

ONTARIO
SUPERIOR COURT OF JUSTICE

(Court seal)
B E T W E E N

MICHAEL JACK

Plaintiff

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
AS REPRESENTED BY THE MINISTRY OF COMMUNITY SAFETY
AND CORRECTIONAL SERVICES OPERATING AS THE ONTARIO PROVINCIAL
POLICE AND ITS EMPLOYEES MARC GRAVELLE, JOHN POLLOCK, SHAUN FILMAN,
JENNIFER PAYNE, JAMIE BROCKLEY, MELYNDA MORAN, MARY D'AMICO, RICHARD
NIE, BRAD RATHBUN, ROBERT FLINDALL, PETER BUTORAC, RONALD CAMPBELL,
COLLEEN KOHEN, HUGH STEVENSON, AND MIKE ARMSTRONG
AND ITS RETIREES MIKE JOHNSTON AND CHRIS NEWTON**

**ONTARIO PROVINCIAL POLICE ASSOCIATION AND
ITS REPRESENTATIVES SHAUN FILMAN, KAREN
GERMAN, JIM STYLES AND MARTY MCNAMARA**

Defendants

AFFIDAVIT OF MARK GRECO

Attached to this affidavit is my original statement concerning Michael Jack which I prepared on January 12, 2012, anticipating having to possibly provide testimony at his Human Rights Tribunal of Ontario hearing. There has been one correction pertaining to the first paragraph of

my original statement that reflects where I am currently practicing my profession. Aside from this one correction there have been no other corrections, additions or depletions to the statement. I have reproduced it to conform with the Rules of Civil Procedure concerning affidavits. I will be relying on the facts herein should I be called as a witness in Mr. Jack's civil action.

1. I am a Licenced Paralegal in Newmarket and have been so employed since 2004. I have been a member of the LSUC since 2008.
2. I have known Michael Jack since 2003 from being mutual members in the Good Life gym and that friendship continues when we were at the Gold's Gym in Peterborough in 2008 and 2009.
3. I was always impressed and amazed with the focus, dedication, and talent that Michael demonstrated at the gym.
4. Michael spoke to me when he decided to pursue a career in policing. I openly questioned Michael on the logic of that decision because it seemed that he was downgrading his employment potential as I was fully aware of Michael's fulsome and impressing resume. Despite my criticism, Michael pursued a career in po0licing as he felt he could 'make a difference' and that he could 'utilize his skills' in the job.
5. I have known Michael to be a moral and forthright person, so I believe his intentions were genuine with respect to his goal in policing.
6. In the summer of 2008 I learned that Michael was hired by the OPP and that he was expecting to be deployed at the Peterborough Detachment.

7. The observations I made while Michael was working out are noteworthy. Michael would come to the gym to train and to study. In between sets, he was reading various police manuals, reference books, Highway Traffic Act, Provincial Offences Act and other references.
8. Michael drew to me and asked questions regarding case law, trial points, logistics of traffic law, and interaction between the defence, police and prosecution.
9. In my entire life I have never met a person who was as determined to learn as Michael Jack.
10. I was blown away by his willingness to take the initiative to self-teach himself the skill set that he would require to be a police officer.
11. In August 2009 I was retained by Michael when he was charged under the HTA by Sgt. Flindall.
12. Due to the fact that issues were going to be raised that were critical to the integrity and conduct of the charging officer as well as a supportive officer regarding Michael Jack's case, another representative was contracted to conduct the trial based on my instruction and direction. This was done to try and uphold the integrity of the trial process as well as to avoid any perception that I was attacking the officer's for other gain;
13. When the OPP were in the process of trying to drive out Michael Jack, I heard other officers make unfavourable comments regarding Michael Jack.


14. OPP officer Marc Gravelle was a primary source with respect to these types of comments. He criticized me for representing Michael for his POA matter. He told me that Michael Jack was crazy, a loose cannon and suggested that I distance myself from him. The comments were made or passed to while at Gold's Gym. Obviously, I did not heed Marc's warning as I did continue in my representation of Michael Jack. Marc Gravelle suggested on multiple occasions that he did not think 'Michael would be on the force very much longer.' Examples were provided to me as per why this officer felt this was about Michael.
15. After Michael was released from his service with the OPP, I had multiple discussions and visits with him. I saw the impact the release had on him,. He was crushed. He had such enthusiasm going into policing and he was hurt and clearly betrayed by the actions of the OPP.
16. I observed that Michael became a 'broken man.' He clearly suffered anxiety, depression and humiliation from the release.
17. Even though my belief is purely speculative, I do think it reasonable that the OPP had 'black-balled' Michael, which made him unemployable as a police officer with other services.
18. I believe Michael was overqualified to be a police officer and I believe that he threatened some of the other members with his qualifications.
19. I also think they did not know how to respond to this self-starter or his work ethic.
20. Michael does not fit the traditional union model for doing the 'minimum requirements

as per your contract.'

21. Michael does not fit the traditional union model for doing the 'minimum requirements as per your contract.'
22. I further believe that the OPP lost a valuable resource in Michael Jack.
23. As opposed to ostracizing him, the ^{not}OPP should have been shaping Michael to work in a specialized unit.
24. Michael would have made a great resource with respect to Russian or Israeli organized crime or a tactical unit.
25. I have had to opportunity to target shoot with Michael and observed his proficiency with firearms first hand Michael was one of the best marksmen I ever met!
26. I acted as a notary of the public for Michael Jack for his application to the HRTO.


Signed at the City of Toronto

This 25 day, February, 2014.


Commissioner for Taking Affidavits
(or as may be)

Ryan Matthew Swaim, a Commissioner, etc.,
Province of Ontario, while licensed to practise as a
paralegal, and for work done within the permitted
scope of practice of a licensed paralegal in Ontario.
Expires May 14, 2016.

RCP-E 4D (July 1, 2007)