

Ministry of the
Solicitor General and
Correctional Services

Freedom of Information and
Protection of Privacy Services

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Ministère du
Solliciteur général et des
Services correctionnels

Services d'accès à l'information et de
Protection de la vie privée

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May 12, 1999

Mr. Gary Ira Nichols
Box 172
Delhi, ON N4R 2W9

Dear Mr. Nichols:

SUBJECT: REQUEST NUMBER 981296/APEAL NUMBER PA-990159-01

As a result of your telephone discussions with the Information and Privacy Commissioner/Ontario (IPC) regarding a final report as indicated on the previously partially released page 12 of the Supplementary Report. A further search at the Brantford Detachment of the Ontario Provincial Police (OPP) was conducted. This office was advised that due to the organizational changes the final report could not be retrieved from the computer.

In an attempt to provide as much information to you as possible, I contacted the investigating officer who was able to reconstruct the final report. A copy of this reconstruction is attached for your information. Please note that a reference to MTO was also included. Please be advised that there are no legislated requirements to do any of the above, however, we are anticipating this would settle an appeal.

* FOI ACT
DOES NOT
ALLOW
REPRODUCTIONS
MUST BE TRUE
COPY

Should you have any questions regarding the foregoing, please contact the undersigned at (705) 494-3078 and refer to the cited subject.

Sincerely,

Yvette Corriveau
Bilingual Program Analyst
Freedom of Information
and Protection of Privacy Services

cc Walter Richardson, IPC

Nichols Gravel Limited

P.O. BOX 172 · DELHI, ONTARIO N4B 2W9

June 2/97
Delhi Ont

Ontario Provincial Police Brantford Detachment

Detective Robert Beal.

Dear Sir;

We have now received a reply to item #6 of our F.O.I. request to the Town of Ajax Feb. 18/97. Please find package enclosed.

On page 42 + 43 Cr. Examination Mr. Anderson confirms that no Consulting firms were hired to perform a geotechnical evaluation of the cause of road failure related to our gravel or otherwise.

He also confirms Pages 133 + 134 that the Township did no testing of our aggregate in 1994, 1995, or 1996, nor did they request that our Company provide any test results.

Mr. Anderson's testimony Pages 53, 55, + 56 stating his experience and ability to assess the cause of road failure, was the only information presented on which a determination could be made by the courts, that our gravel was the cause of the problem. We revealed in court that information regarding testing by M.T.O was fraudulent.

The F.O.I. reply from Ajax confirms that Mr. Anderson's testimony is false, as there is no record on file either at the Town's Engineering Office or their Consultants Office, whereby Mr. Anderson made any input whatsoever into assessing the cause of road failure, when he was Construction Manager with the Town of Ajax.

You will also note on Mr. Anderson Curriculum Vitae that according to the F.O.I. reply from Ajax Items 1 to 4 Mr. Anderson again overstates his experience and ability related to his responsibilities. See F.O.I. Ajax.

Yours sincerely
D. L. Nichols Pres.,
Nichols Gravel Limited.

Ontario
Provincial
Police

Police
provinciale
de l'Ontario



*undated letter

Yvette Corriveau
Confirmed receiving
this report May 12/99
J.L.H.
My phone call to
North Bay July 12/99?

* I was unable to add this report to OMPPAC due to the fact that it is in the process of being Archived.

* This is the final report for OMPPAC Incident #59310-8 ?

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4
21(3)(4)

A meeting was held at the NICHOLS Gravel Pit. Present for the meeting Sgt. J. BEECROFT and Det. R. SCOTT.

Sgt. BEECROFT explained to Mr. NICHOLS that there was no ground for a criminal charge of perjury against NOT DONE
The perjury section of the code was read and explained.

Det. SCOTT advised Mr. NICHOLS that there was no conspiracy. There was no evidence to substantiate or suggest one.

Mr. NICHOLS was not happy with the explanation on either of his complaints of perjury and conspiracy.

It should be understood that Det. SCOTT's mandate was to investigate the allegation of perjury committed by _____ and the complaint of a conspiracy by the MTO, Township and County to keep Mr. NICHOLS's gravel business from supplying materials. Neither complaints proved valid.

No further investigation.

Case Closed.

Det. Const. R.W. SCOTT #4937