

If you have any questions do not hesitate to call.

Yours Truly,


STEVEN R. SAGER
SRS/db

26-Dec-06

Subject: Barrie Case-Mischief Under \$5 000.

Dear Mr. Sager:

I hope you and your family had a Merry Christmas.

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

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

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

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

Thank you for your continued assistance.

Yours truly,

Derek Dunlop

26-Dec-06

Subject: Newmarket Case- Impaired

Dear Mr. Sager:

Do we have much of a defence for this case?

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

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

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

Thank you for your continued assistance.

Yours truly,

Derek Dunlop

STEVE SAGOL.

-1-

04-SAW-07
2:23 PM

I spoke to Steve Sagol after he had asked me to call him back about 2 hrs before this. Steve went through the questions that I had posed him. Steve stated that he has gone through some case law in relation to the impaired case and he said he would forward this information. Steve said that this case is of absolute liability. (HE HAS TOLD ME THIS AT LEAST 4 times previously.) Steve said that Crown will be seeking a sentence of 5 years in jail. Steve said that he had spoke to Mark Barmie at Gore Mutual. Steve said that Mark had informed him that the man in the truck apparently had incurred a broken scapula and broken ribs. Steve stated that he did not believe that these were catastrophic injuries. Steve said that his wife was a registered nurse and he would speak to her further to see what her knowledge about a broken scapula. Steve said that Mark Barmie had informed him that the other man in the truck apparently had minor injuries. Steve said that Mark said that Gore Mutual would apparently cover any liability should a civil suit be presented to me from either of the people in the accident. Steve stated that I said that I had asked him about the statement that I had gave Chris Heindel. Steve stated that I did not provide the police much of a statement. ~~AND~~ STEVE DID NOT RESPOND TO THE OTHER PART OF THE QUESTION. Steve stated that he would broathis case off at \$25,000 when he previously had said that he would box it off for \$20,000.

STEVE SAGE

- 2 -

04-24-07
2:23PM

I informed Steve Sager that I would have to speak to my father about this. Steve said that the \$10,000 that he has of mine is getting eaten up pretty quickly. In previous conversation I had with Steve he said that he probably had spent about \$2,000 on this case. Steve said that he already had spent about 4 1/2 hours on this case today. Steve discussed the Barri Case - Mischievous Under \$5000. Steve said that he did not believe that he had been dealing with Mr. Kate Hull. Steve said that he believed he had been dealing with a Loni Cum. Steve stated that this case would be WITHDRAWN + NOT DISMISSED upon my active

involvement with APRIS. Steve informed me that in relation to the small lawsuit that there would be no charge of criminal harassment. Steve said that now that I am gone from there that that is done and I do not need to worry about that. Steve said that the Escape Lawful Custody Charge should be removed from my CPIC. Steve said it is still showing up because nobody has asked for it to be removed. Steve said that certain jurisdiction requires 12 months or 6 months after it has been withdrawn to have it removed. Steve asked me to get a CLEARANCE CERTIFICATE FROM A LOCAL POLICE FORCE. Steve asked for a photo copy of my insurance policy. Steve advised me not to proceed with my bankruptcy until he talked to Jim Morgan a trustee in bankruptcy who is a

STEVE SAGER -3-

09-28-07
2:23PM

friend of his. Steve said that I'm Rich (IRA Bank) who is a CIVIL LITIGATOR who may be able to provide him or advice in relation to whether somebody could sue me through the back door. Steve said that he would hope to get back to me by late next week. I asked Steve about the DISCLAIMER'S and how he initially said that he wanted me to attend court. Steve DO NOT answer this question and began

dismissing my request to have my mother as another secretary. Steve said that I would have to have PERRY GROSS and my mother BARBARA would both attend court on the 21st of November, or. Steve then went on to WASTE more time by asking me mother's middle name. Asking me her date of birth. Asking me where Robert is.

- 1) STEVE IS CHEWING UP (SPENDING) A LOT OF THE MONEY HE HAS IN TRUST BY SENDING LETTERS TO PEOPLE HE DOES NEED TO, SPENDING EXTRA TIME ON THE TELEPHONE.
- 2) STEVE WAS APPARENTLY @ THE NOVEMBER COURTROOMS TODAY on another matter and I believe that it would have been difficult to spend 4 1/2 hours on my case today.
- 3) HE IS DOING THINGS WITH OUT CONSULTING ME OR ASKING FOR MY HELP, ESPECIALLY WHEN THERE ARE THINGS I COULD HELP HIM OUT WITH.

ONTARIO COURT OF JUSTICE
CENTRAL EAST REGION

BETWEEN:

HER MAJESTY THE QUEEN

and

DEREK DUNLOP

DESIGNATION OF COUNSEL

(s. 650.01 Criminal Code)

I, Derek Dunlop, appoint Steven R. Sager

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

1. Mischief Under

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

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

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

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

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

DATED this 10th day of January, 2007.


(Signature of the accused)

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

1. Mischief Under

DATED this _____ day of _____, 2006

(Signature of counsel)

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

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

ONTARIO COURT OF JUSTICE
CENTRAL EAST REGION

BETWEEN:

HER MAJESTY THE QUEEN

and

DEREK DUNLOP

DESIGNATION OF COUNSEL
(s. 650.01 Criminal Code)

I, Derek Dunlop, appoint Steven R. Sager

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

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

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

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

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

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

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

DATED this 10th day of January, 2007.


(Signature of the accused)

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

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

DATED this _____ day of _____, 2006.

(Signature of counsel)

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

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

14-Jan-07

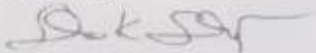
Dear Mr. Sager:

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

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

Thank you for your attention to these matters.

Yours truly,



Derek Dunlop

11-Jan-07

Dear Mr. T. Sodhi:

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

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

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

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

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

Thank you for taking the time to read this letter.

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

Take care.

Yours truly,

A handwritten signature in black ink, appearing to read 'Derek Dunlop', with a long horizontal flourish extending to the right.

Derek Dunlop

11-Jan-07

Dear Mr. T. Corbett:

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

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

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

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

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

Thank you for taking the time to read this letter.

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

Take care.

Yours truly,

A handwritten signature in black ink, appearing to read 'Derek Dunlop', written in a cursive style.

Derek Dunlop

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

PRACTICE OF CRIMINAL LAW

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

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

Please Reply To: Steven R. Sager, B.A., (Crim) J.D., C.Med
File No: SRS/1821/06

January 16th, 2007

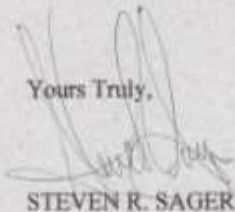
Mr. Derek Dunlop
3 Sunnyside Road
Corbeil, Ontario
POH-1K0

Dear Sir:

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

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

Yours Truly,



STEVEN R. SAGER

SRS/db

RETAINER AGREEMENT

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

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

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

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

STANDARD DISBURSEMENTS

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

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

CONFIDENTIAL
INFORMATION

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

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

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

Dated at North Bay Ontario, this day of January 2007

DEREK DUNLOP

RETAINER AGREEMENT

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

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

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

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

STANDARD DISBURSEMENTS

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

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

COPY FOR YOUR
INFORMATION

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

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

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

Dated at North Bay Ontario, this day of January 2007

DEREK DUNLOP

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

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

STATEMENT OF ACCOUNT

January 16th, 2007

In account with: Derek Dunlop

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

As To: Services Rendered.

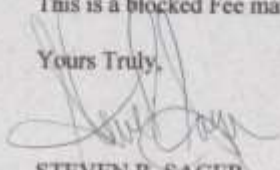
Received on Account \$3,000.00

Amount Outstanding NIL

Amount Received is inclusive of all Fees, Disbursements and GST

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

Yours Truly,



STEVEN R. SAGER

SRS/db

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

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

STATEMENT OF ACCOUNT

January 16th, 2007

In account with: Derek Dunlop

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

As To: Services Rendered To Date.

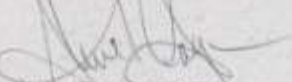
Received on Account \$10,000.00

Amount Required to Fix Blocked Fee \$15,000.00

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

Please arrange for the funds ASAP

Yours Truly,



STEVEN R. SAGER

SRS/db

23-Jan-07

Dear Mr. Sager:

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

Mitigating Factors:

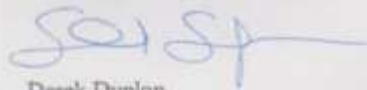
1. Wrongfully dismissed from the Children's Aid Society of the County of Simcoe in May 2006.
2. As a result, I was no longer had a job and had also lost my career which I had dedicated 7 years of my life to.
3. It is extremely difficult to find suitable employment in my field as our training and experience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

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

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

Thank you for your attention to this information.

Yours truly,



Derek Dunlop

STEVEN R. SAGER, B.A. (CRIM) J.D. C. MED

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Derek Dunlop	Steven R. Sager
COMPANY:	DATE:
	3/9/2007
FAX NUMBER:	TOTAL NO. OF PAGES, INCLUDING COVER:
(705) 472-1625	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	SRS/1812/06
RE:	YOUR REFERENCE NUMBER:
Regina v. Dunlop	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Derek,

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

Thanks

Steve

This facsimile may contain privileged and confidential information for the use of the addressee(s). If you are not the intended recipient, or the employee or agent responsible for the delivery of it to the intended recipient, you are hereby notified that any dissemination of this facsimile is strictly prohibited.

RETAINER AGREEMENT

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

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

1. I, Derek Dunlop of North Bay in the Province of Ontario hereby authorize and retain and employ you with respect to the above noted matter and in particular:

(a) Preparing and presenting my Defense to these criminal proceedings in the Superior Court of Justice at, Newmarket, Ontario. To take such actions and steps as you deem necessary and advisable or proper to protect my interest in connection with the above noted charges.

2. In the course of so acting, you are hereby authorized to employ such counsel, agents or experts as you deem necessary, and authorize them to incur such disbursements as you deem necessary, provided that the fees and disbursements of each such counsel, agents or experts shall not exceed \$1,000.00 without written notice from me. (Paragraph 2 shall be inclusive pursuant to blocked fee agreement).

3. It is agreed that the terms of payment for all services rendered by you in connection with this matter will be calculated in accordance with the rates indicated below.

(a) It is agreed and understood that this matter will be billed at an hourly rate of \$320.00 per hour, plus GST and disbursements.

STANDARD DISBURSEMENTS

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

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

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

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

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

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


DEREK DUNLOP

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

PRACTICE OF CRIMINAL LAW

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

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

Please Reply To: Steven R. Sager, B.A., (Crim) J.D., C.Med
File Number: srs/1821/06

March 22, 2007

COPY FOR YOUR
INFORMATION

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

SENT VIA FACSIMILE (705) 472-4582

Dear Sir:

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

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

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

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

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

Yours Truly,

STEVEN R. SAGER

SRS/db

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

PRACTICE OF CRIMINAL LAW

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

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

Please Reply To: Steven R. Sager, B.A., (Crim) J.D., C.Med
File Number: SRS/1821/06

March 22, 2007

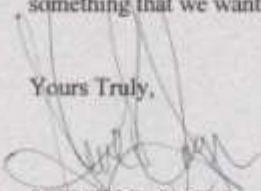
Mr. Derek Dunlop
3 Sunnyside Road
Corbeil, Ontario
P0H-1K0

Dear Mr. Dunlop:

Re: Regina v. Derek Dunlop

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

Yours Truly,



STEVEN R. SAGER

SRS/db

07 - MAY - 07

STEVEN R. SAGER
PRACTICE OF CRIMINAL LAW
115 TORBAY ROAD SUITE #2
MARKHAM, ON
L3R-2M9

DEAR. MR. SAGER

I HAVE ATTEMPTED TO MAKE CONTACT WITH YOU ON THE 27-APR-07. I LEFT YOU A VOICE MESSAGE ON THAT DATE ASKING YOU TO PLEASE CONTACT ME AT YOUR EARLIEST CONVENIENCE. I HAVE NOT HEARD FROM YOU. SUBSEQUENTLY, I CONTACTED YOU ON THE 04-MAY-07 AND LEFT YOU ANOTHER VOICE MESSAGE ASKING YOU TO PLEASE CONTACT ME AT YOUR EARLIEST CONVENIENCE. I HAVE NOT HEARD A RESPONSE FROM YOU. WE HAVE NOT HAD ANY DIRECT CONTACT SINCE SHORTLY AFTER MY COURT DATE ON THE 28-MAR-07. SINCE YOU ARE MY LEGAL REPRESENTATIVE FOR TWO CASES, I BELIEVE IT WOULD BE IMPERATIVE TO MAKE CONTACT AS THE NEXT COURT DATES ARE FASTLY APPROACHING.

YOU HAVE INFORMED ME THAT I HAVE A COURT DATE SCHEDULED FOR 23-MAY-07 IN NEWMARKET, ON, FOR THE CHARGES PENDING AGAINST ME IN THAT JURISDICTION. I AM WONDERING IF MY ATTENDANCE IS REQUIRED. I AM WONDERING HOW MR. SODHI IS DOING, AND IF THERE IS ANY FURTHER UPDATE ON HIS CONDITION. I AM ALSO WONDERING ABOUT THE FACT OF THERE BEING 6 INCHES OF PAPERWORK IN DISCLOSURE AND WHY THIS CASE IS NOT MOVING FORWARD. DO YOU HAVE ANY INDICATION ABOUT THE SENTENCE THE CROWN ATTORNEY IS SEEKING? DO YOU KNOW IF THERE IS ANY CIVIL ACTION PENDING? HAVE YOU FORWARDED THE REMOVAL LETTERS TO THE CROWN ATTORNEY AND/OR VICTIMS? IS THE CROWN AND/OR VICTIMS AWARE OF ALL THE MITIGATING FACTORS?

YOU HAVE INFORMED ME THAT I HAVE A COURT DATE SCHEDULED FOR 06-JUN-07 IN BARRIE, ON FOR THE CHARGE PENDING AGAINST ME IN THAT JURISDICTION. I AM WONDERING IF MY ATTENDANCE IS REQUIRED. WILL THE CASE BE DISMISSED?

THANK YOU FOR YOUR TIME AND ATTENTION TO THESE QUESTIONS. I LOOK FORWARD TO HEARING FROM YOU.

RES TRULY



DEREK DUNLOP



From : Steven Sager <srsager@rogers.com>
Sent : May 10, 2007 4:02:24 PM
To : Derek Dunlop <derekdunlop12@hotmail.com>
Subject : RE: Court Dates

Derek,

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

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

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

Steve Sager

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

09-May-07

Hi Mr. Sager:

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

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

<http://by114fd.bay114.hotmail.msn.com/cgi-bin/getmsg?curmbox=00000000%2d0000%2d11/05/2007>

Have you ever sent
any to me and if not, could you please forward a copy to me at your
earliest convenience.
Thank you. (This also is for my father)

5) Could you please inform me of your new address in Richmond Hill, ON.

Thank you for your attention to these matters.

Yours truly,

Derek Dunlop

Windows Live Hotmail. Even hotter than before. Get a better look now.
www.newhotmail.ca?kcid=WLMENCA148



From : Steven Sager <srsager@rogers.com>
Sent : May 15, 2007 3:14:54 PM
To : Derek Dunlop <derekdunlop12@hotmail.com>
Subject : RE: Retainer Agreement

Hi Derek,

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

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

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

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

Steve

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

15-May-07

Hi Steve:

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

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

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

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

Thank you for your continued cooperation and assistance.

Yours truly,

Derek Dunlop

Windows Live Hotmail with drag and drop, you can easily move and organize

<http://by114fd.bay114.hotmail.msn.com/cgi-bin/getmsg?curmbox=00000000%2d0000%2d018/05/2007>



From : Steven Sager <srsager@rogers.com>
Sent : May 16, 2007 6:20:10 PM
To : Derek Dunlop <derekdunlop12@hotmail.com>
Subject : RE: Retainer Agreement

Derek,

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

Steve

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

Hi Steve:

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

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

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

Thanks again for your continued assistance.

>From: Steven Sager
>To: Derek Dunlop
>Subject: RE: Retainer Agreement
>Date: Tue, 15 May 2007 15:14:54 -0400 (EDT)
>
>Hi Derek,
>
> No I have not received the balance of the retainer. When did you send
>it? Where did you send it?
>
> I am unaware of any civil lawyer being involved in this accident case.
>If you know something I do not please let me know.
>
> Feel free to contact your insurance agent and ask him any questions at
>all with respect to civil responsibility and how your insurance company
>deals with it on your behalf. Let me know if their position has changed
>from when I spoke to them last. (they cover you and his insurance covers
>him) I have not been informed of any major injury for which he could sue.
>And it is my understanding at this stage that his own insurance looks after
>him via the no fault benefits program.
>
> I will be speaking to the Barrie Crown this week. If the charges are
>going to be withdrawn at the next court date she will want you to attend I
>am sure as part of the agreement she and I reached. If she has changed her
>mind I will let you know. As I said in my last e-mail I did not know at
>this time.

<http://by114fd.bay114.hotmail.msn.com/cgi-bin/getmsg?curmbox=00000000%2d0000%2d18/05/2007>

>
> Steve
>
>Derek Dunlop wrote:
>
>
>15-May-07
>
>Hi Steve:
>
>I hope that you have received the rest of the money for the Newmarket case
>and this will satisfy the retainer agreement dated 12-Mar-07. Please inform
>me that you have.
>
>How is it possible that I am not liable to any civil damages if Mr. Sodhi
>has a civil lawyer acting on his behalf? It appears that we are not even
>aware of the full extent of his injuries and he may have catastrophic
>injuries that the Crown has not informed us about.
>
>Have you ever received any information from my insurance company? (ie:
>statement of claim)
>
>As far as the Barrie Case, I am unaware and unclear of the reasons why I
>need to attend should the charges be withdrawn(dismissed). I will contact
>Mr. J. Anderson and request a report on my completion of the PAR program
>prior to this date. I will have a copy forwarded to you which can be
>presented to the Crown Attorney in Barrie.
>
>Thank you for your continued cooperation and assistance.
>
>Yours truly,
>
>
>
>Derek Dunlop
>
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derekdunlop12@hotmail.com

Printed: June 18, 2007 4:32:00 PM

From : Steven Sager <srsager@rogers.com>
Sent : June 1, 2007 3:47:35 PM
To : derekdunlop12@hotmail.com
Subject : Mr. Sodhi, Tejeet

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

Steve Sager

SAGER

07-JUN-07
EVENING.

Steve called me in the evening. It is was probably around 8 PM. Steve Sager informed me that he had some difficulty with Benjie Crown Attorney Kate Hull. Steve said that Mrs. Hull was not in agreement to the original agreement that would have the charge of Mischief Under \$500 WITHDRAWN as the result of my completion of the PAR PROGRAM. Steve said that Mrs. Hull proposed a CONDITIONAL DISCHARGE WITH 1-YEAR PROBATION. Steve said that he was not in agreement to this. Steve said that a court with a judge opened up and that the two sides ended up presenting the information to the judge. Steve said that there was an agreement to have the charge stayed. Steve said that MS. MARIA MALVASO has stated that she is still afraid of me. (Dance dance). Steve said that as long as I have no contact with MARIA in the next year (12 months) that they will be unable to bring up or re-prosecute this charge. Steve said that if I do not make contact with MARIA MALVASO that the Crown can't re-prosecute. Steve said that he was in Benjie all day on this charge.

- 1 STEVE NEVER MADE CONTACT WITH ME TO SEE IF I WAS IN AGREEMENT NOT TO HAVE THE CHARGE WITHDRAWN WHICH WAS THE INITIAL AGREEMENT. WHEN MY COMPLETION OF THE PAR PROGRAM THE CROWN IN BENJIE WAS SUPPOSED TO WITHDRAW THE MISCHIEF UNDER \$500.
- 2 STEVE HAD CALLED ME FOR THE THIRD TIME IN JUST OVER 1 DAY.
- 3 APPARENTLY THE CROWN CAN'T RE-PROSECUTE THIS CHARGE EVEN THOUGH IT WAS STAYED.

11-Jun-07

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

Dear Mr. Sager:

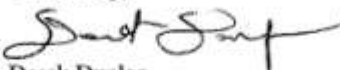
Mr. Sager you have informed on numerous occasions that you had an agreement with Ms. Kate Hull, Crown Attorney, Barrie, ON. Mr. Sager you informed me that the agreement that you had with Ms. Hull was that the Barrie Crown Attorney would withdraw the charge of Mischief Under \$5 000, upon my completion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

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

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

Thank you for your attention to this information.

