

MEMO

RE: DEREK HARVEYZENK

DATE: July 18, 2007.

I met with Derek and his wife, [REDACTED] and Derek's mother on Thursday, July 12th, 2007. I then talked with Derek over the weekend on several occasions and met with him this morning, July 16th, 2007.

[REDACTED] I have talked to Marty Minuk at length. As recently as this morning, July 16th, 2007. We appeared in Court this morning and adjourned the matter for one day to July 17th, 2007, at 9:00 a.m., in Courtroom 405. The plea discussions are as following:

1. Derek will plead guilty to Dangerous Driving Cause Death; all other charges would be stayed and the Crown would recommend jointly two years less one day conditional sentence;
2. 15 months of curfew; the curfew would be he would have to be home at 8:00 p.m., and have a curfew until 6:00 a.m., after that there will be no curfew;
3. He could attend work at any time including weekends because I advised Marty that he would have some emergencies;
4. The Crown will not ask for a driving prohibition;
5. There will be community service.

This will happen as follows -- there will be a guilty plea tomorrow before Chief Judge Wyant. He will be seized. We will talk to Judge Wyant in advance. Marty is going to send me a

letter outlining our discussions and confirming our plea bargain. He has vetted it with his superiors, Kaplan and Slough, and we will do the sentencing when I have obtained some letters of reference and a report. I have referred Derek to Dr. Bill Davis formerly of the Winnipeg Police Association and Bill is going to see Derek later today and, hopefully, we will get a report sooner rather than later. There is also going to be letter of reference which are going to be filed in Court.

There is a militant father and mother of the deceased. The husband and the children are on side but having said all that we will meet with Judge Wyant and discuss these issues with him.

[REDACTED]

RJW/hr