

Jeff Parkinson

and

Gary McHale

Date: Dec. 8, 2008

Re: Order of Mandamus - Publication Ban

Christopher Diana  
Counsel - Legal Services Branch

Dear Mr. Diana:

As per our conversation today I have spoken to Mr. Parkinson and we have agreed to the following understanding regarding a Publication Ban in regards to the Order of Mandamus application currently before the court this Thursday.

It is our view that Judge Marshall's current publication ban includes the following:

- 1) The names of the OPP officers are not to be published.
- 2) The fact that they are officers or members of the OPP is not to be published.
- 3) The location of the alleged offense should not be published.
- 4) No videos or photos which may ID the officers can be published in connection to the Mandamus.

Although Judge Marshall didn't clearly state that the location should not be published we feel it is within the spirit of the publication ban to not include details that may identify the officers. We have already taken steps to ensure this by not including any names in the Order of Mandamus in case this document ever becomes a public document.

It is our position that we are not seeking any adjustment to the current publication ban and we have no desire to identify these officers until after a Justice of the Peace has issued process if and when that ever occurs. We will also oppose any motion to adjust the current publication ban.

We hope this satisfies your client's concerns.



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Jeff Parkinson



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Gary McHale