Yours truly,


Derek Dunlop



derekdunlop12@hotmail.com

Printed: June 18, 2007 4:34:51 PM

From : Steven Sager <srsager@rogers.com>
Sent : June 14, 2007 12:42:54 PM
To : derekdunlop12@hotmail.com
Subject : Barrie matter

Derek,

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

Hope this satisfies your letter.

Steve

SAEOL

22-JUN-07
9:41 AM

I contacted Steve Jager to ask him how yesterday went in court. Steve said that he met with the Crown and said that the Crown is somewhat apparently nervous. Steve said he thought her name was BETH BARNER. Steve said that he had the business card in his wallet but could not pull it out as he was driving. Steve said that BETH had had previous dealings with the SIMCOE C.A.S. and that they were the most dysfunctional C.A.S. that she knew of. Steve said that he may not be aware of this information but there was some note also ended up committed or committing suicide as a result of walking there at SIMCOE C.A.S. Steve said that it is mandatory that the Crown act for time in these cases. Steve said that the meeting went well and that he ended up being up in court most of the day. Steve said that my impairment when I was younger will not be a factor because it is so old. I asked Steve about Mr. Baskin and if he was heading and Steve stated that he believed so and that his injuries would not meet the threshold of catastrophic. Steve said that he was not sure what the Crown was asking for time. Steve said that the next court date would be the 12th of July 2007 and then he would be asking for a pre-trial. Steve said that the Baskin case was over and that he felt that he had to bring re-iteration, this to me.



derekdunlop12@hotmail.com

Printed: July 10, 2007 10:40:01 AM

From : Steven Sager <srsager@rogers.com>
Sent : July 9, 2007 4:46:42 PM
To : Derek Dunlop <derekdunlop12@hotmail.com>
Subject : Re: Newmarket Case

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

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

Steve

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

Hi Mr. Sager:

I have a few questions for you.

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

Thank you for your attention to these matters.

Yours truly,

Derek Dunlop



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To: srsager@rogers.com

Cc:

Bcc:

Subject: Re: White case

Hi Steve:

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

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

Thanks
Derek

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Re: Newmarket case

From: **Steven Sager** (srsager@rogers.com)
 Sent: July 16, 2007 2:49:07 PM
 To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek, On July 12th the matter was moved before a judge. I requested that a Judicial Trial date be set. The Judge made an order for the pre-trial to be dealt on Aug 15th. I will have all my material together for that date and will speak to matter in chambers with the crown on this date. There is no update as to any change in the position of the crown at this time. I do not have the Regina v. W citation in front of me at the moment but as soon as I do I will send the information on to you. If the crown and I can agree with a no jail sentence that this matter will not go to trial but I will know better on Aug 15th. I will keep you dated if anything happens between now and then. Steve Sager

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

16-Jul-07

Dear Mr. Sager:

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

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

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

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

Did you receive my e-mail on Wednesday in relation to the White case? I would greatly appreciate it if you could forward me any information in relation to the case as I believe I am having difficulty tracking it down.

(ie- year, full name, citation, docket # etc.)

Thank you for your attention to this information.

Yours truly,

Derek Dunlop

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derekdunlop12@hotmail.com

Printed: July 25, 2007 1:42:22 PM

From : Steven Sager <srsager@rogers.com>
Sent : July 24, 2007 8:47:01 PM
To : Derek Dunlop <derekdunlop12@hotmail.com>
Subject : RE: Newmarket Case.

Derek,

Yes, at the moment I am involved in a very complex drug case so I apologize for not getting back to you sooner. No we do not need to meet prior to the judicial pre-trial. The crown will lay out their position, I will lay out ours. It is very simple, no jail. There is no order what-so-ever that comes out of a pre-trial. The judge will make suggestions based on our arguments from which you will be given certain options. When the pre-trial is over I will call you forthwith to advise you of the outcome. Please put away your worry cab. I have done every thing that is required of and for this matter. Please trust my thirty-eight years of experience.
Steve

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

Hi Steve:

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

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

- 1) Do you not think that we should meet prior to pre-trial to strategize?
- 2) Is the Newmarket Crown going to ask for jail time at the pre-trial?
- 3) If the Newmarket Crown is going to ask for jail time at the pre-trial, what is their basis for this?
- 4) If the Judge grants the Newmarket Crown the request for jail time at the pre-trial, will they execute a warrant on the 15-Aug-07 to have me detained in custody until trial?
- 5) What is contained in the Newmarket Crown's **6 inches** of disclosure?
- 6) At pre-trial, can the Newmarket Crown refer to my past, for example the stayed charge in Barrie, ON and the withdrawn charge in North Bay, ON.
- 7) At pre-trial, can the Newmarket Crown refer to evidence such as the accident pictures and so forth.
- 8) Are there other possible charges and is the Newmarket Crown going to lay a new information?
- 9) What will our defence be at pre-trial?
- 10) Will you advocate for a Conditional Sentence Order?

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

Thank you for your attention to these questions and I would appreciate it if you

could call me.

Yours truly,

Derek Dunlop

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To: srsager@rogers.com

Cc:

Bcc:

Subject: Re: Newmarket case

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Hi Steve:

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

Thank you for your continued assistance and cooperation.

Yours truly,

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SA0002

24-JUL-07
10:10 AM

I left message for Steve Dager asking him to please call me and to please respond to my e-mail and the 25 questions I had for him.

SA 001

15-AD6-07
7:15 PM

Steve Dager called and informed me that he had been in court about all day on this matter. Steve stated that the Crown was seeking a minimum sentence of 6 months. Steve informed me that the Crown was initially seeking 9 months. Steve stated that 1 day served in jail is equal to 2 days. Steve stated that he could really not argue the White case as it was brought up by the Crown that I had admitted to the parole officer that I was behind the wheel. Steve Dager stated that Justice Weis was very fair and that Steve could try to argue this is court but he may not be that successful. Steve stated that there were not really any triable issues. I asked Steve about a Conditional Sentence Order and Steve stated that was something he could still bring to the table. Steve stated that he would be speaking to the Crown a couple more times before the next court date on the 19-SEP-07. Steve honestly said that I would probably need to be there if we attend a plea. Steve stated that no one was still complaining of damage to his throat. Steve stated that Mr. Dohi was still complaining about pain that he was still suffering. Steve said that my injuries in 1991 was still showing. Steve stated that they also presented my district with speeding tickets.

Steve

16 AUG-07

11:05AM

I called Steve and asked if he had a moment and he said that he was with another client. Steve said go ahead. I said OK so call me back. Steve said it is OK were having a cookie. I asked Steve about a conditional sentence order Steve said that he was trying to get the 6 months of jail term reduced. Steve said that how about he set 1 hour aside next week and I could come down and see him. Steve said to call him tomorrow and that he would check his daytimer to see what he had available.

Hi Steve:

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

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

Here are some preliminary questions that I wondering about.

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

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

- R v Forward (2000) - 1 count of impaired causing death
- An extensive criminal record for driving offences.
- Never had a valid drivers licence
- Demonstrated good conduct in the four years between accident and timing of the sentence.
Conditional Sentence Order of 2 years less a day.
- R v. Silbernagel (2001)- 1 count of impaired causing death
- No prior criminal record and had been employed as Correctional Officer.
Conditional Sentence Order of 2 years less a day, followed by a year of probation and 3 year driving prohibition.
- R v. Bettridge (2000)- 2 counts of death, 6 counts of bodily harm
- He was otherwise a credit to his community and demonstrated genuine remorse.
- No prior convictions.
Conditional Sentence Order of 2 years less a day and Community Service.
- R v. Elliot (2001) - 1 count of impaired causing death
- no prior criminal record.
- was employed and was very remorseful.
- **Conditional Sentence Order of 18 months and \$1,800.**

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

Yours truly,

Derek Dunlop

22-Aug-07

Hi Steve:

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

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

Thank you for your attention to this e-mail.

Yours truly,

Derek Dunlop

Steve

JD-Act6-07
7:10 PM

I contacted Steve Jagan and he said that he was up to his
crookholes in it. Steve said that he had no of his matter show
up. I asked Steve if this was a good time or would he
rather call me back. Steve said that he should be in his
office all day tomorrow and he hoped to be ~~un~~
uninterrupted. Steve said that he would call me during the
day. Steve said that he had used some of my stuff and
that I had some good ideas. Steve said that I had my
thinking cap on as opposed to my worry cap.

SAGER

22 AUG 07
2:28 PM

I contacted Steve Sager last to see if he would mind calling me in the morning. Steve said that he had to go downtown to attend to something in the morning. Steve said that he should be back in his office around noon. I asked Steve if he would call me about that time. Steve said that he would call me around noon.

STUBS

24-AUG-07
11:22 AM

Steve Sogor contacted residence at (905)-776-7274. I did not
speak to him at that time.

SAGER

26-AUG-07
11:40AM

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

KM - I DEFINITELY APPRECIATE THE FACT STEVE WAS SICK.

KRM - HOWEVER, IT APPEARED THAT HE WAS AVOIDING ME AGAIN.

JKK - I WILL WAIT FOR HIS CALL ON MONDAY AND SEE WHETHER THERE IS ANY FALL OUT FROM MY E-MAIL LAST NIGHT (29-AUG-07).

SAG62.

-1-

28-Aug-07
8:05AM

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

Steve

-2-

28-APR-07
8:05PM

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

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

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

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Contacts

derekdunlop12@hotmail.com

Reply | Reply All | Forward | Delete | Junk | Put in Folder | Print View | Save Address

From : Steven Sager <srsager@rogers.com>

Inbox

Sent : September 8, 2007 11:27:27 PM

To : Derek Dunlop <derekdunlop12@hotmail.com>

Subject : RE: Newmarket Case.

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

Steve

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

29-Aug-07.

Hi Steve:

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

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

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

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



monster.ca

the 19-Sep-07 will the case then proceed to trial? You informed me that my case would then proceed to trial.

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

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

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

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

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

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

Thank you for your attention to this e-mail.

Yours truly,

Derek Dunlop

Former Police Officer Paul Gillespie's TAKE BACK THE INTERNET tips and tricks watch the video now



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29-Aug-07.

Hi Steve:

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

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

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

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

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

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

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

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

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

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

Thank you for your attention to this e-mail.

Yours truly,

Derek Dunlop

14 - OCT - 07.

DEAR MR. SAGER:

I AM WRITING THIS LETTER AS I HAVE TRIED TO MAKE CONTACT WITH YOU ON THE 21-SEP-07 AND ON THE 05-OCT-07. ON BOTH OCCASIONS I LEFT YOU VOICE MESSAGES IN RELATION TO INQUIRIES, QUESTIONS AND REQUESTS THAT ARE OF INTEREST TO ME.

FIRST, I WANT TO CLARIFY THE DATE OF MY NEXT COURT APPEARANCE. I BELIEVE THAT YOU HAD INFORMED ME THAT IT WAS SCHEDULED FOR THE 09-JAN-08. FURTHERMORE, I AM UNDER THE IMPRESSION THAT MY ATTENDANCE IN COURT WILL BE REQUIRED ON THAT DATE BUT I WANT TO CONFIRM THAT AS WELL. I ALSO WANT TO KNOW WHAT THAT COURT DATE WILL BE DEALING WITH. IS THE 09-JAN-08 A TRIAL DATE, A PRE-TRIAL CONTINUANCE, A DATE TO NEGOTIATE A CONDITIONAL SENTENCE ORDER, OR IS IT SCHEDULED FOR OTHER REASONS.

NEXT, I HAVE REQUESTED THAT WE MEET IN ORDER TO DISCUSS NUMEROUS FACETS OF THIS CASE. IN ADDITION, WE CAN DISCUSS OUR DEFENCE AND STRATEGIES FOR THIS CASE. YOU HAD SUGGESTED THAT WE MEET SOME TIME AGO AND THIS STILL HAS NOT COME TO FILIUTION. I POSSESS MANY QUESTIONS. I AM ALSO EAGER TO OBTAIN MY OWN COPY OF THE 6 INCHES OF DISCLOSURE. I WANT TO PERUSE AND ASSESS THE CONTENTS CONTAINED WITHIN.

IN REGARD TO YOUR REQUEST FOR ME TO HAVE AN APPOINTMENT WITH A PSYCHOLOGIST/PSYCHIATRIST, I AM VERY CONFUSED AND UNCLEAR ABOUT THE REASONING FOR THIS. I DO NOT UNDERSTAND THE CORRELATION THAT THIS HAS TO MY CASE. IS THIS A STANDARD REQUEST FOR THESE TYPE OF CASES.

-2-

I AM SURPRISED THAT I HAVE NOT HEARD A RESPONSE FROM YOU IN RELATION TO MY CONTACTS ON THE 21-SEP-07 AND THE 05-OCT-07. I WOULD GREATLY APPRECIATE IT IF YOU COULD RESPOND TO ALL MY QUESTIONS, INQUIRIES AND REQUESTS CONTAINED WITHIN THIS CURRENT LETTER OF MINE DATED THE 14-OCT-07.

I WOULD PREFER AND APPRECIATE A WRITTEN RESPONSE, HOWEVER, IF YOU CHOOSE TO CONTACT ME BY TELEPHONE THAT WOULD SUFFICE. IT APPEARS THAT YOU ARE AVOIDING ME AND IT IS FOR THIS UNFORTUNATE REASON THAT I FEEL IT IS MANDATORY FOR ME TO PUT A DATE IN WHICH I EXPECT A RESPONSE FROM YOU.

I HOPE TO HEAR FROM YOU IN SOME MANNER EITHER WRITTEN, VERBAL OR BOTH BY FRIDAY 26-OCT-07. IF FOR SOME UNFORTUNATE REASON I HAVE NOT RECEIVED ANY CONTACT FROM YOU BY THE 26-OCT-07, WE WILL HAVE TO DISCUSS HOW WE PROCEED FORWARD AT THAT JUNCTURE.

THANK YOU FOR YOUR ATTENTION TO THIS LETTER.

YOURS TRULY,



DEREK DUNLOP
481-295 LAKESHORE DRIVE
NORTH BAY, ON
L1A 3V8
(705)-495-6377

SAGE

22-OCT-07
11:50AM

Steve Dager called tonight while my mother was trying to dial out. My mother started to say that I was not here and then she said O.K. I think he is coming on the new. I spoke to Steve and he said that he had been in Kingston the last couple of weeks for the trial. Steve said that my next court date is to enter a plea. Steve said that he had had numerous ratings with the Crown on this matter. Steve said that they have had discussion and that ~~the~~ ^{my} ~~and~~ appear to be my trial issues. Steve said that he was shocked to receive my letter and that I must not have been listening. Steve said that he was going to put something in writing and send it to me. Steve said that we also get together to go over everything prior to my next court date. Steve said that he was not sure who permitted them to allow for the stipulation of my trial condition that stated I was not able to drive a car or motorized vehicle as part of my trial conditions. Steve said that the judge will take this into consideration. Steve is still insisting that I am a psychologist. Steve said that it would be good if they could assess whether I will drink again or not. Steve said that he tried to return my call from ~~the~~ 05-OCT-07 but that he could not leave a message. Steve said that his number must have shown up. (*** - HOW WOULD HE KNOW THIS UNLESS SOMEONE TOLD HIM.) Steve said that he did not have a message from the 21-500-07.

05- NOV - 07

DEAR MR. SAGER

I AM WRITING AS I HAVE NOT RECEIVED THE WRITTEN CORRESPONDENCE THAT YOU HAD SAID YOU WOULD COMPILE AND SEND TO ME.

I AM CONFUSED ABOUT THE FACT THAT THERE ARE NO TRIABLE ISSUES IN THIS CASE. I AM SHOCKED THAT IF THE VICTIMS ARE STILL SUFFERING AND THE CROWN HAS PREPARED 6 INCHES OF DISCLOSURE THAT THEY ALL WOULD NOT WANT TO PROCEED TO TRIAL. WITH ALL OF THE MITIGATING FACTORS INVOLVED I AM NOT SURE WHY YOU ARE SUGGESTING WE ENTER A PLEA AND NOT PROCEED TO TRIAL.

I AM UNCLEAR WHY YOU BELIEVE THAT WE SHOULD ENTER INTO A PLEA. I AM ALSO WONDERING WHAT IT IS THAT I WILL PLEADING TO ON MY NEXT COURT DATE. PREVIOUSLY, YOU HAVE INFORMED ME THAT THE CROWN WAS GOING TO BE ASKING FOR A 6 MONTH JAIL TERM. AT THAT TIME YOU ALSO INFORMED ME THAT 1 DAY SERVED IN JAIL IN THAT JURISDICTION WOULD BE EQUIVALENT TO 2 DAYS OF THE SENTENCE. YOU HAVE INFORMED ME THAT YOU ARE TRYING TO PERSUADE THE CROWN TO AGREE TO A CONDITIONAL SENTENCE ORDER.

I WOULD GREATLY APPRECIATE IT IF WE COULD SCHEDULE A MEETING WITHIN THE NEXT 7-10 BUSINESS DAYS. DURING THIS MEETING I WOULD ALSO BE ABLE TO OBTAIN A COPY OF THE 6 INCHES OF DISCLOSURE THAT THE CROWN HAS PRODUCED.

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

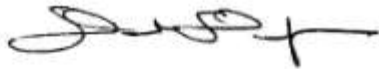
-2-

AT THIS TIME I AM STILL UNAWARE OF THE EXACT DATE OF MY
NEXT COURT APPEARANCE AND WHETHER IT IS MANDATORY THAT
I AM IN ATTENDANCE.

I WOULD GREATLY APPRECIATE IT IF YOU COULD RESPOND TO THIS
LETTER EXPEDITIOUSLY.

THANK YOU FOR YOUR ATTENTION TO THIS LETTER.

YOURS TRULY,

A handwritten signature in black ink, appearing to read 'Derek Dunlop', with a stylized flourish at the end.

DEREK DUNLOP

SAGER

21-NOV-07
4:10 PM

I contacted Steve Sager as I had not heard from him. Steve Sager informed me that he had fallen down the stairs and he had broke his ankle. Steve said that he had not been in the office much of the last month and that he had had people bringing him cases. Steve said that he was in considerable pain as they could not cast his ankle. Steve asked me to get my mother and father together and coordinate a time to meet in December (2007). Steve said that his schedule was open in December and that he could pretty well accommodate my time. Steve did say that he preferred a week day. I said of course.

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

SACER

22-NOV-07

11:50 AM

I left Steve Sager a message and asked him what my next court date pertains to. I asked him if it was a continuing date or was a new report going to be laid or what was it about. I also said that it did not even appear that he was going to call me to inform me that he wanted to meet with my parents and I. I asked him if it was essential that my parents attend the meeting and why did they need to be there. I also asked Steve if he comprised the written consent he said he was going to put together and send to me.

-1-

23-NOV-07

DEAR MR. STEVEN R. SAGER:

I LEFT YOU VOICE-MESSAGE ON YOUR CELL PHONE YESTERDAY (23-NOV-07). I LEFT QUESTIONS THAT I HAVE ASKED YOU IN THE PAST. YOU APPEAR TO BE AVOIDING ME AS YOU HAVE NOT RESPONDED TO MANY OF MY QUESTIONS.

PREVIOUSLY, I HAVE ASKED YOU TO INFORM ME ABOUT THE ESSENCE OF MY COURT DATE SCHEDULED FOR THE 09-JAN-08. CURRENTLY, I HAVE NO IDEA WHAT WE ARE PROCEEDING TO COURT FOR ON THAT DATE. YOU HAVE NEGLECTED TO INFORM ME ABOUT THE PERTINENCE OF THAT COURT APPEARANCE ON THE 09-JAN-08.

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

YOU HAVE PREVIOUSLY INFORMED ME THAT YOU WERE GOING TO PUT SOMETHING TOGETHER IN WRITING AND SEND THAT WRITTEN CORRESPONDENCE TO ME. I HAVE NOT RECEIVED ANY WRITTEN DOCUMENTATION FROM YOU.

I CONTACTED YOU ON THE 21-NOV-07 AND YOU INFORMED ME THAT WE SHOULD MEET IN DECEMBER. YOU SUGGESTED THAT MY MOTHER AND MY FATHER BE PRESENT FOR THAT MEETING. YOU DID NOT INFORM ME ABOUT THE REASONS FOR MY PARENTS ATTENDANCE. I ALSO BELIEVE THAT IF I DID NOT INITIATE

-2-

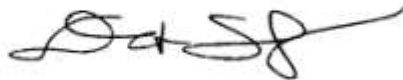
CONTACT WITH YOU, THAT YOU WERE NOT PLANNING TO INITIATE CONTACT WITH ME TO FACILITATE THE ORGANIZATION OF A MEETING. YOU HAD SUGGESTED THAT WE MEET MONTHS AGO AND THIS STILL HAS NOT COME TO FULFILLION.

