

Nichols Gravel Limited

P.O. BOX 172 · DELHI, ONTARIO N4B 2W9 · PHONE (519) 582-3354

May 17, 2000

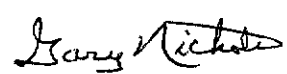
False Statements and Documents by David Anderson

Find supplementary information as numbered for "reasons" and false statements.

- #9 – 1994 Summary of Aggregate Quotations and acceptance as per the M.T.O. Aggregate Sources List produced by David Anderson. Falsified documents in respect to information for Nichols pits. See March 12, 1994 Aggregate Sources List 94-04 Nichols pits 1, 2, and 4 approved sources. Summary states (no), not acceptable. See letter to Township dated May 16, 1994.
- #11 June 27, 1995 Church St. incident. See newspaper and Andersons' Cr. Examination and Police Report. Andersons' story changed from the Police report after the incident, when we later provided test results from the rejected load which confirmed that our gravel met all specifications. See test results. Anderson then reverted to the contract clause requiring Township approval to the contractor to change suppliers. Anderson stated that he was aware of other information regarding testing on Nichols gravel for Norfolk Township. See copy of test and fax date from M.T.O. June 29 1995 to Delhi Township fax number 2 days after the incident. True or False?
- #14 Anderson Examination for Discovery. Hydro Pit Run received at no cost. Confirmed false statement. See letter Delhi Township to Ontario Hydro. See billing statement from Ontario Hydro. No perjury?
- #15 No Hydro Pit Run used on Windham Rd. 6. See transcript P 70. See letter from residents Rd. 6. Evidence Gary Nichols in reply.
- #16 Anderson in Chief P 748 & 749 stated Oxford Sand & Gravels' delivered price \$6.60 per tonne. See F.O.I. response Class 5 delivered \$8.00 per tonne plus tax 1994
- #17 Anderson in Chief quote: "In Ajax I was responsible for the entire capital works program." unquote. See F.O.I. request to Ajax and March 6, 1997 reply in respect to Andersons' Curriculum Vitae presented at court confirming misrepresentation of his experience, knowledge and authority. Again no perjury? See C.V. Page 15.

- #18 Anderson Cr. Examination P.53,55, and 56 describes assessment of road failures while employed at Town of Ajax. See F.O. I. response May 22, 1997. No record of David Anderson making any such assessments as to cause of road failures. Confirmed false statement of fact.
It is most evident that Mr. Anderson and Mr. Gelinas lied about just about everything. There are various other false statements too numerous to mention.
 - #19 See Police Report Constable Thomas McClean.
 - #20 See Police Report Detective Constable Robert Scot.
- In conclusion: No conspiracy and perjury? Wrong. No Justice!
- #21 Additional supplementary information July 13, 1999 letter to Chief Justice of Ontario Hon. Patrick Lesage.
 - #22 Copy Justice Cavarzans Reasons for Judgement August 23, 1996.
 - #23 Copy of Appeals Court Reasons June 3, 1999.
 - #24 Copy of Leave to Appeal Decision.

Sincerely,


 Gary Nichols

EVENT # 18

Andersons Statement in respect to Assessment of Road Failures.

Page 908 (Transcript #10)

Q. All right. And have you ever been asked to give that kind of opinion before?

A. On what It's probable cause.....?

Q. On the failure of a road surface?

A. Yes. We've reviewed roads in subdivision roads in Ajax for instance and we built a, between 14 to 20 kilometers of road there and we had our share of failures and we had to look at testing that had been done and then look and see what the failure or the distress manifestation was and then try to make some conclusion as to what would be the best rehabilitation strategy. We do this in consultation with both our own forces and the developers forces to come to some agreement to what the problem was

- **See: Letter dated March 19th, 1997 Clarification to Ajax yellow marked.**
- **See: Ajax Response dated May 22, 1997 to request #100-97000004 of February 18th, 1997 specifically to my request with respect to any report produced by Mr. David Anderson making an assessment of cause or causes of road failure, related to the granular base of the road bed and the road surface. Quote: "We also requested our Consulting Engineers at that time Tottem Simms Hubicki Associates to review their files for the information." unquote.**

Quote: "Neither the Consulting Engineers nor our Engineering staff found any information relating to your request". unquote.

Comment:

Since there is no such record, this response from Ajax would confirm the statement in this respect made by David Anderson given in evidence is completely false.

TOWN OF AJAX

in the Regional Municipality of Durham.

65 Harwood Avenue South
Ajax, Ontario, Canada L1S 2H9
Telephone (905) 683-4550



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May 22, 1997

Mr. G. Nichols
Nichols Gravel Limited
P.O. Box 172
Delhi, Ontario
N4B 2W9

Dear Mr. Nichols:

RE: FOI Request #100-97000004

Further to your request of February 18, 1997 and the follow-up letter of March 19, 1997; the Town of Ajax has now completed its search of the records pertaining to your request and specifically with respect to any report produced by Mr. David Anderson making an assessment of cause or causes of road failure, related to the granular base of the road bed and the road surface. We also requested our consulting engineers at that time, Totten Sims Hubicki Associates, to review their files for the information.

(*) Neither the consulting engineers nor our engineering staff found any information relating to your request.

In a letter sent to you on March 11, 1997, it was estimated that your requested search would take approximately 16 hours to complete which would cost approximately \$480.00, based on our fee schedule. In conducting the search, both staff and our consulting engineers were able to reduce the search time by directing their attention specifically to your request for reports on road bed/road surface failure. The search time has been greatly reduced to 2 hours. Therefore, the cost for completing this request is \$60.00. Please find enclosed a cheque in the amount of \$180.00 representing your \$240.00 deposit less the \$60.00 charge.

I trust this is satisfactory, should you require any further information please feel free to contact the undersigned at your convenience.

Respectfully,

A handwritten signature in black ink, appearing to read 'Randy Gosse', with a large, stylized initial 'R'.

Randy Gosse,
General Manager-Legislative Services