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Attn: Brent Bentham
Assistant Crown Attorney
45 Main St. E.
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Tel: 905-645-5260 Ext. 3812, Fax: 905-645-5261

Re: Disclosure Request - R. v. McHale

Dear Mr. Bentham:

I have received the four volumes of disclosure last Friday and want to thank you for this material. I am not sure if you have taken the time to review this disclosure so I will point out a few items that raise some concerns.

First, Mr. Fantino was under a court order to release all his emails to me and it was stated he had done so when volume 10 was disclosed to me on Oct. 31, 2008. However, this new disclosure contains several emails sent by Mr. Fantino that had never been disclosed before. This includes an email that points to the Deputy Minister as being involved in my case. (see Vol 18, tab 1, pg. 1)

1) Since there are other emails supporting the view that the Deputy Minister was directly involved in my case I hereby request complete disclosure of all emails, text messages, notes etc. to/from the Deputy Minister regarding Gary McHale or the Dec 1, 2007 Protest in Caledonia from Dec. 1, 2007 to Dec. 7, 2007.

2) Furthermore, since Mr. Fantino clearly did not provide complete disclosure as required by Court Order, I would suggest that a new volume be created of all emails, text messages, notes etc. to/from Mr. Fantino regarding Gary McHale or the Dec 1, 2007 Protest in Caledonia from Dec. 1, 2007 to Dec. 7, 2007.

3) I would also ask whether the Crown will review whether criminal contempt charges should be filed against Mr. Fantino for refusing to obey a court order.

Second, it is also clear that all of Insp. Renton's emails had not been disclosed as stated. Furthermore, although it had been claimed that Insp. Renton's notebook was disclosed it became clear when he was testifying that his was reading from hand written notes which I do not have. Therefore, I request the following:

4) A new volume of all emails, text messages etc. to/from Insp. Renton regarding Gary McHale or the Dec 1, 2007 Protest in Caledonia from Dec. 1, 2007 to Dec. 7, 2007.

5) A copy of Insp. Renton's hand written notes.

Third, I would draw your attention to the email found at Vol. 17, Tab 1, pg. 25 (from Supt. Gentle) where the superintendent states that there is little evidence against me and a lot of evidence against Clyde Powless but he instructs Insp. Renton to "ensure that when we arrest and charge Bullet [Clyde Powless] we do the same with McHale to eliminate any of the usual issues. There are those who fear charging Bullet will be counter productive..."

This statement along with others demonstrates that the orders to arrest me came, regardless of the evidence, to ensure there would be no back lash due to arresting Clyde Powless. I would remind you that Camille Powless has already testified that she filed a charge against me because the OPP had promised her brother, Clyde Powless, a deal if she came in right away.

You should also be reminded that Commissioner Fantino ordered a charge against Clyde Powless for assaulting a police officer to be dropped. He also provided Mr. Powless with a character reference letter to be used in court on his charge for assaulting me.

Now we have direct links to the Deputy Minister. The actions of the OPP are now bordering on being criminal. As of now the following officers will face criminal charges of Perjury for their false testimony during my preliminary hearing: Sgt. Gutenberg, Insp. Renton and Sgt. Murray. It is unfortunate that these officers chose to lie to cover up for their superiors.

This miscarriage of justice must end - it is incumbent on you to uphold the law without bias towards the individual. I expect that you will be notifying me that you are going to be dropping the charge.

However, if you wish to continue this mockery of justice then I would remind the Crown there are still several requests for disclosure outstanding along with an agreement to have a meeting to review blocked out areas.

Yours sincerely,

Gary McHale