I HOPE TO HEAR FROM YOU BY TUESDAY NOVEMBER 27, 2007. IF I HAVE NOT HEARD FROM YOU BY THE 27-NOV-07 TO ADDRESS MY QUESTIONS AND CONCERNS, WE WILL HAVE TO DISCUSS HOW OR IF WE PROCEED FORWARD.

I WOULD GREATLY APPRECIATE ANSWERS TO THE QUESTIONS CONTAINED HEREIN.

THANK YOU FOR YOUR ATTENTION TO THIS LETTER.

YOURS TRULY,



DEREK DUNLOP

03-DEC-07

DEAR MR. SAGER:

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

PLEASE CONTACT ME AT (705) - 495-6377 TO INFORM ME OF YOUR INTENTIONS. REGARDLESS OF YOUR POSITION I WOULD GREATLY APPRECIATE A RESPONSE FROM YOU.

IF I HAVE NOT HEARD ANYTHING FROM YOU BY THURSDAY 06-DEC-07 THAT WILL INFORM ME THAT YOU ARE NO LONGER INTERESTED IN REPRESENTING ME.

THANK YOU FOR YOUR ATTENTION TO THIS LETTER.

YOURS TRULY,



Derek Dunlop


Steve Salem.


03 DEC-07
9:42 AM

Steve had called when I was out and left me a voice message in relation to my letter that I had forced earlier that morning.

HR IQ CHALLENGE
 \$1,000

What percentage of HR Professionals are now using online job sites for recruitment?
 7% 92%
 71% 27%







derekdunlop12@h...
[Sign out](#)

Inbox
Junk
Drafts
Sent
Deleted
Manage folders
Today
Mail
Contacts
Calendar

New Reply Reply all Forward Delete Junk

Options 

Case

From: **Steven Sager** (srsager@rogers.com)
 You may not know this sender. [Mark as safe](#) | [Mark as unsafe](#)

Sent: December 3, 2007 10:04:34 AM
 To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

Please make sure to call me ASAP I have received another one of those odd fax's You are either comfortable with the representation I'm giving you are you are not. But please do not tell me that I seem to be showing no interest in your case. I have spent more time on your file than any other which is still ongoing. I have responded, I thought to all your questions on a number of occasions. Each time I ask if you have any other questions. Then within a day are two I get these faxes.

Please give me a call as we must resolve this situation.

Steve Sager

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

PRACTICE OF CRIMINAL LAW

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

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

Please Reply To: Steven R. Sager, B.A., (Crim) J.D., C.Med
File Number: SRS/1821/07

December 3, 2007

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

Mr. Dunlop:

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

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

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

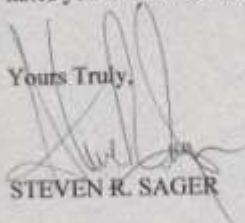
Here are some of the things I have asked you to do at your end.

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

2. I have asked you to speak to your parents (Both) and your AA sponsor in order to set up an appointment that was good for everyone to come to my Richmond Hill office. Although I have told you on two separate occasions that I need everyone to attend and that it is important I still have not been given a date. Instead I get a nasty fax.
3. January 9th, 2008 is what is called a continuing Judicial Pre-Trial. Although it will not be an actual Pre-Trial it has been set up that way in order to have the same Pre-Trial Judge hear submission on a plea and sentence hearing on the same date. The main thing here is I want to keep this matter before the same Judge. He has given me a very strong indicator that he will be open to a conditional sentence if I supply him with certain evidence in my submissions, most importantly that he can be shown that drinking in the future is not going to be a problem. This is the main reason I want your parents and AA sponsor to meet with me in person. It is very important.

I will explain in detail what is going to happen on January 9th, 2008 and why, during our December meeting. First let's get the meeting set up. Please no more of these letters or faxes you have other much more important things to do.

Yours Truly,



STEVEN R. SAGER

SRS/db
Encl.



Print - Close Window

Date: Mon, 3 Dec 2007 10:04:34 -0500 (EST)
From: "Steven Sager" <srsager@rogers.com>
Subject: Case
To: "Derek Dunlop" <derekdunlop12@hotmail.com>

Derek,

Please make sure to call me ASAP I have received another one of those odd fax's You are either comfortable with the representation I'm giving you are you are not. But please do not tell me that I seem to be showing no interest in your case, I have spent more time on your file than any other which is still ongoing. I have responded, I thought to all your questions on a number of occasions. Each time I ask if you have any other questions. Then within a day are two I get these faxes.

Please give me a call as we must resolve this situation.

Steve Sager



Print - Close Window

Date: Fri, 23 Nov 2007 11:37:11 -0500 (EST)
From: "Steven Sager" <srsager@rogers.com>
Subject: Re: Your Facsimile of November 23
To: "Derek Dunlop" <derekdunlop12@hotmail.com>

Derek,

I have gone over this case with you numerous times only to answer the exact same questions each and every time. I have gone into trial issues and non trial issues that have been dealt with before a judge on two occasions. I have explained to you in depth what is going to be covered on the 9 of Jan 08. Each time I have spoken to you I have had the impression that you have understood what I have told you. As to the Crowns 6inches of disclosure that is and always has been a expression. (*6inches of bull shit*). Although the actual file is about 4inches in actual size.

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

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

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

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

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

Steve



Print - Close Window

Date: Thu, 15 Nov 2007 20:15:13 -0500 (EST)

From: "Steven Sager" <srsager@rogers.com>

Subject: Your Fax Dated Nov 6

To: "Derek Dunlop" <derekdunlop12@hotmail.com>

Derek,

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

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

As Always,

Steven R. Sager

STEVE SACER

06-DEC-07
2:00PM

I left Steve Sacer a message returning his call
from 9:42 AM on the 03-DEC-07. Steve had called me
in relation to my letter dated the 03-DEC-07 that
I had forwarded to him that morning.

STEVE SARGON

12-DEC-07

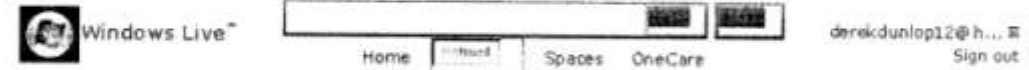
4:56PM

I contacted Steve Sargon and he informed me that he had apparently tried to get a hold of me but he had been calling my father's number and was calling. Steve said that he wanted to meet and that my dog would be fine included any day or a weekend. Steve stated that the fellow from AA would be important and that he would at least like to speak to him on the telephone. I informed Steve that I would try and get back to him as soon as possible by coordinating a time.

Steve SACER

13-DEC-07
4:45PM

I contacted Steve to ask him if next Tuesday (18-DEC-07) would be good to meet. Steve could not give me an answer other than to say he thought it would be alright. Steve asked me if I still had contact to my e-mail. I said that if he called my mother's number it would be best. Steve said that he would check his schedule and get back to me by leaving a message, calling me back.



Inbox
Junk
Drafts
Sent
Deleted
Manage folders
Today
Mail
Contacts
Calendar



New Reply Reply all Forward Delete Junk

Move to

Options

RE: Proposed Meeting

From: **Steven Sager** (srsager@rogers.com)
Sent: December 14, 2007 8:32:01 AM
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

After speaking to you last night Tuesday would be a good day, but I realized I can do all of this by telephone rather than have you all drive down to Toronto. I can speak to everyone involved each in turn to let them know what is going to happen on the 9th of January and what might be expected of them on that day. Then after my conversations with each of them you can decide if you would like to meet up in person with me just prior to the court date, or discuss everything over the phone. I'd like to save everyone the trip down here if possible. Normally I do like to meet with everyone in person but owing to the distances involved here I think the telephone will do. I also double checked my computerized message service and it shows no missed calls from your father's number, so I hope he has the correct number maybe you can check with him to make sure. If he does not get me leave a voice message with times he can be reached and at what number he wants me to call.

Thanks,

Steve Sager

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

Hi Steve:

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

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

Thanks.

Derek

STEVE SPARK

14-DEC-57
2:16 PM

I contacted Steve Logan and he asked me if I had received his a-mail. I said no that I had not but would be informing what it was about. Steve said that I was right and that he could just talk to everybody on the telephone and ~~save~~ save everybody getting together. Steve said that I could meet with him on my own. Steve said that he and I could meet sometime after Christmas if I wanted. I informed ~~Steve~~ Steve that I had spoke to Mr. Art Nassom and that Steve could call him anytime as Mr. Nassom was aware that Steve would be calling. I asked Steve if he had spoke to my father. Steve said that he read my a-mail. I asked Steve when my mother could call him. Steve said anytime after 10:00 am.

-|-

21-DEC-07

DEAR MR. SAGER:

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

THE ACTIONS YOU HAVE EXHIBITED ARE STRONG INDICATORS THAT YOU POSSESS A DESIRE TO SEVER TIES WITH MYSELF AND MY CASE. IN FACT, IF THAT IS YOUR WISH I WILL GRANT YOU THE OPPORTUNITY TO RENDER YOUR SERVICES ON YOUR OWN ACCORD. IF YOU DO DECIDE TO WITHDRAW FROM ACTING ON MY BEHALF, I WOULD APPRECIATE IT IF YOU WOULD VERIFY THAT IN WRITING AND FORWARD ME A COPY OF SUCH RESIGNATION. AS A RESULT, I WOULD THEN BE SELF-REPRESENTED IN THIS MATTER.

FURTHERMORE, I HAVE SIGNED A DESIGNATION OF COUNSEL AND I WOULD EXPECT THAT YOU WOULD ATTEND NEWMARKET COURT ON THE 09-JAN-08 AND INFORM THE COURT THAT YOU ARE NO LONGER DEFENDING ME. IN ADDITION, I WOULD APPRECIATE IT IF YOU COULD INFORM THE COURT THAT I WOULD BE SELF-REPRESENTED AND WILL REQUIRE A SIGNIFICANT DURATION OF TIME TO ASSESS AND ANALYZE ALL ASPECTS OF MY CASE. THEREFORE, I WOULD GREATLY APPRECIATE IT IF YOU CAN FORWARD ME A COPY OF ALL DISCLOSURE IN YOUR POSSESSION.

PLEASE RESPOND TO THIS CORRESPONDENCE AS SOON AS FEASIBLY POSSIBLE OR FEEL FREE TO CONTACT ME AT (705)-495-6377 TO FURTHER DISCUSS YOUR INTENTIONS.

-2-

THANK YOU FOR YOUR IMMEDIATE ATTENTION TO THIS MATTER.

YOURS TRULY,

A handwritten signature in black ink, appearing to read 'Derek Dunlop', with a stylized, cursive script.

DEREK DUNLOP

STEVE SAGER

21-DEC-87

9:40 AM

Yeah, Donk its Steve Sager calling. Uh... I am beside myself... I'm... I thought I've made myself so so ultimately clear in verbally, in writing that I've you know I've put a tremendous amount of time and effort into your case. This is what I've wanted to do. I am trying to defend your interests. I've never given you an indication, ever that I have no interest in defending you or representing you in any way whatsoever. So this thing that you have sent me today again makes absolutely no sense to me. So give me a call we'll work this out. If you want to represent yourself, so be it. When I think that's basically. I just have the indication that's what you really want to do. It's not what I want to do. I have never given you that indication at anytime. So I don't know where you are coming from. So give me a call. Let's get this thing done and over with and if necessary I will file an application to be taken off the case. Of course in order to do that I have to show the judge all of our correspondence. Your correspondence is basically saying you don't think I want to represent you and ~~mine~~ mine saying I do, going back and forth, back and forth, back and forth. It's absolute stupidity. I don't know what you're doing. Give me a call.


STEVE SAGER


21-DEC-07
10:32 AM

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

HR IQ CHALLENGE
 \$1,000

What percentage of HR Professionals are now using online job sites for recruitment?
 7% 92%
 71% 27%





Windows Live™

derekdunlop12@h... #
 Sign out

Home Calendar Spaces OneCare

Inbox
 Junk
 Drafts
 Sent
 Deleted
 Manage folders
 Today
 Mail
 Contacts
 Calendar

So, what do you think?



New Reply Reply all Forward Delete Junk

Move to ▼

Options 

Your Latest Fax Dec 21/07

From: **Steven Sager** (srsager@rogers.com)

 You may not know this sender. [Mark as safe](#) | [Mark as unsafe](#)

Sent: December 21, 2007 10:31:55 AM

To: Derek Dunlop (derekdunlop12@hotmail.com)

Dear Derek,

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

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

1. Had you called me after I spoke to your mother she could have told you that "Yes" I like to meet with all parties at the same time in such matters because it sometimes helps them to get to know what the other might say in court and it gives them a chance to meet each other. (In this case I got the feeling from your mother that your dad and her really do not communicate and as such I did not want to put them in a board room together) In a court room there is some distance. And I do not want anyone to feel uncomfortable at this time.

2. I told you that I "do" wish to see you before the 9th.

3. I act for a client in Ottawa, we have yet to meet. Everything has been done thus far by e-mail and telephone. Distance does make for problems in seeing clients who live a great distance away. If like with you we can speak on the phone and e-mail (you with your faxes) I can get my job done. And that is what it is all about, me doing my job. In your case I have gone beyond the call of duty. Answering all these faxes takes time away from my day because I want to address them personally. And time is money.

4. The bottom line here is very clear to me. It is "you" not me that is looking to withdraw. I am in this for the long haul. "You" are the one sending these faxes, which always state basically the same thing. "That I don't seem to be interested in your case and wish to sever ties with you and the case". I have answered each and every fax in the same manner. "No" I

do not. I talk to you on the telephone all seems well and a few days latter I get another fax stating the same thing as in the one prior.

5. If "You", not me are not happy with my representation please let me know by way of a simple e-mail and I will draw up the required documents to be taken off the record.

6. I personally feel that this would be the most foolish thing you could do at this point in time. Part of my case which has already been put before the judicial pre-trial judge is that you are honest and do not want to waste the courts time. You know how serious the circumstances of this matter are and what could have happened. You just want to be treated fairly taking into account all relevant circumstances leading up to the accident and what has happened since..

7. In paragraph two of your fax you state" The actions you have exhibited are strong indicators that you possess a desire to sever ties with myself and my case". This is so far from actual fact, that it truly upsets me. If you review each and every fax of this type you have sent and my subsequent reply to it you should realize that this is comment of yours has no true basis in fact.

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

Steve Sager

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01-JAN-08
1:00PM

My mother Barbara Dunlop and I met with Steve Dager at his office in Richmond Hill, ON at 70 EAST BURNHAM CREASE, SUITE 202. Mike _____? from Ontario Shuttle drove me & my mother to Steve's office. Steve re-iterated to me that he tried to use the White case of 1999 as a defence. Steve went into great lengths to speak about this. He made reference to a case in which some man was apparently working around for hours before they identified him as the driver of the car. (ONCE AGAIN A WASTE OF TIME AS STEVE DAMN WELL KNOW THAT THIS HAD NO BASIS FOR A DEFENCE AND WOULD NOT WORK). Steve continued to re-iterate to me that apparently there was no triable issues in this case. Steve said that the O.P.P. had done a thorough job at the accident scene, at the police station and since that time. Steve said that he, the Crown and the judge have basically had 3 min trials. Steve said that they (CROWN + HIM) have agreed that there are no triable issues. Steve has re-made me privy to some of the ongoing at these court dates until today the 01-JAN-08. Steve has said that the police identified me as the driver at the scene of the accident. Steve informed me that the police were very close to not taking breathalysers within the 2 hour allotted time frame but that they just met that standard. Steve also said that the police almost did not meet the standard of time between breathalysers test. Steve said that they (O.P.P.) did just meet that standard. Steve said that in most cases there are a few mistakes made but none were made in mine. Steve said that the judge has not seen the pictures of the accident. In one of our previous telephone discussions Steve informed me that

09-JAN-08
1:00PM

The judge had seen the pictures. Steve said that judge has not seen my driving abstract and that the Crown would not submit this if I agreed to a plea. Steve said that the current Crown is ECCLES (sp?) and the current judge is (WEISS sp?). I asked how the victim were doing and Steve said that they were doing fine as far as the brow. Steve said that the man with the injured thumb was still complaining of pain in his thumb. I asked Steve if the case hit the media and Steve said I didn't but the other two did. Steve did not expand. Steve said that there are set of agreed facts that there was a car accident, it was a serious accident, that the highway was closed for a period of time. Steve persuaded me to plead guilty. Steve said he was going to advocate for a C.S.O. as I was a outstanding member in my community working for C.A.S., I had a good education, that I had lost everything from my job to my home and so on. Steve said that he could not guarantee anything. Steve suggested that if I delay the courts time and a judge becomes aware of this that he may have been a heavier sentence. Steve also said especially if he drives that way home (IN REFERENCE TO THE LOCATION OF THE ACCIDENT). Steve said that a second conviction for impaired driving is an automatic 14 days in jail as legislated by the ATTORNEY GENERAL in the Criminal Code. Steve said that if I plead guilty then the case will also move forward to a sentencing hearing. Steve said be prepared to possibly go to jail if he (JUDGE) does not issue a C.S.O. I asked Steve if I could be possibly detained in custody as of the decision on the ~~09-JAN-08~~ 09-JAN-08. Steve said that ~~09-58~~

04-5AM-08
1:00 PM

it was a possibility. Steve said that he would also advocate for the sentence to be reviewed weekdays if it came to that. I asked Steve if I had any recourse should I not be in agreement with the judge's decision. Steve was evasive and said I can always launch an appeal. I said even if this case does not proceed to trial I can still launch an appeal. Steve said yes. I discussed with Steve the fact that there is no triable issues from the victims and Crown's standpoint. Steve said that the victims do not decide whether there is triable issues or not. Steve said that the Crown acts on behalf of the people. I said the people at large and Steve said, "Yes." I said that even though there are other people that share in the responsibility of the accident I have no recourse. Steve said the judge will not necessarily care about that in this case. Steve provided the example of a person who has ties that at home in bed, a good job and goes out drinking with his friends and proceeds to get in accident. Steve said that it is still the same result as my accident. Steve said regardless of my mitigating circumstances. Steve said that the mitigating factors are only presented at sentencing. Steve has still not forwarded the remorse letter onto the Crown or judge. I asked Steve about Victim Impact Statements and he said there was none. He proceeded to try and find them and then handed me a synopsis of the accident and suggested I read it. I read it and he asked me if I wanted a copy. I said I already had a copy. I asked Steve if he had the VICTIM IMPACT STATEMENTS and he said there were some but he did not know whether

04-JAN-08
1:00PM

he had them or not. I asked Steve if he had any other options other than pleading guilty and he said "No." Steve said that he has really worked hard on this case. Steve said that he has also consulted with lawyer IRA BECKE? Steve said that the Crown does not necessarily want to be heavy handed with me but they still do want jail time. Steve said that he will present the issues at work with me dating a female colleague who ended up dating a female supervisor. Steve said that I should talk to the gentlemen from AA. Steve had said on 4 previous occasions that he was going to do this and still had no done so. Steve discussed the fact that I had not worked since leaving my job at Simcoe C.A.S. I informed Steve that I had had a couple of jobs. Steve discussed that a previous crown had discussed with him about how dysfunctional SIMCOE C.A.S. was. Steve also said that previous Crown had known of me and had heard good things about my work. Steve said she had to step down because of conflict of interest. Steve also discussed the fact that he had talked to my dad, PETER BECKER on the telephone on the 03-JAN-08 for about 30 minutes. Steve asked him and my aunt to attend court on the 09-JAN-08 to display their support.

- AKK ① A PRE-MEDITATED MEETING JUST TO APPEASE ME.
WOULD HAVE NEVER HAPPENED IF I DID NOT INITIATE IT.
- ② WHAT A WASTE OF MONEY + TIME!
- ③ NOT ACTING ON BEHALF OF MY BEST INTERESTS.
- ④ ALL OF STEVE'S WORK ON BEHALF OF CROWN'S BEST INTEREST.

Transmission Report

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Local ID 2			Local Name 2

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To: SEVEN R. SAGOR	Fax: 416-284-1826
From: D. DUNLAP	Date: 07-JAN-08
Re:	Page(s) 4
CC:	
Urgent <input type="checkbox"/>	Please Reply <input checked="" type="checkbox"/>

MANUS

DD.

