



Ontario
**Ministry of
the Attorney
General**

**Director of Court
Operations**

Central West Region

**The John Sopinka Courthouse
45 Main St. E.
Hamilton, ON L8N 2B7**

**Tel/Tél:
(905) 645-5333**

**Ministère
du Procureur
général**

**Administrateur
de l'opération
des tribunaux**

**Région du
Centre-Ouest**

**Palais de Justice
45, rue Main, est
Hamilton ON L8N2B7**

**Fax/Téléx.:
(905) 645-5375**

August 31, 1999

Mr. Gary Nichols
Nichols Gravel limited
P.O. Box 172
Delhi, Ontario
N4B 2W9

Dear Mr. Nichols:

Your letter of July 16, 1999, to O.P.P. Inspector Norman Denckert and copied to The Honourable Jim Flaherty, Attorney General for Ontario was forwarded to me for response.

When I received the copy of your letter I asked that a review of your file be undertaken. Our review shows that we received a letter dated May 30, 1997, from Waterous, Holden, Amey, Hitchon advising that three copies of the transcripts and an affidavit of service were enclosed for filing. We were unable and remain unable to locate the transcripts mentioned in the correspondence. It would appear that the transcripts are in fact lost.

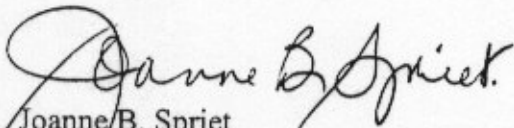
Regarding your concerns about the judges' decision to proceed with your matter without transcripts, I must advise you that the decision to proceed is at the presiding judges' discretion and it would be inappropriate for me to comment further.

In the matter relating to the hearing date our records show that on April 20, 1999, your lawyer, Mr. Paul Brooks of Lerner & Associates asked to have the matter heard on June 3, 1999, rather than May 31, 1999. A letter was sent to Mr. Brooks on May 5, 1999, confirming the June 3, 1999 hearing date.

I have passed your concerns respecting lost transcripts on to Cathy Hiuser, Manager, Court Operations. Ms. Hiuser will be taking appropriate steps to reduce the possibility of documents going lost in the future. If you have any further questions please call Ms. Hiuser at (905)645-5282.

Thank you for bringing your concerns to my attention.

Yours truly,



Joanne B. Spriet
Director, Court Operations
Central West Region

c.c. Cathy Hiuser, Manager, Court Operations