



The Honourable Chief Judge
Raymond E. Wyant

The Provincial Court of Manitoba

THE LAW COURTS
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August 31, 2007

DELIVERED

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AUG 31 2007

Mr. Richard Wolson, Q.C.
Gindin, Wolson, Simmonds
1200 – 363 Broadway
Winnipeg MB R3C 3N9

Dear Sirs:

Re: R. v. Derek Grant Harvey mordenzenk

I am contemplating rejecting the plea bargain in the above-noted matter on the basis that this offence was committed by a police officer and that a higher standard of conduct is expected of a person in this position.

As a result, it is critical that both counsel be afforded the opportunity to make further submissions respecting the jointly recommended sentence. I give you the basis upon which my concern is based so that you can come prepared to speak to this point.

I would like to convene a continuation of the sentencing of this matter as soon as possible to deal with this issue. Once further submissions have been made, the matter will have to be adjourned for me to consider those further submissions and come to a final conclusion and judgment.

I do not wish this process to be a lengthy one. Please contact the trial coordinator, Ms. Jackie Dyson, at [REDACTED] in order to schedule a hearing as soon as possible. I anticipate that we could set the matter for further submissions at a 9:00 a.m. or a 1:00 p.m. sitting.

Yours truly,

Raymond E. Wyant
Chief Judge