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Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report
			G3: Group 3
			EC: Error Correct

07 - JAN - 08

DEAR MR. SAGER:

I AM WRITING THIS LETTER AS I BASICALLY HAD TO DEMAND A MEETING WITH YOU PRIOR TO MY COURT DATE ON THE 09 - JAN - 08. YOU EVENTUALLY AGREED TO A MEETING ON THE 09 - JAN - 08 WITH MYSELF AND MY MOTHER. YOU POSSESS DIRECT FIRST HAND KNOWLEDGE THAT I HAVE BEEN DISASSOCIATED WITH THIS ENTIRE PROCESS. YOU ALSO KNOW THAT WE HAD NOT HAD FACE - TO - FACE CONTACT SINCE NOVEMBER OF 2006. YOU WERE WILLING TO PROCEED TO COURT ON THE 09 - JAN - 08 WITHOUT HAVING SUCH FACE - TO - FACE CONTACT WITH ME.

AS A RESULT, I WAS ONLY INFORMED BY YOU ON THE 04 - JAN - 08 ABOUT THE ACTUAL POSSIBLE OUTCOMES OF COURT ON THE 09 - JAN - 08. SINCE MY LAST COURT DATE IN SEPTEMBER 2007 I HAVE BEEN REPEATEDLY ASKING YOU ABOUT THE PERTINENCE OF MY COURT DATE ON THE 09 - JAN - 08. CONTINUOUSLY, YOU AVOIDED AND DISREGARDED MY QUESTIONS ABOUT MY COURT DATE ON THE 09 - JAN - 08. IT WAS ONLY WHEN YOU RESPONDED TO MY CORRESPONDENCE ON THE 03 - DEC - 07 THAT YOU MADE REFERENCE TO THE FACT THAT COURT ON THE 09 - JAN - 08 WAS TO BE A PLEA DATE WITH A SENTENCING HEARING. I HAD NO PRIOR KNOWLEDGE OF THIS. SINCE THAT YOU DID NOT ELABORATE TO ME ABOUT WHAT THAT ENTAILS. WITHOUT OUR MEETING ON THE 09 - JAN - 08 I WOULD HAVE BEEN ENTERING COURT BLIND ON THE 09 - JAN - 08 AND VIRTUALLY HAD NO IDEA WHAT MAY HAVE TRANSPIRED. AS IT STANDS I HAVE BEEN PRESENTED WITH A MINIMAL AMOUNT OF TIME TO ABSORB THE INFORMATION THAT YOU FINALLY PRESENTED TO ME ON THE 04 - JAN - 08. I AM SHOCKED AND CONFUSED AS I AM NOT FAMILIAR WITH SUCH ARRANGEMENTS OCCURRING IN COURT. FURTHERMORE, CASES SIMILAR TO MINE DO NOT APPEAR TO FOLLOW THE PATH OR PATTERN THAT YOU ARE SUGGESTING.

AS I HAVE SIGNED A DESIGNATION OF COUNSEL I WOULD GREATLY APPRECIATE IT IF YOU WOULD ATTEND COURT ON MY BEHALF ON THE 09-JAN-08. IN ADDITION, I WOULD APPRECIATE IT IF YOU COULD REQUEST THAT THE PRE-TRIAL CONTINUANCE BE REMANDED TO A FUTURE DATE AND THAT YOU INFORM ME FORTHWITH OF MY NEXT SCHEDULED COURT DATE.

DUE TO THE FACT THAT YOU ARE MY REPRESENTATION I AM ASSUMING THE COURT WILL BE REQUIRING REASONS FOR SUCH A REQUEST. A FEW OF THE REASONS FOR CITING THIS REQUEST IS DUE TO THE FACT THAT YOU HAVE NOT KEPT ME UPDATED OR APPRISED ABOUT MY COURT DATE ON THE 09-JAN-08. AS A RESULT, YOU HAVE LEFT ME EXTREMELY UNPREPARED. FURTHERMORE, YOU HAVE PROVIDED ME WITH AN INSUFFICIENT AMOUNT OF TIME TO CONSIDER MY OPTIONS. IN ADDITION, YOU ARE EXPECTING ME TO RENDER A LIFE ALTERING DECISION THAT WILL DRASTICALLY IMPACT MY FUTURE WITHIN A SHORT PERIOD OF A FEW DAYS.

AS MY DEFENCE ATTORNEY I WOULD ASSUME IT IS YOUR RESPONSIBILITY TO INFORM THE HONOURABLE COURT AND PRESIDING JUDGE OF THE ABOVE REASONS. IF YOU ARE NOT PREPARED TO OR WILLING TO MAKE SUCH A REQUEST IN ACCORDANCE TO THE PRECEDING REASONS THEN I BELIEVE THAT YOU ARE RESPONSIBLE TO INFORM THE COURT OF ANY OTHER OF YOUR INTENTIONS.

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

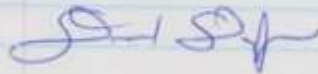
-3-

BY THE CREW SINCE THAT TIME. FURTHERMORE, I WOULD APPRECIATE A COPY OF ALL OF YOUR CONTACTS AND CORRESPONDENCE WITH OTHER ATTORNEYS, DIGNATARIES AND SO FORTH. I WOULD ALSO APPRECIATE A COPY OF ANY CASE NOTES, COURT TRANSCRIPTS, RECONSTRUCTION REPORT AND ALL OTHER DOCUMENTATION ASSOCIATED WITH MY CASE. PLEASE FORWARD A COPY OF ANY CASE LAW THAT YOU HAVE REFERRED TO IN ASSISTING ME WITH MY DEFENSE. IN ADDITION, I WOULD EXPECT THAT YOU WOULD INFORM ME OF THE NEXT PROCEDURE I NEED TO FOLLOW IN THIS PROCESS.

PLEASE RESPOND AS SOON AS FEASIBLY POSSIBLE TO INFORM ME OF YOUR INTENTIONS.

THANK YOU FOR YOUR ATTENTION TO THIS INFORMATION.

YOURS TRULY,



DEREK DUNLOP

STEVE SAGER.

07-JUN-08
9:56AM

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

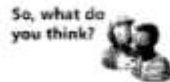


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derekdunlop12@h... Sign out

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New Reply Reply all Forward Delete Junk

Move to

Options ⓘ

RE: Fax sent today the 07-Jan-08.

From: **Steven Sager** (srsager@rogers.com)
 Sent: January 7, 2008 3:42:09 PM
 To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

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

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

Hi Steve:

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

Thanks for your continued co-operation.

Yours truly,



Derek Dunlop

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derekdunlop12@h...
Sign outHome Spaces OneCare

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Drafts
Sent
Deleted
Manage folders

Today
Mail
Contacts
Calendar

So, what do you think?



New Reply Reply all Forward Delete Junk

Move to

Options

Newmarket Matter

From: **Steven Sager** (srsager@rogers.com)
Sent: January 7, 2008 10:53:15 PM
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

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

I have advised you on more than one occasion what could happen in this matter. The best and worst case scenario's. The day that you got behind the wheel of a car after drinking was the start of the worst day in your life. Being involved in an accident where others could have been killed compounded that. I have explained to you on a number of occasions what if anything was going to win this case. All those options were looked at in great depth. Meeting face to face has never been an issue other than the distance you had to travel. Any question I had all I had to do was call, the same applied to you. You just very seldom opted for that.

As I have stated in the past and will do so again every possible route has been explored and I have given you my professional opinion as to what direction you should take. There is no trial issue here and you are wasting your time if you think by acting for yourself you are going to find one. I truly believe that I have found the best possible course of action for you in this matter. I feel that you are going to obtain the best possible results. At the end of the day acting for yourself is going to do one of two things. (1) The end results will be the same. (2) The end results will be worse. You are not going to find a total win in this matter. I do not care how many other cases you have read. Your case is still more serious then most.

If you want me to withdraw and have myself removed from the record, just send me an e-mail to that affect and I will follow those instructions on Wed. If this is going to be the case you will not be required to appear. If you want to follow my advise and deal with this matter on Wed let me know that too.

I truly believe you should put this matter behind you and get on with your life. All you seem to want to do at this point is delay the final outcome. These are serious charges resulting from a serious occurrence. At this stage you are not going to walk away without penalty. If there had been a way I would have found it.

I will be in court all day Tuesday.

Steve Sager

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Jan 8/08
5 pm

I spoke to Steve Sagen
about Derek not appearing
at the Court House tomorrow
(Jan 9/08) in Newmarket

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

He said not to worry about
the £5000 Surety Bond.

Jan 8/08
5:10 pm

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



Windows Live™

Search bar with "Home" and "Advanced" buttons

derekdunlop12@h... Sign out

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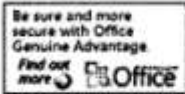
New Reply Reply all Forward Delete

Move to

Options

FW: 09-Jan-08

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
 Sent: January 8, 2008 6:05:44 PM
 To: derekdunlop12@hotmail.com



From: derekdunlop12@hotmail.com
 To: srsager@rogers.com
 Subject: Re: 09-Jan-08
 Date: Tue, 8 Jan 2008 18:00:53 -0500

08-Jan-08

Dear Mr. Sager:

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

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

During this process all I have ever wanted to know is what is going on? I have been so disassociated with the judicial procedures as a result of signing designation of counsel forms with you. Initially, you informed me that you preferred that your clients attend all court dates with you. Your request to have me sign the designation of counsel forms had me perplexed at the time and still does to this day. I always wanted to attend all my court dates as well. I should have attended each court date and then all

of this
miscommunication could probably have been absolved.

I feel that I have been left in the dark at almost every turn. There have been times that you have indicated to me, that you would contact me after attending court to inform me about the outcome of the occurrences in court. Unfortunately, there have been instances in which you have not done so. I have then had to initiate contact with you to be informed of those happenings.

It was only during our meeting on the 04-Jan-08 that I was made privy to certain information about what transpired during those court dates. I had not been made aware of some of this information in the past. I also believe that there is substantial information that still has not be relayed to me.

Since my last court date on the 19-Sep-07, I have made numerous requests through oral and written communications about the details and pertinence of my next court date on 09-Jan-08. These inquiries basically had fallen upon deaf ears until the 04-Jan-08.

Additionally, I will re-iterate that if we did not meet on the 04-Jan-08 (a meeting that I had to eventually facilitate), I would have been proceeding to court blind on the 09-Jan-08. Was it your intention to give me your advice the morning of court on the 09-Jan-08? As it stands I have only had a few short days to process your advice.

Furthermore, I still have many outstanding questions such as, can the Crown Attorney appeal this decision if they are not satisfied with the judgment? I have many questions that could not be addressed as I have spent a considerable amount of time trying to ascertain answers to more significant questions. These questions were primarily in reference to court proceedings and they have predominantly been avoided until our meeting on the 04-Jan-08. It is with this uncertainty that I have become confused and frustrated.

As a result of the above mentioned concerns, I have felt so unprepared and disassociated with this entire matter. The 11th hour decisions that I have been confronted with have added to an already highly stressful situation for myself and members of my family, even so far as today.

I respect your professional opinions and advice. I appreciate the fact that you have spent a significant amount of time on my case, however, I am still not aware of all of your efforts as you have neglected to inform me about all of your devotions. At times I believe that I have had to defend myself against my own defence attorney in this case.

Unfortunately, it is in relation to the concerns contained within this letter, among others that I am extremely disappointed. I would greatly appreciate it if you would attend court tomorrow and have yourself removed from the record and inform me of my next court date.

I hope that you will inform the judge (Justice Weiss) of my concerns and forward this letter to him. I want to emphasize the fact that I am not trying to delay the judicial process in any manner.

All I ever wanted in this case is to be thoroughly informed about the processes.

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

Yours truly,

Derek Dunlop

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HO HO HO, if you've been naughty this year, email Santa! Visit asksanta.ca to learn more!



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New Reply Reply all Forward Delete Junk

Move to

Options ?

RE: Case

From: **Steven Sager** (srsager@rogers.com)
 Sent: January 21, 2008 12:21:39 PM
 To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

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

Steve

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

Hi Steve:

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

Thank you for your continued cooperation.

Yours truly,

Derek Dunlop

Date: Fri, 11 Jan 2008 19:43:23 -0500
 From: srsager@rogers.com
 Subject: RE: Case
 To: derekdunlop12@hotmail.com

Derek,

I have no problem putting the disclosure package together and sending off a copy. But like I said on a number of occasions there is nothing in it

that you have not already been apprised of. I'll get a copy off to you at the start of the week. Justice Wright is not expecting anything from you on the 7th other than to appear. So please don't make more of this than it is. It is at that time that he will ask what you intend to do. And how much time you feel might be required.

No, the victims were not in court and most likely they never will be unless you decide to take this matter to trial. Which I will advise you in writing would be a very dangerous thing to do if you want to avoid jail. The only person who will be wasting the court's time at that stage will be you, and it will bring about serious consequences. You have been given good solid legal advice and you have decided to ignore it. Justice Wright may comment on this fact on the 7th. He may caution you so it will become part of the court record. You are playing a very dangerous game and I am advising you it could very well backfire on you. Even if you cannot afford another lawyer I would strongly suggest that you get a second opinion. Anyone I know would tell you that you were given one hell of a deal.

As I said in my last e-mail I will send you all the information I have in my file. So you do not need to send a list. Taking into account the very serious nature of the charges you faced, you were given an excellent offer and with the small window of opportunity Justice Wright gave you for a conditional sentence this matter could have been resolved. If by your efforts you can obtain a better deal the best of luck to you. The judge and the crown know what was offered. There were not, nor are there now any trialable issues. The question is; what do you want the outcome of this matter to be? What have you always wanted the outcome to be? You can review and study the disclosure and all the other documents contained in the file and you will not find any escape route. I've been doing this for over thirty-five years and could not find one. But the best of luck to you. I have informed you of all the pertinent information needed during this process. I have treated you better than any client I have ever had, because I have never had a client become so obsessed with his case. Everything I have done to this point I have done for a good reason so please don't say that I have made it difficult for you to make a decision. You were advised at the very first meeting that you should treat this matter with a jail term in mind if convicted. Jail has always been a very possible outcome. This past week you had a very good chance of avoiding that. I truly wish I knew what you think your going to archive. There again I hope you find what ever it is your looking for.

Steve

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

Hi Steve:

Unfortunately, this will not satisfy Justice Wright's request and I will not be able to bring myself up to speed on the case prior to the 07-Feb-08. At that time, he will have to be notified of the reasons why I have not been able to do as he requested. Once again, I have been requesting that you provide me with a copy of all of the disclosure over and over and over

again. This has not been addressed until your e-mail dated that 10-Jan-08 and I have not been provided a copy or the opportunity and time to review of all of the disclosure.

I had to make a stressful decision when deciding not to continue with you as my attorney. This included the knowledge that I would upset Justice Wright, the Crown Attorney, the victims and their families and so forth. I also am well aware of the additional stress that it had on my family members, especially my father who has provided me a significant amount of financial support in this matter. Furthermore, I realized that I have delayed the judicial process and this will be seriously frowned upon. Additionally, I realize that I have placed additional stress on you and do apologize for that, whether you believe me or not.

I had to make this most difficult decision, knowing that I would upset all those involved but I had to do based on principle.

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

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

Can you also inform who is the Crown Attorney that I will be dealing with and their contact information.

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

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

If consents of disclosure need to be signed to allow for documents to be copied than please inform me and we can proceed with that process.

Thank you again for your continued co-operation.

Yours truly,

Derek Dunlop

Date: Thu, 10 Jan 2008 21:24:27 -0500
From: srsager@rogers.com
Subject: RE: Case
To: derekdunlop12@hotmail.com

Derek,

The reason I will give you the disclosure on the 7th is so I can lay it

within. I would have felt more at ease with this information in front of me and been able to educate myself more about the dynamics and complexities of the case. I am sure I could have assisted you in some manner even if it was minute in nature. This was another serious lack of communication.

As a result, I have had no disclosure to examine to this date and you have informed me that you will provide me a copy of complete disclosure on the 07-February-08. This would suggest that I am supposed to review a case in which I still do not have any documentation to analyze. I will not be able to review the file as I do not have any information. Subsequently, I will not be able to adhere to Justice Wright's request to review the file by 07-Feb-08.

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

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

Please call so we can discuss.

Thank you for your attention to this matter.

Yours truly,

Derek Dunlop

Date: Thu, 10 Jan 2008 12:32:22 -0500
From: srsager@rogers.com
Subject: Case
To: derekdunlop12@hotmail.com

Derek,

Pursuant to your instruction I attended Newmarket court on the 9th. I appeared before His Honour Justice Wright who is the same judge who has dealt with this matter commencing with the Judicial Pre-Trials. I made two motions before him. The first that you be given two months to review your file personally or retain new counsel. Second that I be removed from the record at your request. I advised him that you felt there was a communication problem between us.

His Honour refused both motions. He gave you a one month adjournment in order to review the file yourself or retain new counsel. He has kept me on the record until the next return date, February 7th, 2008 9:30 a.m. courtroom 102. At this time I will file

an application to be removed as requested by His Honour. This will in no way interfere with new counsel who may also want to appear on this date. His Honour was obviously very upset with your decision as he stated that he thought this matter was to be resolved today, as did the Crown. I truly believe that had you attended and entered a plea you would be sitting at home today with this matter behind you. By your actions you may very well have shot yourself in the foot.

I spoke to both your father and stepmother who were at court as a sign of support which His Honour acknowledged. They are very upset by your decision. I think you have made a very serious error in judgement, but I am bound by your instructions.

I advised them that I am more than willing to continue, so if you change your mind let me know before the 7th.

I will give you the complete disclosure file as well as my final statement of account on the 7th.

All the best,

Steve Sager

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New Reply Reply all Forward Delete

Move to

Options

RE: Case

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: January 29, 2008 11:28:43 AM
To: Steven Sager (srsager@rogers.com)

Hi Steve:

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

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

Thank you for your continued cooperation.

Yours truly,

Derek Dunlop

Date: Thu, 24 Jan 2008 11:47:44 -0500
From: srsager@rogers.com
Subject: RE: Case
To: derekdunlop12@hotmail.com

Derek,

The Judge has made no such order. As I told you the only thing that will happen next is my getting off the record and Justice Wright asking you

what you intend to do, act for yourself or retain new counsel, period, nothing more. You will not be required to speak to the case at all on that date other than answer that one question, unless you plan on entering a plea. I don't think that is what you are planning to do. So there will be no daunting task for anyone on the 7th.

You will have all the material I have prior to your next date, as I have told already. Although nothing from it will be required on that date. Derek you do not know what you are doing and your going to cause yourself nothing but grief. So please think this thing out carefully. Rob Ramage was just given four years with no past record what-so-ever. At the moment I still feel we can save this situation so you might want to seriously consider meeting before I complete my removal application and file it. Other than that I will see you on Feb 7th.

Steve Sager

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

Hi Steve:

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

Thank you again for your continued cooperation.

Yours truly,

Derek Dunlop

Date: Mon, 21 Jan 2008 12:21:05 -0500
From: srsager@rogers.com
Subject: RE: Case
To: derekdunlop12@hotmail.com

Derek,

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

Steve

Derek Dunlop <derekdunlop12@hotmail.com> wrote:



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- Manage folders
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New Reply Reply all Forward Delete

Move to [dropdown]

Options [icon]

07-Feb-08

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
 Sent: February 2, 2008 12:19:33 PM
 To: srsager@rogers.com

02-Feb-08

Hi Steve:



I greatly appreciate you forwarding me the disclosure and I received it as of yesterday Friday, February 01, 2008. As a result, I am unable to adhere to both requests made by the Honourable Justice Wright at court on the 09-Jan-08. You informed me that he granted an adjournment of one month, in order that I be able to review the file and retain new counsel. At this time, it is unfortunately not feasible to sufficiently meet either of Justice Wright's requests.

I am also of the firm belief that should I have received this disclosure months ago (as requested) this would have alleviated several of my concerns and may have permitted us to have better lines of communication.

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

Therefore, I am graciously requesting that you attend court on the 07-Feb-

08 on my behalf

and bring about another motion to have yourself removed from the record. I would greatly appreciate it if could request a 3 month adjournment. This will give me the ability to assess, dissect and analyze all of the disclosure. It will also allow me to seek other legal advice and/or opinions and may permit me to retain another lawyer. It will also give me the opportunity to conduct my own research and prepare myself for the case as I intend to represent myself.

You would be informing the court and the Honourable Justice Wright the same thing that I would intend to inform that court, should I be in attendance. This would make the most common sense to me.

By attending on my behalf you would also be saving my family and myself a considerable amount of money as this trip would cost my family in the vicinity of at least \$400-\$500.

