

SHILLINGTONS^{LLP} | LAWYERS

1500-146 Fullarton Street | London, Ontario N6A 5P3
Tel: 519.645.7330 | Fax: 519.645.6955 | Web: www.shillingtons.ca

Colleen Crawford | Direct Ext.: 227
E-mail: ccrawford@shillingtons.ca

Our File No: 4574

July 19, 2018

SENT BY COURIER

City of Hamilton
Traffic Engineering
Public Works Department
330 Wentworth St. N.
Hamilton ON L8L 5W2

Attention: Mr. Steve Cooper, Project Manager

Dear Sir:

**Re: HAMILTON et al. ats MELO et al.
HAMILTON et al. ats LEE
HAMILTON et al. ats BARLOW
Date of Loss: May 7, 2014**

We confirm that you will be the City's witness with respect to the litigation involving an accident which occurred on Wednesday, May 7, 2014, at 6:52 p.m. on the Lincoln Alexander Parkway, at or near the area Upper Paradise Road overpass. The defendant driver, 22-year old Lucas Vanderburgh was operating a 2003 Subaru Impreza in the westbound lanes of the Lincoln Alexander Parkway when he lost control of his vehicle. His Subaru crossed the median into the eastbound lanes, colliding with a 2012 Mazda operated by Maria Lee and a 2013 Hyundai Genesis operated by Andy Melo.

Mr. Vanderburgh was charged with and plead guilty to two counts of Dangerous operation of a motor vehicle, pursuant to section 249(3) of the Criminal Code of Canada. The guilty plea was entered November 21, 2016 in Hamilton. The guilty plea proceeded pursuant to an agreed statement of facts. The essential finding of fact is that Mr. Vanderburgh was travelling at speeds of 145 km/hr to 160 km/hr before he lost control of his vehicle and drove through the median. There was a statement in the agreed statement of facts that there was another vehicle travelling at very high speeds at the same time. There is no explanation with respect to that vehicle, and neither Mr. Vanderburgh nor his lawyer suggested that that other motorist was somehow involved.

We would ask you to review the enclosed Affidavit of Documents and Schedule A productions which we have prepared for the City of Hamilton. If you believe that there are additional documents which have not been included, but should be, please let us know.

The examinations for discovery have not yet been scheduled and we will review the potential discovery dates with you once they have been narrowed down.

In the meantime, should you have any questions or concerns with respect to the productions, please let us know.

We look forward to working with you on this matter.

Yours very truly,

SHILLINGTONS ^{LLP}

A handwritten signature in cursive script, appearing to read "Colleen Crawford".

Per: Colleen Crawford
Senior Law Clerk

CC/cc

Encl.

ICS COURIER

From: 127947
SHILLINGTONS LLP LAWYERS
148 FULLARTON ST 1500
LONDON ON N6A 5P3

Pieces: 1 of 1
Date: 7/19/2018 11:29:30 AM
Weight(kg): 0.060
NextDay™

References: 4574



**To: City of Hamilton - Public
Works Department(City of
Hamilto)**
Contact: Steve Cooper
330 WENTWORTH ST N ,
HAMILTON, ON

L8L5W2
54

ND127947W07449L8L5W2



Comment: 4574