

Simmonds Kennedy
Trial and Appellate Lawyers

Robert E. Simmonds, Q.C.
Jerome P. Kennedy, B.A. (Hons.), LL.B.
Erin K. Breen, B.A. (Hons.), M.A., LL.B.

Suite 1001, 10th Floor, TD Place
140 Water Street
St. John's, NL
Canada A1C 6H6

Telephone (709) 739-4141
Facsimile (709) 739-4145

October 14, 2004

Mr. Dana Giovanetti, Q.C.
Public Prosecution Service (Appeals Branch)
1505 Barrington Street
Suite 1225, Maritime Centre
Halifax, NS B3J 3K5

BY FAX 1-902-424-0653

Dear Sir:

Re: Glen Assoun – Request for Michael McGray disclosure

As you are most likely aware Mr. McGray is currently serving life sentences for 5-6 murders to which he entered guilty pleas. These murders occurred in Digby County, N.S.; Saint John and Moncton, N.B; and Montreal, Quebec. Mr. McGray pled guilty to the Digby murder in Supreme Court in Halifax on May 28, 2001. Mr. McGray has also admitted to numerous other murders for which he has not been charged.

I have reviewed various newspaper articles which indicate that the Halifax police were looking to Mr. McGray for information relating to several unsolved murders in Nova Scotia. It is obvious, therefore, that police in Halifax have a file on McGray.

Our investigation, to date, establishes the following:

- (1) in 1995 Mr. McGray lived in Highfield Park, Brule Street and Jackson Road in Dartmouth. The Jackson Road address, where we believe Mr. McGray was living in November 1995, is approximately 3-5 minutes from where the body of Brenda Way was found;
- (2) Brenda Way's throat was cut which I understand was the standard modus operandi Mr. McGray used in killing his victims;
- (3) Mr. McGray's victims were either randomly chosen or not particularly known to him.

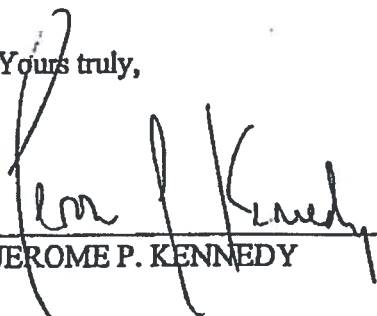
I would, therefore, request that the following information be provided to us:

- (1) copies of the police files relating to the McGray police investigation, RCMP and/or Halifax City Police, of unsolved homicides in the Halifax area and other parts of Nova Scotia;
- (2) VICLAS information relating to Mr. McGray;

(3) any statements taken from Tammy McLean, McGray's girlfriend, especially if they relate or could potentially relate to the Brenda Way murder.

Please advise of your position.

Yours truly,



JEROME P. KENNEDY

JPK/jvw

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December 13, 2004

Mr. Dana Giovanetti, Q.C.
Public Prosecution Service (Appeals Branch)
1505 Barrington Street
Suite 1225, Maritime Centre
Halifax, NS B3J 3K5

BY FAX 1-902-424-0653

Dear Sir:

Re: Glen Assoun – Requests for disclosure

Thank you for your letter of November 29, 2004. As you can see from my letters of September 28 and October 14, 2004 we are actively investigating the issue of other possible suspects in the murder of Brenda Way. Although there was a section in the initial Crown disclosure entitled "other suspects" this issue was not explored at trial. I have written Mr. Assoun's former counsel, Donald Murray, on two occasions concerning this issue but have received no reply.

In my letter of September 28, 2004 I asked for disclosure of materials relating to other suspects who had been identified during the police investigation. Perhaps the easiest way to have this disclosure issue dealt with would be to set up a meeting between the Appellant's investigator, Fred Fitzsimmons, and a police investigator designated by Chief Beazley. Between them I am sure they could sort out whether or not information exists which is potentially relevant to the defence.

In relation to your letter of November 29, 2004 relating to Michael McGray I would again suggest that perhaps the simplest way to deal with this matter would be to set up a meeting between Mr. Fitzsimmons and the lead investigator or file co-ordinator in the McGray investigation(s). While I accept that the defence cannot embark upon a fishing expedition we are also in somewhat of a Catch 22 situation where the information required is in the hands of the police. A meeting between Mr. Fitzsimmons and a police investigator would go a long way in addressing the concerns raised in my letter of October 14, 2004.

Please advise as to your position on this matter.

Yours truly,



JEROME P. KENNEDY

JPK/jvw

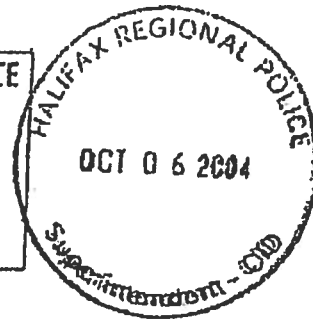
October 5, 2004

Chief Frank Beazley
Halifax Regional Police
1975 Gottingen Street
Halifax, Nova Scotia
B3J 2H1

HALIFAX REGIONAL POLICE

OCT 6 2004

Chief of Police



Dear Chief Beazley:

**RE: Glen Assoun v. The Queen
1999 C.A.C. No. 159286
Request for Disclosure**

Enclosed please find correspondence that we received concerning disclosure with regard to the above-noted matter.

I would like to set up a meeting at your earliest convenience so that we may discuss the contents of the letter. It may be helpful to ask retired police officer David MacDonald to be present for such a meeting. Given this matter is presently before the Appeal Court I would ask that this meeting to be as soon as possible.

You can reach me at 424-2864. I look forward to hearing from you.

Yours very truly,

Daniel A. MacRury
Senior Crown Attorney

Enclosure

cc: Dana Giovannetti, Q.C.

David MacDonald
91 Penny Lane :mp
Lorneville, NS B3Z 1P5
826-2571

File 95-14409/95