Not to mention some of the hazardous weather conditions that can occur at this time of year.

If you are not willing to attend on my behalf, please let me know. I want to make it abundantly clear to you and the court that I am not trying to delay the process but I am looking out for my best interests.

Please respond as soon as possible.

Thank you for your time and kind consideration.

Yours truly,

Derek Dunlop

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Re: 07-Feb-08

From: **Steven Sager** (srsager@rogers.com)
 Sent: February 2, 2008 1:59:47 PM
 To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

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

1. My last appearance on your behalf was going to be a plea, that was my understanding. His Honour felt the crown had offered you an excellent opportunity to put this matter to an end as did I. The evening prior to our court date you felt that you did not have enough information to enter into a plea. If you feel that you did not have enough information than this is my fault. I truly thought that I had looked at every option and explained this to you at my last meeting with your mother at my office and I have always told you to call me if there was something that you wanted to know or did not understand. But all you ever did was send me those letters, all of which were answered.

2. You **Must** appear at the February 7th, 08 hearing. Justice Wright did made this an order, and I did tell you this on the phone and by e-mail. Your father and stepmother were both at court on this date and were also advised of His Honours order. Now I am making sure that you are being advised of this again. Justice Wright put this matter over from Jan 9th until Feb 7th for the sole purpose of my preparing the Application for removal which is to be filed with him in his court on the 7th. As I have said to you by e-mail the only thing that is going to happen to you on this date is be asked what you intend to do. You are not required to put evidence forward or anything else. There was never any mention of you requiring time to review the disclosure. That's what I wanted you to have the opportunity to do. " *I Derek Dunlop intend to act in person, (Represent myself and I need time to personally review the physical disclosure that I have just received from Mr. Sager")* Period. Justice Wright will have some discussion with you I am sure, but he will give you another date to come back and speak to the matter. At which time it will be in the form of another judicial pre-trial or setting a date for trial.

3. At the moment I cannot act for you are speak for you on or after the 7th as I have been required to file the application on that date. Even if you did want me to continue with this matter, you are still required to appear pursuant to the order of Justice Wright. You have been charged by

indictment I have always appeared pursuant to a designation. As of the 9th Justice Wright suspended that designation so you must appear. Failure on your part to attend His Honour will issue a warrant for your arrest.

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

5. You must appear.

Derek I know that you feel that by not having the crown disclosure that for some reason this has affected your ability to come to a better decision on how you should deal with this case. I can tell you now that Justice Wright will not accept that. You retain counsel to review the crown's disclosure and to advise you, not to review it yourself and disregard the advise of experienced counsel because you did not like what you were being told. He knows you had good counsel he knows the case, he knows what the Crown has offered and he has made his position known. Owing to all the circumstances you are not going to get any better results. *(This is why he will not hear anymore on the matter after the 7th)* The only other results one might want to get in this case is a not guilty verdict, based on factual information that there is an error in law, which there is not, or a procedural error by the police, which there is not. There are no trialable issues, not one. To go to trial there must be trialable issues, even one. This case has none. I have looked at every possible option. I know that no one else is going to find any supportive law to get this thing to go away. But you are the accused and you are entitled to look that's for sure. But you are wasting your time and as Justice Wright will tell you the court's. You will do so at your own peril. Remember if you attempt to go to trial and do not win (which you will not) there is the matter of a 14 day sentence for the prior impaired). The crown agreed not to file this if there was a guilty plea. At a later date you may not get this favour.

I truly believe that you have a chance to get the best possible results on the 7th if you follow my advice. If you attempt to drag this case out either by acting in person, or even by retaining new counsel I truly believe the chances of your doing time will grow exponentially. So please think long and hard this weekend. Justice Wright left us a small window of opportunity to keep you out of jail, don't blow this chance. The future of your life with respect to this matter will rest in a positive or negative way depending on what you decide for the 7th.

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

Let me know in writing one way or the other by Monday. (e-mail) If you want me to act. If you do the fellow from AA must be there. Other wise I will file the Application and move on.

You must understand, that if I believed that there was any issue to take to trial that is what I would have advised you do. Go to trial. I cannot take a

case to trial where there is no case, the best that can be done is try and keep your client out of jail. That is what I feel can be done on the 7th. Think about it long and hard, don't blow it.

Let me know,

Steve Sager

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

02-Feb-08

Hi Steve:

I greatly appreciate you forwarding me the disclosure and I received it as of yesterday Friday, February 01, 2008. As a result, I am unable to adhere to both requests made by the Honourable Justice Wright at court on the 09-Jan-08. You informed me that he granted an adjournment of one month, in order that I be able to review the file and retain new counsel. At this time, it is unfortunately not feasible to sufficiently meet either of Justice Wright's requests.

I am also of the firm belief that should I have received this disclosure months ago (as requested) this would have alleviated several of my concerns and may have permitted us to have better lines of communication.

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

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

You would be informing the court and the Honourable Justice Wright the

same thing
that I would intend to inform that court, should I be in attendance. This
would make the
most common sense to me.

By attending on my behalf you would also be saving my family and myself
a considerable
amount of money as this trip would cost my family in the vicinity of at
least \$400-\$500.

Not to mention some of the hazardous weather conditions that can occur
at this time of
year.

If you are not willing to attend on my behalf, please let me know. I want
to make it
abundantly clear to you and the court that I am not trying to delay the
process but I
am looking out for my best interests.

Please respond as soon as possible.

Thank you for your time and kind consideration.

Yours truly,

Derek Dunlop

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SAGOR.

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07-FEB-08
9:10 AM

Steve Sagar approached me outside Courtroom #103 at the Newmarket, ON Courthouse. Steve Sagar informed me that he completed an application to be removed from the record. Steve provided me a copy of the removal. Steve informed me that I would only have to answer the judge's questions. Steve informed me that I would be starting over and would have to start the process all over again. Steve said that all that would happen today is that he would be removed from the record. Steve said that I would not have to enter a plea.

*K.R. - STEVE ALSO SAID THAT AFTER THIS THAT I COULD CALL HIM IF I HAD ANY QUESTIONS. (AS IF, WHAT KIND OF GAME WAS HE PLAYING HERE. TRYING TO MAKE HIMSELF LOOK GOOD BY CONTINUING TO OFFER ME ASSISTANCE OR JUST BEING A COMPLETE IDIOT.

When addressing Justice Wright, Steve cited that I was concerned that I was not provided a copy of the disclosure to assess and that I felt that this would have assisted me in making an informed decision about this case. Steve said something to the effect that he could understand me being upset that I was not provided this disclosure. Steve was ordered by the judge (JUSTICE WRIGHT) to retrieve a date for trial for this case and to return to court upon getting a date. The Crown Attorney Mr. St. Michaels was in agreement to this.

Steve Sagar advised me that I could still enter a plea on the 06-MAR-08.

SACOR

-2-

07-POB-08
9:10AM

Upon returning to court after getting a date for trial and submitting it to the judge (JUSTICE WRIGHT), justice Wright addressed me. Justice Wright also had the court clerk to read out the possible date for trial. Steve Dager submitted a date of 17 or 18 of November 2008 for trial. Upon the court clerk reading the options for trial, Justice Wright asked Steve Dager to assist us. Right away Steve Dager said for me to go with Ontario Court Judge alone. THE COURT IMAGINE THIS, THIS WAS ALL ANOTHER SET-UP.

JUSTICE WRIGHT

+

07-FEB-08

10:05 AM

NEWARK, NJ. Justice Wright appeared to have this case ordered to trial. Justice Wright asked me if I agreed with everything Steve Dager had said. I said in part. Justice Wright asked me what I did not agree with. I could not answer in a full sentence as there were numerous discrepancies. Mr. Steve Dager tried to submit or did submit that on 02-FEB-08 that this was when I asked him to be removed from the case. (THIS WAS NOT TRUE!) Justice Wright asked Steve Dager to find out a date for trial and to return to court when he found out. Steve Dager returned to court with a trial date of 17 or 18 - NOVEMBER-08. Justice Wright informed me that the case was going to trial on the ~~17~~ 17TH or 19TH - NOVEMBER-08 with or without counsel.

SKK - I AM NOT SURE WHETHER HE ACCIDENTALLY MADE THIS MISTAKE OR THIS WAS INTENTIONALLY DONE. Justice Wright asked me if I understood. I said "yes." SKK - I UNDERSTOOD THAT HE WAS MOVING THE CASE TO MEAT, BUT I DID NOT UNDERSTAND WHY AND NOW HE WAS DOING SO. Justice Wright asked the Crown Attorney, Mr. St. Michael's how they intended to proceed. The Crown informed Justice Wright that they would be proceeding by indictment. Justice Wright stated that he would be obtaining a court transcript of the proceedings. Justice Wright stated that he would have to remove himself from the case because of management reasons (I BELIEVE THE NEW JUDGE TO BE JUSTICE MENARD.) Justice Wright had the court clerk read me the options for the mode of trial and asked Steve Dager to assist me. After Steve Dager was so quick to advise me to select judge only, I asked Steve if I could ask the court for time to seek legal advice. Steve said, "yes." I asked Justice Wright if the Honorable Court

JUSTICE WRIGHT -2-

07-FEB-08
10:05AM

would consider granting me time to seek assistance. Justice Wright said "yes" and asked how much time did I think that I would need. Both Justice Wright and I said about 1 month almost simultaneously. Justice Wright set a return date of the CG-NAB-08 to be open to in relation to how I elect to have my mode for trial.

*RE I NEED TO ACQUIRE COURT TRANSCRIPT FOR THIS DATE AND COURT PROCEEDINGS IN RELATION TO THIS MATTER.!!

Information No. 0608133

ONTARIO COURT OF JUSTICE
(Central East Region)

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

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

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

Email: srsager@rogers.com

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

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

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

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

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

TAKE NOTICE that an application will be brought at 10:00 a.m. on Thursday, February 7th 2008, or as soon after that time as the application can be heard at Courtroom no. 102, Newmarket Court House, 50 Eagle Street, West Newmarket, Ontario L3Y-6B1, for an order removing Steven R. Sager as counsel of record of the Accused, Derek James Dunlop.

THE GROUNDS FOR THIS APPLICATION ARE:

1. That the Accused, Derek James Dunlop, advised counsel by way of an e-mail dated February 2, 2008 that he no longer wanted to be represented by him. That he intended to represent himself.
2. Such further and other grounds as counsel may advise and this Honourable Court may permit.

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

1. Notice of Application dated February 6th, 2008;
2. Affidavit of Dianne F. Blencoe sworn February 6th, 2008; and
3. Such further and other materials as counsel may advise and this Honourable Court

permit.

THE RELIEF SOUGHT IS:

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

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

5. By service in accordance with Rule 5, at
Steven R. Sager
Defense Counsel
70 East Beaver Creek, Suite 201
Richmond Hill, Ontario
L4B-3B2

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

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



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

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

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

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

- and -

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

(Returnable February 7th, 2008)

Steven R. Sager
Defense Counsel
70 East Beaver Creek, Suite 201
Richmond Hill, Ontario
L4B-3B2
Tel: (416) 447-2665
Fax: (416) 447-0066
Email: srsager@rogers.cpm

Counsel to the Applicant/Accused

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

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

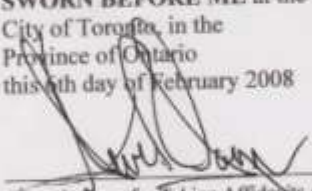
Applicant/Accused

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

I Dianne F. Blencoe, of the City Toronto, the in the Province of Ontario, MAKE OATH AND SAY as follows:

1. I am a legal assistant in the office of Steven R. Sager, Defense Counsel for the Accused, Derek James Dunlop and as such have knowledge of the matters herein after deposed to.
2. I am advised by Steven R. Sager and verily believe that he was retained by the Accused Derek James Dunlop in March 2007 to represent Derek James Dunlop on charges of Impaired Drive Cause Bodily Harm X 2 and Operate Over 80mgs X 2
3. I am further advised by Steven R. Sager and verily believe that Mr. Dunlop contacted him by way of e-mail on the 2nd day of February to advise that he no longer wanted Mr. Sager to continue acting for him and that he was going to represent himself from this point forward.
4. This Affidavit is made in support of an Application for an Order removing Steven R. Sager as counsel of record for the Accused Derek James Dunlop and for no improper purpose.

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



Commissioner for Taking Affidavits (or as may be)



DIANNE F. BLENCOE

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

- and -

DEREK JAMES DUNLOP

Applicant/Accused

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

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

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

Counsel to the Applicant/Accused

Windows Live™

RE: Newmarket Case

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: February 11, 2008 10:05:43 AM
To: srsager@rogers.com

Hi Steve:

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

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

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

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

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

On 07-Jan-08, after we had numerous communication issues you requested that I send you an e-mail asking you to be removed from the record if this was what I wanted. On the 08-Jan-08, I forwarded you an e-mail attesting to that fact. So there appears to be confusion about the date of when this request was made. I also included this in my e-mail on the 02-Feb-08, but that was not the initial date. The court has been informed that it was the 02-Feb-08. I am not sure whether this needs to be straightened out with the court or not.

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

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

Thank you again for your continued assistance.

Yours truly,

Derek Dunlop

Windows Live™

RE: Newmarket Case

From: **Steven Sager** (srsager@rogers.com)
Sent: February 11, 2008 4:28:07 PM
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

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

I am on the record for the sole purpose of giving you advise as to trial election. Justice Wright made this very clear with you standing right beside me. I personally feel a judge alone is the best option. (*I have never been questioned by a client as to this in over thirty-five years, you are the first.*) You want a judge to hear the facts and interpret them in law. You do not want a jury to hear all the emotional issues from witnesses who feel they have suffered because of your actions more than they have. (*Unlike a judge who has heard these types of cases before, the people sitting in the jury box are doing it for the first time*) I am sure that a good Crown would even call in the family members to tell the jury how the family has been affected because of the accident that you caused because you were drunk behind the wheel. Harsh I know but If I were the Crown I would use these people for strong effect. A jury will almost always lean to the victims. The pictures the jury would see are very damaging and would be very harmful to your case with a jury

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

Prior to your decision to take over, this case was on track. A point Justice Wright made and which became part of the record. It has gone on over sixteen months. All of which has been spent attempting to get you the best possible result. Justice Wright is more than aware of this fact and has given you the right to start over again, but with a time limit. Yes, you do have recourse. You can file a motion explaining why you need more time to prepare. This is why Justice Wright has made an order that he is to hear any motions that you may bring.

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

The only thing that will happen on March 6th will be your trial election and my formal removal from the record. You will not be required to give any evidence or address the court on any other issue. Although I would suggest that you ask Justice Wright for another Judicial Pre-Trial date. This I feel will help you gain a better understanding of the Crowns case and what you have in opposition to it.

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

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

All The Best,

Steve Sager

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

Hi Steve:

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

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

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

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On 07-Jan-08, after we had numerous communication issues you requested that I send you an e-mail asking you to be removed from the record if this was what I wanted. On the 08-Jan-08, I forwarded you an e-mail attesting to that fact. So there appears to be confusion about the date of when this request was made. I also included this in my e-mail on the 02-Feb-08, but that was not the initial date. The court has been informed that it was the 02-Feb-08. I am not sure whether this needs to be straightened out with the court or not.

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thing that the court is expecting from me. Please confirm that this is all I am required to do.

Do you know what Section of the Criminal Code of Canada that these options are outlined.

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

Thank you again for your continued assistance.

Yours truly,

Derek Dunlop

|

Windows Live™

RE: 06-Mar-08

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: March 1, 2008 4:45:57 PM
To: srsager@rogers.com

01-Mar-08

Hi Steve:

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

Can you please confirm whether the following is true or not?

- 1) If I elect to have a trial with judge alone and no preliminary inquiry, Do I forfeit the opportunity to have a preliminary inquiry? Once I relinquish this opportunity for a preliminary inquiry is it true that I can't get this back? If I elect this mode, does the case remain in the Ontario Provincial Court and does not proceed to the Ontario Superior Court? If I elect this mode is it true that I am prevented from re-electing if need be?
- 2) If I elect to have a trial with judge alone with a preliminary inquiry, does the case automatically proceed to the Ontario Superior Court with an Ontario Superior Court Judge? If I elect this mode can I re-elect if need be. How would a process of re-election transpire or occur?
- 3) If I elect to have a trial with judge and jury and with a preliminary inquiry, does the case automatically proceed to the Ontario Superior Court with an Ontario Superior Court Judge? If I elect this mode can I re-elect if need be. How would a process of re-election transpire or occur?
- 4) What modes am I permitted to have a judicial pre-trial and what modes am I not permitted to have a judicial pre-trial?
- 5) How long would a preliminary inquiry in this approximately take?

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

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

I am of the understanding that you recently sent an e-mail to my father in relation to fees. Could you please inform me what this is about or forward me a copy of that e-mail.

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

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

<http://by114w.bay114.mail.live.com/mail/PrintShell.aspx?type=message&cpids=603ad799-...> 3/4/2008

Yours truly,

Derek Dunlop

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RE: Police Communications on the night of the Accident

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: March 3, 2008 3:28:05 PM
To: srsager@rogers.com

Hi Steve:

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

Do you have a toxicology report?

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

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

Thanks.

Yours truly,

Derek Dunlop

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<ul style="list-style-type: none"> Inbox Junk Drafts Sent Deleted Manage folders Today Mail Contacts Calendar 	<p style="text-align: center;">New Reply Reply all Forward Delete Junk</p> <p>Move to Options </p> <h3>Your Questions</h3> <p>From: Steven Sager (srsager@rogers.com) Sent: March 4, 2008 11:27:35 AM To: Derek Dunlop (derekdunlop12@hotmail.com)</p> <p>Derek,</p> <p>I will break down each of your questions as follows:</p>
---	--



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

With respect to questions 1 - 5. Nothing in procedure is carved in stone. Anything can be addressed by way of motion. As long as what you are seeking has merit and can be supported in substantive law. This is the reason Justice Wright has kept all motion requests before him up to the point of trial. I know by his comments that he feels you are attempting to drag this matter out and he is going to monitor it carefully. You are entitled to a preliminary hearing no matter what path you elect. Justice Wright has already made that order. You are also entitled to judicial pre-trial. In your case you might want to have a pre-trial prior to proceeding to a preliminary hearing. Although I feel a preliminary would be a waste of time because the crown has more than enough evidence to take the matter to trial. (*and in my opinion win*)

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

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

Each time we have appeared in court your father has advised me that he knows I must be over the block fee I put in place for this case. The answer was yes. He expressed a desire to pay more. I sent him a short e-mail with

respect to time spent but never put any demand on him for additional funds. I agreed to a blocked fee and I will honour that agreement. Your parents are only concerned for your well being.

I take this opportunity to advise you again that you should consult with a lawyer for a second opinion on the course of action you are now intending to take. I personally feel that it is incorrect.

If the crown intended to use any of the booking room or breathalyzer tapes, *(if there are any)* they would be a required part of the disclosure. What help would they be? There is no toxicology report because when I argued the time frame of the breath test, *(at the second part of the judicial pre-trial)* the crown advised that they would proceed with the impaired drive only if they had to because they had enough evidence to convict on it by itself. After a review of the breath operator's report a toxicology report would not help, in fact it could hurt the case. *(also my blocked fees are for just that fees and normal disbursements, not expert reports. A toxicology report could cost you up to \$5,000.00 by itself and if you required the expert in court the cost would be that again)* Notwithstanding the report would be of little value taking into account the crown's position.

As I have told you before and will tell you again, you are grasping at straws. Everything you are looking at now has already been done by me. I have looked at every possible avenue that could be open to you. I found none. That is why I suggested that you take the deal offered by the crown. Remember I have been doing this for a very long time.

I feel that Justice Wright left a window of opportunity open for a conditional sentence with no jail time. If this matter is kept before him with a plea on the 6th I believe that opportunity still remains. If not and you carry on as you seem to intend, it will be lost. The crown will be out for blood. Every person has the right to their day in court the Charter guarantees it. This does not mean that you have a case, it is only your right in law.

Take care,

Steve Sager

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RE: Crown

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
 Sent: **March 4, 2008 2:13:00 PM**
 To: srsager@rogers.com

04-Mar-06

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

Thanks
Derek

Star Shuffle

Want to race through your inbox even faster? Try the full version of Windows Live Hotmail. (It's free, too.)

