



May 17, 2007

Mr. David LeVac M.P.P. Brant

Dear Mr. LeVac:

This letter in response to your request for information relative to your conversation this morning with our loyal employee Sharon McFadden dispatcher at our Brant County Pit #2.

A licence to operate a quarry was issued to our company April 1, 2003 by M.N.R. 18 months after directed in O.M.B. Decision/Order 1194. But with the licence was a letter dated March 31, 2003 signed by M.N.R. District Office Manager Alec Denys which directed that "23 Specific Pre Operating Conditions" must be completed **prior** to operation of the quarry or removal of any material from the property.

These "23 Specific Pre Operating Conditions" were **not** directed in O.M.B. Decision/Order 1194 nor were they identified in the licence signed March 25, 2003 by the Minister Gerry Ouellette.

Nichols Gravel Limited refused to comply with 23 Specific Pre Operating Conditions and M.N.R. suspended the licence April 14, 2003 and charged the Company and its officers with operating an illegal quarry.

Over the past 4 years we have been in and out of court with M.N.R. on numerous occasions and subjected to a non stop exercise of intimidation and harassment through every means possible to prevent this quarry from operating.

At this point 3 different court decisions have ruled that Pre Operating Conditions do **not** form part of the licence, but the M.N.R. continues in contempt of court to pursue charges based on non compliance to Revoke of Licence order signed by Mr. Ramsay September 30, 2004 based on "Pre Operating Conditions".

The ultimate travesty of Justice was the Court Injunction Order granted by the Court November 7, 2006, misrepresented by M.N.R. to the Court as non compliance to conditions of licence when in fact there was non compliance to "Pre Operating Conditions" **not** conditions of licence declared previous to that on June 15, 2006 by Justice D. Reilly that the March 31, 2003 letter directing compliance to Pre Operating Conditions did **not** form part of the licence. This decision was not appealed or

acknowledged by M.N.R. but ignored in contempt of court to obtain the November 6. court injunction.

A hearing to proceed to Judicial Review to quash the Revoke of Licence Order August 15, 2006 was deferred because of lack of court time. A further attempt to have the matter heard at Hamilton in January 2007 was denied when the 2 weeks sitting of Divisional Court was reduced from 2 weeks to 3 days with 4 cases ahead of us. Since the March 12, 2007 decision by Justice Marshall approving our Appeal of O.M.B. Decision, Dennis Brown of the Crown Law Office has been spinning our lawyer off on setting a court date to have the matter heard in Toronto. Since we are beginning the fifth year of this governmental insanity and going nowhere, we are planning a dump truck protest at Queens Park for the week of June 4, in order to bring this matter to the Public attention.

All information in reference to this problem can be found on our website at:

www.injusticecanada.com.

We sincerely thank you for your interest and response in this matter.

Yours sincerely,



Gary Nichols

c.c. Lawyer Mr. Paul Osier

c.c. Toby Barrett M.P.P.