

Swaby, Diana

From: Swaby, Diana
Sent: Thursday, August 10, 2017 8:31 AM
To: Morrison, Cheryl
Subject: RE: Hamilton ats Bernat; RMS# 047021

Hi Cheryl,

I fail to see how the type of material used on the road caused the tire to blow. Thousands of vehicles traverse this road every day. In any event, I am not aware of any study. I would try Marco Oddi.

Regards,
Diana

Diana Swaby, CRM
Supervisor, Claims Administration
Corporate Services Department
Risk Management Services
City of Hamilton
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We are now located at 21 King St W, Suite 1101, Hamilton, ON L8P 4W7

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From: Morrison, Cheryl
Sent: Wednesday, August 09, 2017 1:20 PM
To: Swaby, Diana
Subject: FW: Hamilton ats Bernat; RMS# 047021

Hi Diana,

Ron brought to our attention a study that may have been done regarding the surface material used on the Red Hill Parkway. Are you aware of this study and do you know where Dana and I can obtain a copy?

Thanks,

Cheryl Morrison, Law Clerk
City of Hamilton, Legal Services
21 King Street West, 12th Floor
Hamilton, ON L8P 4W7
Tel: 905-546-2424 ext. 7177

Fax: 905-546-4370

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From: Sabo, Ron
Sent: August-03-17 9:33 AM
To: Lezau, Dana
Cc: Morrison, Cheryl
Subject: RE: Hamilton ats Bernat (see Hansen action as well) 047021

This may be somewhat related to recent articles in the Spectator, questioning the choice of paving material for the Red Hill. The stories has a staffer saying they wouldn't release a study done on the surface to the effect 'or everyone would sue us'. I expect the study will be a relevant record.

 **Hamilton**
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From: Lezau, Dana
Sent: August-03-17 8:35 AM
To: Morrison, Cheryl; Schmitz, Kristin
Cc: Guest, Anita; Sabo, Ron
Subject: FW: Hamilton ats Bernat (see Hansen action as well) 047021

Hi Kristin, Cheryl and Anita,

Kristin – please prepare letter and NOID requesting a 30 day waiver to serve our defence.

Cheryl – please prepare defence for my review. We will follow the same precedent as in Hansen.

Anita – please note Diana's email below. We will open a new file but cross reference it with the Hansen file. There are two separate legal actions but they are related to one another. I have copied Ron to this email so that he is aware of this new assignment.

Thank you. Dana

City of Hamilton
Legal Services Division, Corporate Services Department
Per: Dana Elisabeta Lezau, Cert. Crim. Jus., LL.B, LL.M
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Email: Dana.Lezau@Hamilton.ca

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From: Swaby, Diana
Sent: August-02-17 4:00 PM
To: Lezau, Dana
Cc: Morrison, Cheryl; Adam Tollis
Subject: Hamilton ats Bernat (see Hansen action as well) 047021

Hi Dana,

Attached is a statement of claim issued by Bernat, the driver of the vehicle who's tire blew. I fail to see any liability on the part of the City. Adam's investigation is continuing. Adam, please cc Dana on future reports.

Dana, Please deliver a defence based upon the same principals as set out in the Hansen defence.

Regards,

Diana

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Risk Management Services
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