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RE: Crown

From: **Steven Sager** (srsager@rogers.com)
Sent: March 4, 2008 2:17:27 PM
To: Derek Dunlop (derekdunlop12@hotmail.com)

Hi,

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

Steve

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

04-Mar-06

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

Thanks
Derek

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 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

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

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

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

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

THE GROUNDS FOR THIS APPLICATION ARE:

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

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

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

THE RELIEF SOUGHT IS:

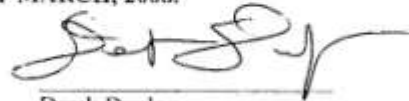
4. An order allowing the Application and adjourning the matter, granting the accused, Derek James Dunlop to retain and instruct new counsel.

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

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

Tel: (705) 495-6377

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



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

Tel: (705) 495-6377

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

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

(Returnable March 4th, 2008)

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

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

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

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

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

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

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

Commissioner for Taking Affidavits
(or as may be)

Derek James Dunlop

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

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

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

Tel: (705) 495-6377

IN ROCK & ASSOCIATES

05-MAR-08
3:05 PM

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

05-MAR-08
3:48 AM

I attended the Nrock and Associates office at 17857 YONGE ST. Mr. Kerry P. Evans eventually assisted me. I spoke to Mr. Kerry P. Evans in his office. Mr. Evans introduced himself. I said that I knew him as I had worked as a Probation Officer in Collingwood while he was there. He asked me what I was doing - I informed him that I was going through a lot of personal stuff. We exchanged some ~~play~~ pleasantries. Mr. Evans wanted to change part #2 of my affidavit. Mr. Evans also questioned my request of a 3 month adjournment. Mr. Evans stated that 3 months could set the judge off. Mr. Evans asked if I consented to having Mr. Steven R. Jager removed from the record. I PLAYED ALONG AND SAID I AGREE. Mr. Evans went downstairs and had a female assistant type up a NOTICE OF ADJOURNMENT AND CHANGED MY NOTICE OF APPLICATION + AFFIDAVIT. THESE THOUGHTS AND WORDS WERE MR. EVANS' NOT MINE. I EVEN RAN TO COURTHOUSE TO PLAY ALONG.

- * THE THOUGHTS THAT WERE ENTERED INTO THE NOTICE OF ADJOURNMENT WERE MR. KERRY P. EVANS' THOUGHTS NOT MINE.
- * BEFORE TODAY I HAVE NEVER HAD ANYTHING AGAINST KERRY P. EVANS.
- MR. BILL BLACKSTOCK SR. + MS. ERIN REGAN WERE SURPRISED TO HAVE MR. EVANS CALL ME.

Court File No.:

**ONTARIO
COURT OF JUSTICE
Central East Region**

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant

NOTICE OF APPLICATION

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

THE GROUNDS FOR THE APPLICATION ARE:

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

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

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

THE RELIEF SOUGHT IS:

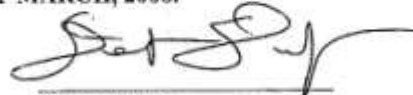
4. An order allowing the Application and adjourning the matter, granting the accused, Derek James Dunlop to retain and instruct new counsel.

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

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

Tel: (705) 495-6377

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



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

Tel: (705) 495-6377

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

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

NOTICE OF APPLICATION

(Returnable March 4th, 2008)

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

STEVIE SAGER.

06-MAR-05
9:15AM

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

KKA THERE WAS NO DISCUSSION ABOUT ENTERING A PLEA TODAY.

KKA THERE WAS ALSO NO DISCUSSION ABOUT HEARING MADE FOR TRUTH.

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

COURT - NEWARK

06-MAR-06
9:35AM

XIX

Upon entering court, Mr. Sager informed the court that I was willing to enter a plea. Then he informed the judge that it was for that I was previously worried about and that he would leave it all that. The Honorable Justice Wright dismissed the application dated the 06-MAR-06. It was dismissed. THEN I WAS PUT ON THE SPOT AGAIN TO MAKE A DECISION ABOUT A PLEA. MR. SAGER ADVISED ME TO PLEA TO ONE CHARGE AS A GUARANTEE TO ME CROWN. The Honorable Justice read the charge in relation to Mr. Larry Colell. I ended up pleading guilty to that charge. I also ended up pleading to the Highway Traffic Act charge.

XXIX

WILL NEED TO OBTAIN TRANSCRIPT OF COURT

The Honorable Justice and numerous juries about whether I entered this plea free on my own will and without any pressure. I replied "yes". HOWEVER THIS IS NOT TRUE. I HAVE BEEN PRESSED BY YOU AND MY FAMILY AND FRIENDS FROM THE ONSET. The Honorable Justice also and other juries about whether I understood.

THERE WAS ALSO A CHANGE IN VARIATION OF MY RECOGNIZANCE FROM MY MOTHERS TO MY FATHERS.

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25,000

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Drafts

Move to

Options



Sent

Deleted

RE: My concerns.

Manage folders

From: **Derek Dunlop** (derekdunlop12@hotmail.com)

Sent: March 7, 2008 12:38:38 PM

To: srsager@rogers.com

Today

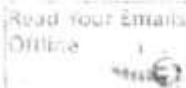
Mail

07-Mar-08.

Contacts

Hi Steve:

Calendar



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

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

I am extremely concerned about the events that transpired yesterday in court. Outside the courtroom you informed me that the matter would be adjourned for about a week or two weeks and that we would come back and speak to it then. You also informed me that you and I would have time to discuss the possible options and then you would discuss this with the Crown. You informed me then we would come back enter a plea and sentencing would occur on that adjourned date. **THIS DID NOT OCCUR.** Instead, I am put on the spot to make a decision in relation to a plea at that moment. I plea to the charge against Mr. Corbett. I also plea to a Highway Traffic Act charge. **YOU DID NOT INFORM me either of these possibly occurring. In addition, I am expecting to make a decision without being informed what either of this pleas could mean to my future.**

1) I would greatly appreciate it if you could put something in writing attesting all the facts associated with my plea. I also want to know whether the Crown be will be proceeding to prosecute on the other charges?

2) * I WANT IT TO BE NOTED THAT MY PLEAS THAT WERE ENTERED INTO THE COURT RECORD WERE ENTERED UNDER DURESS and STRESS AND UNDER A TIME**

CONSTRAINT. THESE PLEAS WERE ENTERED WITH NO NOTIFICATION FROM YOU THAT THIS MAY TRANSPIRE IN COURT, AS OF YESTERDAYS DATE THE 06-MAR-08.

3) ***** I ALSO WANT IT TO BE NOTED THAT MY DECISION TO ENTER A PLEA HAS NOT BEEN ENTERED ON MY OWN FREE WILL. I HAVE RECEIVED PRESSURE FROM YOU, MY FAMILY AND FRIENDS TO ENTER A PLEA AND NOT PROCEED TO TRIAL. This has almost occurred since the onset of this matter.**

4) **Once again, I was not informed about the possible processes by you and I am placed into a corner to make on the spot decisions about very serious matters.**

5) **As I believed that this matter was going to be adjourned for a week or two, I was also unaware that I would still have to elect mode for trial. Once again, you did not inform me that this would be happening. AGAIN I AM FORCED TO MAKE A DECISION AT A MOMENTS NOTICE. I HAVE NOW RELINQUISHED MY CHANCE A PRELIMINARY INQUIRY, AND CAN NOT RE-ELECT MODE FOR TRIAL, AS A RESULT OR ELECTING WHAT YOU SUGGESTED. This was something that I was unprepared to do.**

I had prepared a Notice of Application that I brought to Mr. Kerry P. Evans. Mr. Kerry P. Evans switched many of my requests and put these into his own words. I ended up forwarding his Notice of Application anyways. I am sure you aware of this. Mr. Evans appeared to adjust this Notice of Application for your benefit. I still have a copy of my application that I wanted to have commissioned and entered into court record.

Furthermore, I was not informed by you about what may transpire in court on the 07-Feb-08. Prior to that court date on the 07-Feb-08, I was informed by you that I would be beginning this process over and that I would be beginning from the judicial pre-trial stage. **YOU DID NOT INFORM ME THAT THE JUDGE COULD BE MOVING THE CASE TO TRIAL. YOU ALSO DID NOT INFORM ME THAT I WOULD HAVE TO ELECT MODE FOR TRIAL.**

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

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

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

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

If this case were ever to proceed to trial, I am sure that you are well aware that 100's and 100's of people would be called to testify.

Thank you for your attention to all of this information.

Yours truly,

Derek Dunlop

cc: Peter Dunlop
Barbara Dunlop

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Junk
Drafts Move to Options 
Sent
Deleted
Manage folders
Today
Mail 07-Mar-08
Contacts
Calendar



RE: Agreement with Crown Attorney in writing.

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: March 7, 2008 12:39:02 PM
To: srsager@rogers.com

07-Mar-08

Hi Steve:

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

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

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

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

- 1) That the Crown is willing to proceed by way of summary conviction.
- 2) That the Crown and accused if in agreement with this arrangement, will not pursue any appeals and that this case will not be re-prosecuted at anytime in the future.
- 3) That the sentence that is agreed upon can not be superceded by Honourable Justice Wright or any other Justice, now or in the future.
- 4) The agreement stipulates what it is that I plea to.
- 5) That the agreement outlines that EXACT conditions of my sentence. This will include details of what the sentence is comprised of, where it is to be

**served and who is going to monitor the conditions of sentence
(I am assuming that you will advocate for a conditional
sentence)**

**6) That there is an endorsement section for yourself, the Crown
Attorney, the
Honourable Justice and myself.**

**7) I want to be able to view this agreement well before the 10-
April-08. If it
is something that is not satisfactory then a renegotiating could
occur.**

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

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

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

Thank you for your attention to this request.

Yours truly,

Derek Dunlop

cc: Peter Dunlop
Barbara Dunlop


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From: **Steven Sager** (srsager@rogers.com)
Sent: March 7, 2008 9:02:36 PM
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

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

When I attended court on Thursday March 6th it was my understanding that you were going to assume looking after your own case and I was to be removed from the record. You were the one who advised me that you thought the best thing to do would be to plead guilty and get it over with. I asked you to be very clear in this decision before going into the courtroom. You advised me that this was what you wanted to do. I asked if you wanted to speak to this yourself or have me speak to it. Your request was to have me speak to this. I went into the courtroom and spoke to the crown with respect to your instructions. I also asked the crown for at least two weeks to allow you and I time to go over submissions with respect to sentence. We got a month. The crown agreed, although he wanted you to plead guilty to all of the charges. I refused to agree to that, but did agree, based on your instructions outside the courtroom, to a plea of guilty on one charge. You knew going into the courtroom that you would be pleading guilty to at least one charge because you advised me in the hallway of the court that this was indeed your decision. You wanted to plead guilty and get it over with. Your inference that this was a surprise to you inside the courtroom is simply untrue.

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

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

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

3. Do you understand that the crown could ask for a period of time in jail?
Your answer was yes.

Justice Wright asked you

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

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

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

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

These questions and answers are all part of the court record. If my conversations with the crown go well, and I hope they will, this might be the only charge you will be pleading to. The crown, however, has the sole discretion whether to proceed with all the other charges. Derek, you have pleaded guilty and must proceed from here rather than continually grasp at straws of what might be or make any type of demand as to how the sentence process will proceed.

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

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

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

With respect to the crown agreeing to proceed by way of summary conviction at this time is another example of your lack of knowledge of the process. The crown's election is set, due to the serious nature of the charge and you should expect this. This is not going to change.

To say that you have been treated unfairly and unjust is something you should rethink. Every single email I have responded to has given you the answers to all your questions giving you the opportunity to think and make whatever decision you felt correct.

What you must realize is that you are in the hands of the crown with respect to the charge that you have pleaded guilty to. The crown advises the court what he believes is a correct sentence for the charge. It is my job at this stage to get a sentence that does not involve jail time. This is my goal and my only goal at this stage. The crown is not going to give you anything in writing, because, in law, he is not required to do so. Nor would I ask for it. Justice Wright is not bound by the crown, not bound by me and most definitely not bound by you. Justice Wright will make the decision about your sentence based on the submissions made by myself and the crown. This is where you should be directing your time, looking at what the submissions should contain.

Derek, I have given you every bit of my experience and skill to navigate you through this difficult case. You will either accept my opinion and advice or you will not. If not, please send me a formal letter stating that you no longer want me to act for you. I have other clients that I must give time to and this going back and forth with you has taken an exorbitant amount of time.

I strongly suggest that you reread your e-mail. Almost everything in it is far from fact.

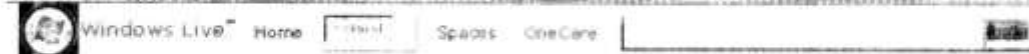
You are either going to accept responsibility for your own actions or you are not. Remember you were behind the wheel of that car. What evidence are hundreds and hundreds of people going to testify to that are going to change that fact? Remember again there were no procedural errors made by the police nor errors in law to take to trial. Going to trial just to have your day in court could be costly to your freedom.

Steven R. Sager

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RE: Your e-mail

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: March 8, 2008 2:56:13 PM
To: srsager@rogers.com

08-Mar-08

Hi Steve:

Once again we have diammetrically opposed opinions of the events at court on the

06-Mar-08 and all other issues for that matter. I am not going to banter back and forth about them all, however, I will emphatically state that you are wrong about what you informed me.

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

I am totally dumbfounded and can not believe that assertions in your e-mail. You may want to re-read your e-mail because it is so far from the truth.

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

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

Please do not continue to lie in your e-mails. Your assertions of your e-mail of the 07-Mar-08 are incredulous and so far from the truth.

Thanks

Yours truly,

Derek Dunlop

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CB - MAY 08.

DEAR MR. STEVEN R. SAGOR:

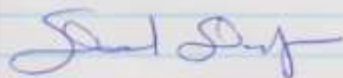
PLEASE BE INFORMED THAT I COMPILED THIS LIST OF CONCERNS IN DECEMBER OF 2007. IT SHOULD BE NOTED THAT THIS LIST IS NOWHERE NEAR EXHAUSTIVE OR COMPREHENSIVE IN NATURE. FURTHERMORE, THIS LIST FAILS TO INCLUDE MANY ADDITIONAL CONCERNS AND ISSUES THAT I HAVE HAD WITH YOU SINCE THAT TIME.

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

I WILL ALSO BE FORWARDING YOU A COPY OF MY NOTICE OF APPLICATION AND A COPY OF MR. KELLY P. EVANS NOTICE OF APPLICATION. THIS IS ORDER THAT YOU CAN VIEW THE SIGNIFICANT DIFFERENCES.

THANK YOU.

YOURS TRULY,



Derek Durso

CC : PETER DURSO
BARBARA DURSO.

SIGNIFICANT ISSUES, CONCERNS AND BREACHES

-1-

1. YOU HAVE NOT CONSIDERED MY BEST INTERESTS.
2. YOU HAVE VIOLATED MY FIDUCIARY PRIVILEGE BY HAVING THIRD PARTY CONTACTS WITHOUT MY KNOWLEDGE AND CONSENT.
3. YOU HAVE HAD CONTACT WITH MY FATHER VIOLATING MY FIDUCIARY PRIVILEGE. I AM NOT SURE HOW THIS ARRANGEMENT HAS TRANSPIRED BUT IT IS ETHICALLY PREJUDICIAL TO MY INTERESTS.
4. UPON OUR INITIAL MEETING IN OCTOBER 2006, YOU INFORMED ME THAT YOUR HOURLY RATE WAS \$230/HR. LATER YOU INFORMED ME THAT YOUR HOURLY RATE WAS \$320/HR.
5. YOU CHANGED YOUR MONETARY VALUES OF YOUR RETAINER AGREEMENTS. PRETENDING TO DO ME A FAVOUR.
6. ON ONE OCCASION YOU INFORM ME THAT YOU COULD BUY MY NEWMARKET CASE FOR \$20,000. UPON SUBSEQUENT DISCUSSION YOU INFORMED ME THAT YOU WOULD BUY THE NEWMARKET CASE FOR \$25,000. IT IS NOT A COINCIDENCE THAT THE FEE INCREASED \$5,000 WHEN YOU DISCOVERED I WAS GOING BANKRUPT.
7. IT WAS IRONIC THAT A COUPLE OF MONTHS LATER YOU ARRIVE AT A BLOCKED FEE FIGURE OF \$18,000. (HOW DID YOU ARRIVE AT THIS AMOUNT AS IT WAS SUBSTANTIALLY DIFFERENT THAN \$25,000.)
8. YOU HAVE INFORMED ME MONTHS AGO THAT YOU HAD PRINTED OFF CASE LAW RELATED TO THE NEWMARKET CASE. YOU STATED THAT YOU MAILED THIS CASE LAW TO MY

SIGNIFICANT ISSUES, CONCERNS AND BREACHES

-2-

8. FATHER'S RESIDENCE AT 3 SUNNYSIDE ROAD, CORRAL, ON. I HAVE NEVER RECEIVED ANY DOCUMENTED CASE LAW FROM YOU IN RELATION TO IMPAIRED OPERATION CAUSING SOCIALLY HARM.
9. YOU HAD ME PROVIDE A STATEMENT TO MR. CHRIS HEINDL, AN INSURANCE ADJUSTOR. YOU WEREN'T GOING TO ADVISE ME ABOUT WHAT I SHOULD OR SHOULDN'T SAY UNTIL I ASKED YOU. AT A LATER DATE WHEN REFERENCING THIS INTERVIEW WITH MR. HEINDL, YOU SAID THAT I HAD NOT PROVIDED THE POLICE WITH MUCH OF A STATEMENT.
10. APPARENTLY THERE ARE 6 INCHES OF DISCLOSURE WHICH THE CROWN ATTORNEY IN NEWMARKET HAS PRODUCED. YOU WILL NOT PROVIDE ME A COPY OF THIS DOCUMENTATION NOR WILL YOU DISCUSS THE CONTENTS WITH ME.
11. RECENTLY IN AN E-MAIL YOU SENT ME ON THE 23-NOV-07 YOU REFERRED TO THIS 6 INCHES OF DISCLOSURE AS BULLSHIT. YOU ALSO INFORMED ME THAT IT IS ONLY 4 INCHES IN ACTUAL SIZE. (WHAT HAPPENED TO THE OTHER 2 INCHES?)
12. IF THIS 4 OR 6 INCHES OF DISCLOSURE WAS ACTUAL BULLSHIT THEN THIS CASE SHOULD NOT BE THAT COMPLEX, SHOULD IT?
13. INITIALLY YOU WERE ALWAYS ACCESSIBLE AND YOU HAVE NOT MAINTAINED THAT LEVEL OF PROFESSIONALISM OR CONTINUED WITH THAT STANDARD.
14. YOU INFORMED ME THAT YOU WOULD CONTACT THE NORTH BAY POLICE SERVICE TO HAVE MY WITHDRAWN CHARGES OF CAUSE A DISTURBANCE AND ESCAPE CRAWFUL CUSTODY REMOVED FROM MY CPIC RECORD. YOU HAVE NEVER COMPLETED THIS TASK.

COURT APPEARANCES

1. INITIALLY, YOU INFORMED ME THAT YOU PREFERRED YOUR CLIENTS TO ATTEND ALL COURT APPEARANCES WITH YOU. SUBSEQUENTLY, YOU CHANGED YOUR MIND AND WANTED ME TO SIGN DESIGNATION OF COUNSEL FORMS. YOU PRESENTED THIS AS A FAVOUR TO ME AS IT WOULD REDUCE THE NUMBER OF TRIPS I WOULD HAVE TO MAKE TO COURT. AS A RESULT, I HAVE BECOME SO DISASSOCIATED WITH THE ENTIRE COURT PROCESS, WHEN IT IS ABOUT ME.
2. AFTER ATTENDING COURT ON MY BEHALF, YOU HAVE NOTIFIED ME THAT YOU WOULD CONTACT ME TO INFORM ME THE OUTCOME OF SPECIFIC COURT APPEARANCES. ON NUMEROUS OCCASIONS YOU DID NOT CONTACT ME TO INFORM OF THE OUTCOME OF MY COURT APPEARANCES, WHEN YOU SAID THAT YOU WOULD DO SO. IN THOSE INSTANCES, I HAVE EVENTUALLY HAD TO MAKE CONTACT WITH YOU IN ORDER TO FIND OUT THE OCCURRENCES OF COURT. FURTHERMORE THE INFORMATION YOU HAVE PROVIDED ME HAS BEEN LIMITED AND CONVULATED. YOU ALSO HAVE NOT PRESENTED THE ONGOINGS OF MY COURT MATTERS IN A SUCCINCT MANNER.
3. IN RELATION TO MY COURT DATE OF 09-JAN-08, I COULD NOT GET A DIRECT ANSWER FROM YOU ABOUT THE PERTINENCE OF THIS COURT DATE. UNFORTUNATELY, IT REQUIRED MY LETTER OF 03-DEC-07 TO RECEIVE A WRITTEN RESPONSE FROM YOU IN REGARD TO THE RELEVANCE OF COURT ON THE 09-JAN-08. I AM STILL UNCERTAIN ABOUT THE POSSIBLE OCCURRENCES OF COURT ON THE 09-JAN-08, AS YOU HAVE BEEN SO EVASIVE IN ANSWERING MY QUESTIONS. FURTHERMORE, I REQUIRE CLARIFICATION ABOUT THE DYNAMICS OF COURT ON THE 09-JAN-08.

