

February 2, 2012

Mrs. Lynette D'Souza

Ministry of Community Safety and

Correctional Services

655 Bay St. Ste. 501

Toronto, ON M7A-0A8

Re: Michael Jack v. HMQ

Tribunal File No.: 2010-07633-1

I am in receipt of your correspondence addressing some concerns that the corporate respondent has with respect to the applicant's disclosure.

You have identified three areas of concern and they will be addressed in sequence:

- 1) Exhibit 95: Terms of Settlement between Lloyd Tapp and the OPP.

It is my position, based on my understanding of the settlement that took place on the 26th of March to which you were not present that the amount could not be disclosed except in the course of the Administration of Justice or a Judicial setting such as a Tribunal hearing. Thank you for bring this oversight to my attention. I fully intended to mask out the amount of the settlement since I recalled it being explained that it was the amount that I could not disclose. My disclosure is done in good faith and done for the sole reason to show to the Tribunal (to present real evidence) that there have been complaints filed before the tribunal in the past by officers and that there were substantial merits to warrant a settlement. In all of the seven pages there are no specific terms other than the standard wordings that proceedings had commenced and on such and such a date a settlement was negotiated. Hence I re-iterate, that the sole purpose of this exhibit is to show that there have been cases as such before the Tribunal and rather than provide a part of the paperwork signed on that date I chose to disclose the whole 7 pages in good faith especially since this is a judicial process and with the intention of masking out the amount prior to burning a copy onto DVD for disclosure. The respondent was the OPP in my five applications and they are the same respondents in Mr. Jack's application.

Hence the only grievance I see is that of my oversight in showing it to Mr. Jack prior to masking out the amount of the settlement. I have now ensured that the copy for Mr. Jack's personal file has been masked out in the appropriate area and aside from me you are the only one with an unmasked version.

- 2) With respect to your request to have exhibits 96a and 96b removed they will not be removed and they will stand as is. They will be included in the disclosure to the Tribunal and I am willing to argue its relevance.
- 3) With respect to exhibit 48 consisting of Mr. Chase's will say and associated documents identified as exhibit 62 and exhibit 63, they will not be removed. I remind you that it is not up to you play the role of adjudicator in this hearing and make comments that it has no relevance to the matters bound for hearing. That is up to the adjudicator and I am prepared to argue its relevance as well. Mr. Chase's will say is extremely crucial at this hearing and its relevance will be shown. His will say goes to show that as a visible minority he was discriminated racially at the same detachment and in some instances by similar individuals. In order to do that one has to mention the incidents. You are free to object all you want. Exhibit 62 consists of his application before the tribunal and as such it is a public document. Exhibit 63 is also an extremely crucial document for prosecution and I am prepared to argue its relevance with respect to my client. In case you are curious Mr. Chase had the same coach officer as my client.

Yours truly,

A handwritten signature in black ink, appearing to read 'Lloyd Tapp', with a long horizontal line extending to the right.

Lloyd Tapp for

Michael Jack