



The Law Society of Upper Canada
Barreau
du Haut-Canada

December 15, 2016

Private & Confidential

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

Osgoode Hall
130 Queen Street West
Toronto, Ontario
M5H 2N6

www.lso.com

tel: (416) 947-3300
toll-free: 1-800-668-7335

Dear Mr. Nichols:

Re: Your Correspondence Concerning Case Nos. 2012-115073, 2012-115072, 2012-115071, 2012-115070, 2012-115069 and 2012-115068

Your correspondence dated November 30, 2016 addressed to Mr. Lapper and elected Benchers has been referred to me for response.

In your correspondence, you request investigations to be commenced in the above noted complaints which concern a number of Crown Counsel in the Legal Services Branch of the Ministry of Natural Resources and the Ministry of the Environment and Crown Counsel in the Crown Law Office- Civil of the Ministry of the Attorney General.

I am writing to advise you that investigations will not be commenced for the reasons set out below.

Over the last 13 years, you initiated a number of proceedings related to your licence to operate a quarry. You were also charged with provincial offences in relation to the operation of the quarry. Your complaints concern the conduct of Crown Counsel in these proceedings. The complaints were closed by our Intake Department in March, 2013 on the basis that:

- The advancement of legal positions by Crown Counsel with which you disagree does not constitute professional misconduct
- You participated in the litigation process and made submissions throughout; however, the Court preferred the evidence of the Crown
- The Law Society cannot interfere with the Court's process or decisions

At that time, you requested a review of the closure of the complaints. By letter dated September 23, 2016, Ms Onen, the former Executive Director, advised you that she agreed with the decision to close the complaints.

In your subsequent correspondence in 2015 and 2016, you once again raise similar concerns. The basis for closing remains the same. Accordingly, no further action will be taken with respect to these complaints.

Having advised you of our decision, the Law Society will not respond to any further communications from you regarding these complaints.

Yours truly,

A handwritten signature in black ink, appearing to read 'Karen Manarin', with a long horizontal stroke extending to the right.

Karen Manarin
Executive Director, Professional Regulation

cc: Robert Lapper, Q.C.