BARRIE CASE

1. YOU CONSTANTLY INFORMED ME OVER + OVER AGAIN THAT THE BARRIE CASE WOULD BE WITHDRAWN UPON MY COMPLETION OF PARS. YOU SAID YOU HAD AN AGREEMENT WITH THE CROWN ATTORNEY WHOM I BELIEVED TO HAVE BEEN MS. KATE HULL.
2. I REQUESTED IN WRITING THAT YOU OBTAIN WRITTEN CONFIRMATION FROM THE BARRIE CROWN ATTESTING TO THE ABOVE AGREEMENT. MR. SAGER YOU DID NOT ACQUIRE WRITTEN DOCUMENTATION IN RELATION TO THIS REQUEST NOR DID YOU ACKNOWLEDGE MY THIS REQUEST.
3. I ALSO SUGGESTED THAT WE HAVE THIS CASE DISMISSED UPON MY COMPLETION OF PARS. YOU WERE NOT WILLING TO PURSUE THIS WITH THE BARRIE CROWN AND IT WAS NOT A VIABLE OPTION ACCORDING TO YOU.
4. THIS CASE WAS EVENTUALLY STAYED FOR 12 MONTHS WITHOUT MY AGREEMENT OR CONSULTATION. I WAS NOT INFORMED ABOUT THIS OCCURRENCE UNTIL AFTER THE FACT. YOU INFORMED ME THAT THE BARRIE CROWN HAD CHANGED THEIR MIND IN RELATION TO HAVING THE CASE WITHDRAWN. YOU NOTIFIED ME THAT MS. MARIA MALVASO WAS APPARENTLY CLAIMING THAT SHE WAS AFRAID OF ME.
5. ON 22-JAN-07, YOU STATED THAT THE NEWMARKET CROWN ATTORNEY, BETH BARNIER HAD HAD PREVIOUS DEALINGS WITH SIMCOE C.A.S. MS. BARNIER INFORMED YOU THAT SIMCOE C.A.S WAS ONE OF THE MOST DYSFUNCTIONAL C.A.S.'s TO DEAL WITH. MR. SAGER YOU SAID THAT MS. BARNIER NOTIFIED YOU THAT THERE WAS SOME MALE WHO ENDED UP COMMITTING SUICIDE AS A RESULT OF WORKING AT SIMCOE C.A.S.

WHITE CASE

1. YOU INFORMED ME ABOUT THE WHITE CASE THAT YOU WERE APPARENTLY GOING TO USE AS PART OF OUR DEFENSE STRATEGY, KNOWING FULL WELL THAT THIS WOULD NOT WORK.
2. YOU NOTIFIED ME THAT THE WHITE CASE WAS PART OF YOUR PRE-TRIAL DISCUSSION MATERIAL IN YOUR E-MAIL DATED THE 09-JUL-07. YOU KNEW AT THAT TIME THAT IT WOULD NOT HELP AS YOU STATED IN THAT E-MAIL (09-JUL-07) THAT MY OWN ADMISSION PUT ME BEHIND THE WHEEL.
3. ON THE 15-AUG-07 YOU INFORMED ME THAT YOU COULD NOT REALLY ARGUE THE WHITE CASE AS IT WAS BROUGHT UP BY THE CROWN THAT I HAD ADMITTED TO THE FEMALE OFFICER THAT I WAS BEHIND THE WHEEL. YOU PREVIOUSLY HAD KNOWLEDGE OF THIS AS YOU REFERRED TO THIS IN YOUR E-MAIL DATED 09-JUL-07. (WE BOTH ALREADY KNEW THIS).
4. YOU WOULD NOT PROVIDE ME ANY ANSWERS TO MY RESEARCH ABOUT THIS CASE. I INFORMED YOU THAT I DISCOVERED A JOANN KIMBERLY WHITE CASE THAT WENT TO THE SUPREME COURT OF CANADA IN 1999. YOU DID NOT RESPOND TO ME TO NOTIFY ME WHETHER THIS WAS THE CASE OR NOT.
5. YOU ALLOWED ME TO CONTINUE TO RESEARCH AND DID NOT RESPOND TO MY E-MAILS ABOUT THE WHITE CASE. SUBSEQUENTLY I NOTIFIED YOU THAT I FOUND A WHITE CASE IN NOVA SCOTIA IN 1994 BUT I DID NOT KNOW THIS WAS THE CASE. YOU DID NOT ACKNOWLEDGE THIS E-MAIL EITHER.
6. AFTER REQUESTING YOU TO PROVIDE ME THE CITATION AND DOCKET NUMBERS TO THE WHITE CASE ON NUMEROUS OCCASIONS AND YOU SAID YOU WOULD DO SO, I WAITED FOR A RESPONSE. YOU NEVER DID PROVIDE THE INFORMATION TO ME.

PROPOSED MEETING

1. ON 16-AUG-07 - YOU SUGGESTED THAT YOU AND I GET TOGETHER FOR A MEETING FOR AN HOUR. THIS STILL HAS NOT COME TO FRUITION.
2. ON 15-NOV-07 - YOU SENT ME AN E-MAIL REQUESTING TO MEET WITH BOTH PARENTS AND MYSELF.
3. ON 21-NOV-07 - STEVE ASKED ME TO COORDINATE A TIME TO GET MY MOTHER AND FATHER TOGETHER TO MEET IN DECEMBER. MR. SAGER SAID THAT HIS SCHEDULE WAS OPEN IN DECEMBER AND HE COULD PROBABLY ACCOMMODATE ANY TIME. (PREFERABLY A WEEK DAY)
4. ON THE 23-NOV-07 - YOU ARE STILL REQUESTING A MEETING WITH BOTH OF MY PARENTS, MYSELF AND NOW THE FELLOW FROM AA HAD BEEN ADDED.
5. ON THE 03-DEC-07 - YOU ARE STILL WANTING TO SET-UP A MEETING
6. ON THE 13-DEC-07 - I CONTACTED YOU AND ASKED YOU IF YOU COULD MEET ON TUESDAY 18-DEC-07. YOU SAID THAT YOU DID NOT SEE A PROBLEM BUT YOU WOULD HAVE TO CHECK YOUR DAYTIMER AND GET BACK TO ME.
7. ON THE 14-DEC-07 - I CONTACTED YOU TO DETERMINE IF TUESDAY 18-DEC-07 IS A GOOD DAY TO MEET. YOU INFORM ME THAT YOU CAN JUST TALK TO EVERYONE OVER THE TELEPHONE AS OPPOSED TO EVERYONE MEETING.

MITIGATING FACTORS AND REMORSE LETTERS

1. YOU HAVE NOT FOCUSED ON THE MITIGATING CIRCUMSTANCES ASSOCIATED WITH THE NEWMARKET CASE THAT WOULD ASSIST IN MY DEFENSE.
2. INITIALLY, YOU DID NOT EVEN WANT TO DISCUSS THE MITIGATING FACTORS WITH ME. WHEN I SUGGESTED TO PROVIDE YOU WITH A LIST OF THE MITIGATING FACTORS, YOU SAID THAT THAT WOULD NOT BE NECESSARY AS YOU KNEW SOME OF THOSE FACTORS ANYWAY.
3. ON MY OWN VOLITION, I PROVIDED YOU A LIST OF MITIGATING CIRCUMSTANCES THAT IS COMPREHENSIVE BUT NOT EXHAUSTIVE. THE RARE DISCUSSION OF THESE FACTORS HAVE ALWAYS BEEN INTRODUCED BY ME DURING SOME OF OUR DISCUSSIONS.
4. I CONTINUOUSLY ASKED YOU IF I SHOULD PROVIDE REMORSE LETTERS. YOU ADVISED ME NOT DO SO.
5. FROM THE ONSET OF THE ACCIDENT I WANTED TO EXPRESS MY REMORSE. ON MY OWN ACCORD I COMPISED REMORSE LETTERS TO MR. T. SOOHI AND MR. T. LOBBETT. THESE LETTERS WERE DATED 11-JAN-07 AND I FORWARDED THESE LETTERS TO YOU.
6. ON NUMEROUS OCCASIONS I HAVE ASKED YOU IF YOU HAVE FORWARDED THE REMORSE LETTERS ONTO THE NEWMARKET CROWN ATTORNEY. YOU HAVE INFORMED ME THAT YOU HAVE NOT DONE SO. AS FAR AS I KNOW YOU STILL HAVE NOT FORWARDED THE REMORSE LETTERS TO THE CROWN.

CIVIL SUIT

1. I AM UNAWARE OF ANY CIVIL STATEMENT OF CLAIM BUT I AM ASSUMING THERE IS A WRONGFULLY INJURED CIVIL LAW SUIT.
2. AS OF 15-MAY-07, YOU INFORMED ME THAT YOU WERE UNAWARE OF ANY CIVIL LAWYER BEING INVOLVED. I INFORMED YOU THAT I BELIEVED MR. ROCCO LOFRANCO OF LOFRANCO & CHAGPAR WAS REPRESENTING MR. SOHI IN THIS MATTER.
3. INITIALLY YOU INFORMED ME THAT THE SEVERELY INJURED PERSON IN THE ACCIDENT HAD A BROKEN SCAPULA + BROKEN RIBS. UPON A SUBSEQUENT DISCUSSION WITH YOU, YOU INFORMED ME THAT THEY ALSO HAD A BROKEN CLAVICLE. LATER ON, YOU RECALLED THIS STATEMENT AND SAID THAT HE DID NOT HAVE A BROKEN CLAVICLE.
4. YOU HAVE INFORMED ME THAT MR. SOHI HAS HAD NO CATASTROPHIC INJURIES AND DOES NOT MEET THE THRESHOLD TO WARRANT A CIVIL LAW SUIT.

PSYCHOLOGIST/PSYCHIATRIST

1. ON THE 28-AUG-07, YOU HINTED AT THE FACT THAT I PROBABLY SHOULD SPEAK TO A PSYCHOLOGIST.
2. ON THE 22-OCT-07, YOU ARE STILL INSISTING I MEET WITH A PSYCHOLOGIST AS IT WOULD BE GOOD IF THEY COULD ASSESS WHETHER I WILL DRINK AGAIN OR NOT.
3. IN YOUR LETTER DATED 03-DEC-07 YOU WRITE THAT I WAS TO SPEAK TO MY AA SPONSOR AND SEE IF HE COULD DIRECT ME TO A SOCIAL WORKER OR PROFESSIONAL WHO DEALS WITH DRINKING PROBLEMS AND HOW ONE DEALS WITH THE EFFECTS ON A SOCIOLOGICAL LEVEL.
*** THIS IS TOTALLY DIFFERENT FROM A PSYCHOLOGIST OR PSYCHIATRIST.

MISCELLANEOUS

1. YOU HAVE NOT DISCUSSED OR INCORPORATED THE LABOUR LAW ASPECT RELATED TO MY NONMARKET CASE.
2. ON 21-NOV-06, YOU SPoke TO ME ABOUT SELLING MY HOUSE IN BARRIE. I HAD NOT INFORMED YOU ABOUT THIS. WHO INFORMED YOU ABOUT THIS?
3. YOU HAVE INFORMED ME THAT YOU HAVE NEVER HAD CONTACT WITH MY PREVIOUS DEFENSE ATTORNEY MS. MARY HALL IN REATEW TO MY CASES.
4. WHEN I HAVE ASKED YOU IF YOU HAVE TALKED TO MR. VICTOR MATANOVIC SR., YOU DO NOT RESPOND AND DISREGARD MY QUESTION.
5. ON YOUR E-MAIL DATED THE 16-JUL-07, YOU SAID THAT YOU REQUESTED A JUDICIAL TRIAL. IS THERE A TRIAL OR NOT?
6. MY REQUEST TO HAVE MY BAIL CONDITIONS VARIED IN ORDER THAT I RESIDE WITH MY MOTHER, BARBARA DUNLOP BECAME A COMPLICATED PROCESS AND WAS IGNORED ON NUMEROUS OCCASIONS.
7. ON THE 22-OCT-07 - YOU SAID YOU WOLF GOING TO PUT SOMETHING IN WRITING AND SEND IT TO ME. YOU DID NOT SEND ME ANYTHING.
8. ON THE 21-NOV-07 - YOU INFORMED ME THAT YOU HAD FALLEN DOWN THE STAIRS AND YOU HAD BROKE YOUR ANKLE.
9. ON THE 23-NOV-07 - IN YOUR E-MAIL YOU INFORMED ME THAT YOU HAD 2 SPRAINED ANKLES AND A FRACTURED LEFT FOOT.



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RE: Collusion

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: March 9, 2008 10:42:18 AM
To: srsager@rogers.com

09-Mar-08

Hi Steve:

In the most serious of cases in which the lives of 2 individuals have been drastically altered, you play games. Well, I will not be playing anymore games and there will be no more beating around the bush.

On the 06-Mar-08, you collude with the Crown Attorney to have me plea to **1 of the 2** most serious charges in this case. It is the least serious (injury wise) of the 2 serious impaired causing bodily harm charges. You also collude to have me plea to the Highway Traffic Act. This is done in a pre-meditated manner, as it is known that if I plea to those charges that I would obviously have to be guilty of the other charges and the Crown will prosecute on those other charges. It is obvious that if I plea to impaired causing bodily harm that I am going to be guilty of over 80mgs. The Honourable Justice is even prepared as without hesitation he reads the charge in relation to Mr. Terry Corbett. **(THIS IS NOT A COINCIDENCE)**

You know it, the Crown knows it, the Honourable Justice Wright knows it, my father knows it, anybody else whom you have discussed this with knows it, the entire Newmarket Courthouse probably knows it and **I definitely know it.**

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

You have worked so feverishly hard to provide me with no options in this case. You have continuously stated that you have done everything possible for me (lie). You have done everything possible for the benefit of the Crown. You have not looked out for my best interests after being paid good money to do so. **I also inform you about the collusion and conspiracy that I had experienced during our initial meeting which was days before the accident. Instead of helping me, you decide to jump aboard and work diligently to destroy me.**

You have ensured through numerous professional contacts, your own knowledge, experience and research, discussion with the Crown and Honourable Justice Wright behind close doors that there apparently are NO TRIALABLE ISSUES, NO ERRORS AT LAW and NO PROCEDURAL ERRORS by the police. This was on a pre-meditated basis in order to back me into a corner and hopefully force me into a guilty plea. At all times not keeping me informed.

You wanted me to enter a guilty plea without informing me why. I tell you why, the reason why is that you want to ensure that nobody else is held liable in this matter.

On 07-Mar-08, you respond to my e-mail and have the audacity to cover-up your set-up with lies. Of course, you are going to do this because you would never admit to lying in this matter.

You have tried to force, coerce, entice, induce me into a plea of guilty in this matter. Upon being unsuccessful in doing this, you then entrap me into a plea on the 06-Mar-08. All the while working for the Crown and not informing of any of the processes.

Everybody realizes that if this case goes to trial, what this will mean. I truly believe that Mr. Corbett and Mr. Sodhi should be made privy of all of the criminal acts of all others involved. It would be very interesting to find out about the conspiracy, collusion, corruption, collaboration, coincidences and cover-ups.

All the best,

Derek

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Manage folders
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RE: A copy of all other disclosure and your contacts.
(Newmarket)

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: March 9, 2008 11:14:22 AM
To: srsager@rogers.com

09-Mar-08
Hi Steve:

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After finally willing to provide me a copy of the 6 inches of disclosure, which turn out to be about 3 inches of disclosure (**Considerable difference**), I informed you that I was going to send you a list, but you said not to bother.

Here is the list that I was going to previously send you.

I would greatly appreciate a copy of all of the following:

1) All court transcripts relating to this matter- As it appears that you have them.

2) A copy of all contacts with my father, by telephone, e-mail, meetings, verbal or anything else.

3) Your contacts with Ira Book by telephone, e-mail, meetings, verbal or anything else.

4) Your contacts with any other experts, lawyers, by telephone, e-mail, verbal or anything else.

5) If you have not already done so order a copy of all police communications, the night of the

accident, ie: Dispatch Transmissions, radio communications, A video-tape of the booking, a video-tape of the breathalyzer and so on.

6) Fire Department records of accident.

7) The Accident Scene Reconstruction expert's notes that you had review the OPP report.

8) A copy of any documentation that the Crown may have previously given you in relation to their expectations of a sentence of 4-6 months of custody.

9) Any contacts with Mr. Dennis Fenton, by telephone, e-mail, verbal or anything else.

10) Any contacts with Ms. Mary Hall, by telephone, e-mail, verbal or anything else.

11) Any contacts with Mr. Victor Matanovic Sr., by telephone, e-mail, verbal or anything

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

Thank you,

Yours truly,

Derek Dunlop

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RE: A copy of all of your disclosure (Barrie)

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: March 9, 2008 11:32:16 AM
To: srsager@rogers.com

09-Mar-08

Hi Steve:

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

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

- 12) A copy of all of your contacts with my mother Ms. Barbara Dunlop by telephone, e-mail, meetings, verbal or anything else.
- 13) A copy of all your contact with Mr. Jonathan Collins, PARS facilitator, by telephone, e-mail, meeting, verbal or anything else.
- 14) A copy of any the contacts between yourself Steven R. Sager and myself Derek Dunlop in relation to this matter.
- 15) A copy of any other documentation, correspondence, contacts in relation to this matter.

Thank you.

Yours truly,

Derek Dunlop

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RE: Additional request for Newmarket Contacts

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
 Sent: March 9, 2008 11:42:16 AM
 To: srsager@rogers.com

09-Mar-09

Hi Steve:

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



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

Thank you.

Yours truly,

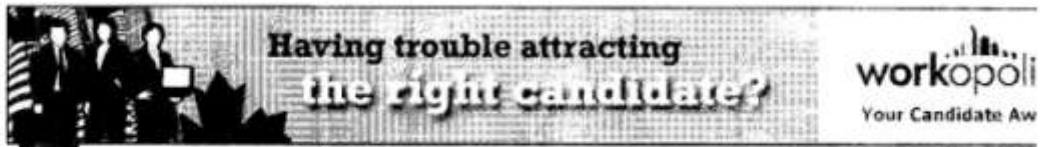
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RE: All of your other lies in these matters.

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
 Sent: March 9, 2008 12:16:38 PM
 To: srsager@rogers.com

09-Mar-08

Hi Steve:



At this time, I am going to refrain from providing you a list of all of your other lies in these matters, however, you and I both know that they are substantial, serious and plentiful.

As a result, the abundance of lies and cover-ups of your e-mail dated the 07-Mar-08 will be easily uncovered. You sure must have spent a considerable amount of time devising that story that you put together in your e-mail dated the 07-Mar-08.

It is bad enough that you have intentionally tried to destroy my life and know you making up fictitious and fabricated events. I hope that you are prepared to testify to this information.

Yours truly,

Derek Dunlop

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RE: All of your other lies in these matters.

From: Steven Sager (srsager@rogers.com)
Sent: March 9, 2008 12:33:53 PM
To: Derek Dunlop (derekdunlop12@hotmail.com)

Dear Derek

I am sorry that you feel this way. I have not lied to you nor colluded in any fashion but rather have at all times endeavored to seek a fair just resolution to your cases. After all, I did achieve a stay for the Barrie charges which was a good result. If you would let me do my job, Newmarket could be a good result too.

Yours truly
Steve Sager

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

09-Mar-08

Hi Steve:

At this time, I am going to refrain from providing you a list of all of your other lies in these matters, however, you and I both know that they are substantial, serious and plentiful.

As a result, the abundance of lies and cover-ups of your e-mail dated the 07-Mar-08 will be easily uncovered. You sure must have spent a considerable amount of time devising that story that you put together in your e-mail dated the 07-Mar-08.

It is bad enough that you have intentionally tried to destroy my life and know you making up fictitious and fabricated events. I hope that you are prepared to testify to this information.

Yours truly,

Derek Dunlop

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12-Mar-08

Subject: Letter of Apology

Dear Ms. Carriere, Ms. Porter & Mr. Pollard:

I am writing this letter as I want to express my deepest apologies to all of you. I am sorry for all of the inconveniences and disservices that I have caused the three of you. I am cognizant of the fact, that I have disrespected you by not following through with my commitment of employ at Northland Glass & Metal. I am also well aware that a telephone call to notify you of my intentions was warranted and would have been greatly appreciated.

I also realize that the most honorable and most humane way to respond would be by doing so in person or at the very least by telephone. I am currently appalled by my own conduct and will proceed with these more personable apologies in the future. Of course, that is if these apologies would be desired by each of you on an individual basis.

On the other hand, I want it to be noted, that while I do hold myself personally accountable for my decision, there are extenuating circumstances that heavily influenced my actions. You may view this as an excuse or it may not even matter to you, however, the reasons for my behavior were perpetuated by events of a legal matter.

At this time, I am extremely perplexed about a personal legal matter that I have been confronted with. The events that have recently transpired have me dumbfounded and I am extremely displeased and dissatisfied. I have been treated in an unfair, unjust and prejudicial manner.

As a result, my focus is currently on myself. The work environment of NGM requires someone to be prepared to work with machinery, large equipment, glass, metal and so forth. While working for this company an employee has a huge responsibility to work safely. Since my focuses are on other matters, I was not focused on working at NGM. I am not saying that an accident would have happened, but I also did not want to compromise the safety of others or myself, while in the workplace.

Once again, I am so sorry for not fulfilling my obligation and I send my deepest regards. I also apologize to you for costing you time and money. I realize that the three of you have more than extended yourself in this situation and for that I am very grateful, whether you believe this or not. I have not displayed a great deal of courage in handling this situation but I will try to make some amends. I realize that I have burned significant bridges with all of you and I am aware that you will not do me any favors in the future, nor would I expect you to do so.

I am very thankful to the three of you for all of your efforts and for believing in me. I let you down and I know that is something that words can not resolve. Sorry.

I will arrange to return all clothing. Most of it is not worn.

Thank you for your attention to this letter.

Yours truly,



Derek Dunlop

cc: Mr. Steven R. Sager, my lawyer
Mr. Peter Dunlop, my father
Mr. Barbara Dunlop, my mother



RE: Newmarket

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: March 24, 2008 12:16:36 PM
To: srsager@rogers.com

24-Mar-08

Hi Steve:

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

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

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

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

Thank you.

Yours truly,

Derek Dunlop

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April 10th hearing

From: **Steven Sager** (srsager@rogers.com)

Sent: March 27, 2008 11:01:25 AM

To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

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

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

Steve Sager



RE: April 10th hearing

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: March 28, 2008 10:18:33 AM
To: Steven Sager (srsager@rogers.com)

28-Mar-08

Hi Steve:

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

Thank you for your attention to this request.

Yours truly,

Derek Dunlop

Date: Thu, 27 Mar 2008 11:01:25 -0400
From: srsager@rogers.com
Subject: April 10th hearing
To: derekdunlop12@hotmail.com

Derek,

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

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

Steve Sager

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RE: April 10th hearing

From: **Steven Sager** (srsager@rogers.com)
Sent: March 28, 2008 2:20:36 PM
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

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

Steve Sager

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

28-Mar-08

Hi Steve:

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

Thank you for your attention to this request.

Yours truly,

Derek Dunlop

Date: Thu, 27 Mar 2008 11:01:25 -0400
From: srsager@rogers.com
Subject: April 10th hearing
To: derekdunlop12@hotmail.com

Derek,

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

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

Steve Sager

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Instructions



From: **Steven Sager** (srsager@rogers.com)
 Sent: March 28, 2008 7:03:48 PM
 To: Derek Dunlop (derekdunlop12@hotmail.com)

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. Expert 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

**Meeting with Crown**

From: **Steven Sager** (srsager@rogers.com)
Sent: March 31, 2008 4:57:10 PM
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



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

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: April 4, 2008 10:36:43 AM
To: srsager@rogers.com

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

Sign in to Windows Live Messenger, and enter for your chance to win \$1000 a day—today until May 12th. Visit SignInAndWIN.ca

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

From: **Steven Sager** (srsager@rogers.com)
Sent: April 4, 2008 4:31:03 PM
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 provided 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

Derek Dunlop <derekdunlop12@hotmail.com> wrote:

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.**

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Thank you for your attention to these inquiries.

Yours truly,

Derek Dunlop

Sign in to Windows Live Messenger, and enter for your chance to win \$1000 a day—today until May 12th. Visit SignInAndWIN.ca

**RE: Notice of Application**

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: April 7, 2008 9:50:40 AM
To: srsager@rogers.com

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 facade.

***** 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 can not 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.

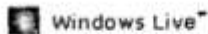
Please let me know what you will be doing in relation to my matter, as I know you have no intention in representing me. You are only doing so as an assistance to the Crown.

Thanks.

Yours truly,

Derek Dunlop

Sign in and you could WIN! Enter for your chance to win \$1000 every day. Visit SignInAndWIN.ca today to learn more!

**RE: Notice of Application**

From: **Steven Sager** (srsager@rogers.com)
Sent: April 7, 2008 4:36:49 PM
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

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Derek Dunlop

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RE: Notice of Application

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: April 8, 2008 11:13:52 AM
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 expecting this to occur.

Thanks anyway.

Derek

Date: Mon, 7 Apr 2008 16:36:49 -0400
From: srsager@rogers.com
Subject: RE: Notice of Application
To: 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.

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Derek Dunlop

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Check out SignInAndWIN.ca today!

A COPY FAXED TO STEVEN R. SAGER - OS - 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

7

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 April 8th, 2008.
2. Affidavit of Derek Dunlop dated April 8th, 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 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.

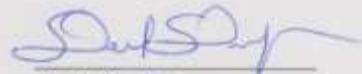
THE RELIEF SOUGHT IS:

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

**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)**

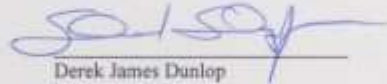
I, Derek James Dunlop, of the City of North Bay, in the Province of Ontario, MAKE OATH AND SAY as follows:

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



Regina v Dunlop

From: **Steven Sager** (srsager@rogers.com)
Sent: April 8, 2008 3:27:11 PM
To: Amit.Ghosh@jus.gov.on.ca

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



Print - Close Window

Subject: RE: Regina v Dunlop
Date: Thu, 10 Apr 2008 08:49:19 -0400
From: "Ghosh, Amit (JUS)" <Amit.Ghosh@ontario.ca>
To: "Steven Sager" <srsager@rogers.com>

That's right, only one count of "impaired bodily harm". Amit

-----Original Message-----

From: Steven Sager [mailto:srsager@rogers.com]
Sent: Wednesday, April 09, 2008 7:57 PM
To: Ghosh, Amit (JUS)
Subject: RE: Regina v Dunlop

COPY

Amit, Thanks for the reply. I Take it you will not be proceeding with the other charges.

Steve Sager

"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 counselling 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 this 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

-----Original Message-----

From: Steven Sager [mailto:srsager@rogers.com]
Sent: Tuesday, April 08, 2008 3:27 PM
To: Ghosh, Amit (JUS)
Subject: 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.

http://ca.f882.mail.yahoo.com/ym/ShowLetter?box=Inbox&MsgId=6970_10171749_2014... 4/10/2008

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

Steven R Sager

STEVE SAGER

- 1 -

10-APR-08
1:25PM

Steve Sager approached my mother and I in the cafeteria of the Newmarket Courthouse prior to my scheduled court time of 2:15 pm. 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 in the morning of the 10th of April, 2008 stating that the Crown was my 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 (HUTCHINSON-Jamali). 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. SAGE SAID AMIT WAS AT COURT TODAY.

MY FATHER, PETER DUNLOP + REGY GROER ATTENDED THE COURTHOUSE. THIS WAS A SURPRISE. MY MOTHER, GARYS DUNLOP WAS WITH ME.

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

At no point at about 2:45 PM, 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. Dabhi. Mr. Sager stated that he did not believe that Mr. Dabhi had all the injuries that Crown had written in his submissions.

STEVE SACER

-2-

10 - APR - 08
1:25PM

Mr. Dager stated that he was very concerned about this. Mr. Dager stated that it may be a good idea to get an expert on the injuries of Mr. Dodhi. I read the submission and it primarily appears to be a copy of the AGREED FACTS. (SACER IS PULLING THROUGH HIS TEETH, WHAT A LIAR.)

Mr. Dager re-entered the courtroom and we again waited in the lobby of the courthouse. NOT BEING PLINY of what was going on.

~~NOT~~

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

Mr. Dager came out of the courtroom on a several 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. Dager said that he felt it would be in my best interests to deal with Mr. Ghosh. (WHAT A BUNCH OF PULLING, AGAIN) Mr. Dager stated that he did not want to put me on the spot. Mr. Dager said it was up to me and that it was my choice which Crown I wanted to deal with.

Mr. Dager 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.

STEVE SACON

-3-

10-APR-08
1:23 PM

My mother and I proceeded to the courtroom * 2002 with Mr. Bagan. The matter was adjourned until 10-30-08 in front of Justice Wright. Justice Wright stated that this was to address the other lies charges and for sentencing.

I asked Mr. Bagan that if they acquire an expert medical for Mr. Sothie and it is not good could that be detrimental to me. Mr. Bagan stated that we would have to deal with that at that time.

Mr. Bagan allowed me to peruse his submissions. (THERE WERE MANY INACCURACIES IN HIS PREVIOUS SUBMISSIONS. I DID NOT INQUIRE HIM OF THIS AT THIS TIME. I DID NOT HAVE TIME TO EVEN READ THEM ALL OR EXTENSIVELY.) STEVE SACON INFORMED ME THAT HE WOULD FURNISH 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.

 Windows Live™**RE: The saga continues.**

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: April 14, 2008 3:15:12 PM
To: srsager@rogers.com

14-Apr-08

Hi Steve:

It truly is 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 your experience of 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 had proceedings for over **2 hours**. I am not made privy of 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 of all of your blackberry communications related to this matter. Furthermore, I will request that you acquire a copy of all of 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.**

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

<http://by114w.bay114.mail.live.com/mail/PrintShell.aspx?type=message&cpids=577db749...> 4/14/2008

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!!

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 facade.

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

Sign in and you could WIN! Enter for your chance to win \$1000 every day. Visit SignInAndWIN.ca today to learn more!



RE: E-mail 14-Apr-08.

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: April 21, 2008 10:22:43 AM
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

Sign in to Windows Live Messenger, and enter for your chance to win \$1000 a day—today until May 12th. Visit SignInAndWIN.ca

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 HONOURABLE COURT NEVER WANTED THIS CASE TO PROCEED TO TRIAL. THERE ARE SO MANY PEOPLE WHO ARE 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 REPREENSIBLE 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 YOUR OWN INTERESTS I HOPE THAT YOU HAVE MAINTAINED THAT COPY OR MADE A COPY FOR YOURSELF.

THE COLLUSION, CONSPIRACY, CORRUPTION, COVER-UPS AND COINCIDENCES I HAVE BEEN CONFRONTED WITH ARE AN ABSOLUTE TRAGEDY. FURTHERMORE, I HAVE ALSO BEEN FRAUD, SET-UP, ASSAULTED AND THE LIST GOES ON.

-2-

THERE ARE VARIOUS CRIMINAL CHARGES THAT PEOPLE INVOLVED
ME CAN BE CHARGED WITH. I WILL NEVER STOP
FIGHTING THIS FIGHT.

IT IS TRULY UNFORTUNATE THAT TWO INNOCENT PEOPLE
WHOM I DO NOT KNOW FROM ADAM INCURRED DANGEROUS
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
PREUR TO THE ACCIDENT.

THANK YOU FOR YOUR TIME.

YOURS TRULY,



DEREK DUNLOP

24-APR-08

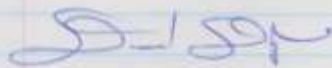
DEPT OFFICE OF THE CROWN ATTORNEY:

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 WOULD 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
461-295 LAKESHORE DR.
NORTH BAY, ON
P1A 3N8

2 COPIES MAILED TO OFFICE OF CROWN ATTORNEY - 2A-APP-08
NEWMARKET
1 COPY MAILED TO STEVEN R. SALTER - 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

INDEX

1. Notice of Application dated April 24th, 2008.
2. Affidavit of Derek Dunlop dated April 24th, 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 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 time 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

**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 North Bay, in the
Province of Ontario
this 24 day of April 2008.


Commissioner for Taking Affidavits
(or as may be) *JUSTICE OF THE PEACE*


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

**RE: The saga continues.**

From: **Steven Sager** (srsager@rogers.com)
Sent: May 7, 2008 3:38:13 PM
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 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 or 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 actual medical reports but from the victim's impact statement that he had written himself that did not include any 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.

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 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 his sentence. At this stage of the proceeding if you feel that the

<http://by114w.bay114.mail.live.com/mail/PrintShell.aspx?type=message&cpids=c2d0a7d0...> 5/26/2008

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 an Application to be removed from the record, you duplicated this in 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.

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 independant 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 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 of 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 the 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 into 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

**RE: The saga continues.**

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: May 12, 2008 10:38:01 AM
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 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 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 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.

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

Date: Wed, 7 May 2008 15:38:13 -0400
From: srsager@rogers.com
Subject: RE: The saga continues.
To: 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 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 or 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 actual medical reports but from the victim's impact statement that he had written himself that did not include any 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.

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 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 his 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 an Application to be removed from the record, you duplicated this in 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.

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 independant 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 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 of 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 the 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 into 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

**RE: Additional Application to the Court**

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
Sent: May 27, 2008 5:02:27 PM
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 testify.

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 Peter Dunlop 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.

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 also 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



RE: Additional Application to the Court

From: **Steven Sager** (srsager@rogers.com)
Sent: May 28, 2008 5:37:54 PM
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

There is nothing more for me to add to what I have 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.


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
161-295 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.

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 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:

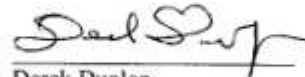
5. An order allowing the Application and adjourning this matter, granting the accused, Derek Dunlop time to retain and instruct new counsel.
6. An order allowing the withdrawal of the plea of the accused, Derek Dunlop that was entered into the court record on March 6th, 2008.

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

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

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

Applicant/Accused

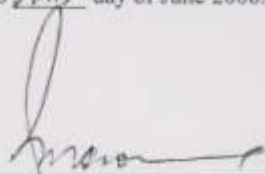
**AFFIDAVIT OF DEREK JAMES DUNLOP
(Dated June 2nd, 2008)**

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 14th day of June 2008.



Commissioner for Taking Affidavits
(or as may be)



Derek James Dunlop

WILLIAM BROWNELL, S.A.,
PRESIDING
JUSTICE OF THE PEACE
PROVINCE OF ONTARIO

Information No. 0608133

ONTARIO COURT OF JUSTICE

BETWEEN:

HER MAJESTY THE QUEEN

Respondent

-and-

DEREK JAMES DUNLOP

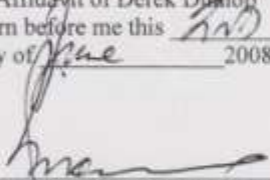
Applicant/Accused

**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.


A Commissioner for taking affidavits.

WILLIAM BROWNELL, B.A.,
PRESIDING
JUSTICE OF THE PEACE
PROVINCE OF ONTARIO

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



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- Inbox (2)**
- Junk
- Drafts**
- Sent
- Deleted
- Manage folders
- Today
- Mail
- Contacts
- Calendar

New Reply Reply all Forward Delete Junk

Move to

Options ⓘ

Your Telephone Call

From: **Steven Sager** (srsager@rogers.com)
Sent: June 17, 2008 2:50:42 PM
To: Derek Dunlop (derekdunlop12@hotmail.com)

Derek,

This e-mail will confirm receipt of your telephone call. As you 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 your 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



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- Inbox (2)**
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- Drafts**
- Sent
- Deleted
- Manage folders
- Today
- Mail
- Contacts
- Calendar
- Read Your Emails Offline

New Reply Reply all Forward Delete

Move to

Options

RE: Monies paid to you.

From: **Derek Dunlop** (derekdunlop12@hotmail.com)
 Sent: July 21, 2008 11:21:20 AM
 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 Curiae, 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

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Live™ Home **Hotmail** Spaces OneCare Sympatico / MSN

New Reply Reply all Forward Delete Junk

Move to


Options 


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

From: **Derek Dunlop** (derekdunlop12@hotmail.com)

Sent: August 5, 2008 1:35:40 PM

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

 Mr. Sager...doc (54.7 KB)

Security scan upon download 

04-August-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 Honourable 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 in the matters that he has dealt with. This has been pre-judicial to my best interest and 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

Thank you for your attention to this information.

Yours truly,

Derek Dunlop

Have a fast connection and want more features? Try the full version to see message previews in your inbox. (It's **free**, too.)

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:

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-and-

DEREK JAMES DUNLOP

Applicant/Accused

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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.

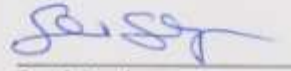
THE APPLICANT MAY BE SERVED WITH DOCUMENTS PERTINENT TO THIS APPLICATION:

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)**

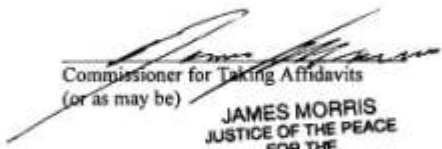
I, Derek James Dunlop, of the City of North Bay, in the Province of Ontario, MAKE OATH AND SAY as follows:

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 6 day of August 2008.


Commissioner for Taking Affidavits
(or as may be)

**JAMES MORRIS
JUSTICE OF THE PEACE
FOR THE
PROVINCE OF ONTARIO**


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 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 6
day of April 2008.


A Commissioner for taking affidavits.

JAMES MORRIS
JUSTICE OF THE PEACE
FOR THE
PROVINCE OF ONTARIO

EXHIBIT "A"

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

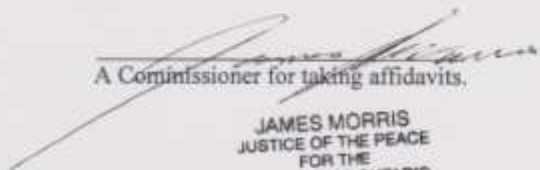
I, Derek Dunlop will say and testify under oath that on the 06-Mar-08 at the Newmarket Court House in Newmarket, Ontario that I spoke to my lawyer Mr. Steven R. Sager prior to entering court. I will say that I asked Mr. Sager what would happen if I decided to enter into a plea. I will say that Mr. Sager 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.

This is Exhibit "B" referred to in the
Affidavit of Derek Dunlop
sworn before me this 6
day of April, 2008.


A Commissioner for taking affidavits,

JAMES MORRIS
JUSTICE OF THE PEACE
FOR THE
PROVINCE OF ONTARIO

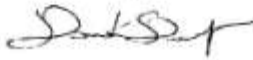
EXHIBIT "B"

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



MARCY SEGAL
BARRISTER, SOLICITOR

350 Bay Street
Suite 500,
Toronto, Ontario
M5H 2S6
Telephone: 416-205-9700
Fax: 416-205-9970

FACSIMILE COVER LETTER

DATE: July 30/08 TIME: 2:40

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: David Dunlop

FIRM NAME: _____

FAX/TELECOPIER NO: 1-705-~~495-4625~~ 495-0800

COMMENTS:

re: letter from Steven Sager

WE ARE TRANSMITTING 5 PAGES INCLUDING THIS COVER PAGE FROM
FAX NUMBER 416-205-9970. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE
CONTACT THE UNDERNOTED AS SOON AS POSSIBLE:

NAME: Catherine Keller-Yeh AT TELEPHONE NUMBER 416-205-9700.

STEVEN R. SAGER

76 Holmcrest Trail
Toronto, Ontario
M1C-1V5
Canada
(416) 525-5346
e-mail: rsager@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 an 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 the 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 nor 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. Hall 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 note 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 an 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 this all changed as time went on.

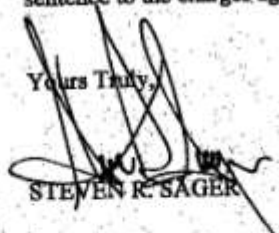
From the very start of this matter the Crown was only asking for four to six months and was not in opposition to a conditional sentence. If it was shown that certain conditions were met. As this matter is still before you for sentence I will speak no further on this issue.

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 his 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

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.

