

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

BETWEEN:

**SHANNON HANSEN and HEATHER HANSEN**

Plaintiffs

- and -

**MARK BERNAT and CITY OF HAMILTON**

Defendants

**VOLUME I  
AFFIDAVIT OF DOCUMENTS**


I, Marco Oddi, of the City of Hamilton, in the Province of Ontario, MAKE OATH AND SAY:

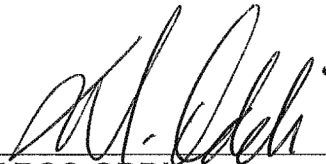
1. I am a Manager in the Engineering Services Division of the Public Works Department for the Defendant, City of Hamilton, which is a corporation.
2. I have conducted a diligent search of the corporation's records and made appropriate enquiries of others to inform myself in order to make this Affidavit. This Affidavit discloses, to the full extent of my knowledge, information and belief, all documents relevant to any matter in issue in this action that are or have been in the possession, control or power of the corporation.
3. I have listed in Schedule A those documents that are in the possession, control or power of the corporation and that it does not object to producing for inspection.
4. I have listed in Schedule B those documents that are or were in the possession, control or power of the corporation and that it objects to producing because it claims they are privileged, and I have stated in Schedule B the grounds for each such claim.
5. I have listed in Schedule C those documents that were formerly in the possession, control or power of the corporation but are no longer in its

possession, control or power and I have stated in Schedule C when and how it lost possession or control of or power over them and their present location.

6. The corporation has never had in its possession, control or power any documents relevant to any matter in issue in this action other than those listed in Schedules A, B, and C.

SWORN BEFORE ME at the )  
City of Hamilton, )  
in the Province of Ontario, )  
this 3<sup>rd</sup> day of May, 2018 )

  
A Commissioner, etc.

  
MARCO ODDI

#### LAWYER'S CERTIFICATE

I CERTIFY that I have explained to the deponent,

- (a) the necessity of making full disclosure of all documents relevant to any matter in issue in the action; and,
- (b) what kinds of documents are likely to be relevant to the allegations made in the pleadings.

Dated: May 3 118

  
DANA-ELISABETA LEZAU

## SCHEDULE "A"

Documents in the corporation's possession, control or power that it does not object to producing for inspection.

### PLEADINGS

All pleadings and proceedings relating to Court File No. 17-61728.

### CORRESPONDENCE

<u>No.</u>	<u>Date</u>	<u>Document</u>	<u>Sender</u>	<u>Recipient</u>	<u>No. of Pages</u>
1.	December 18, 2015	Notice Letter	Nolan Glenn, Nolan Paralegals	City of Hamilton	2
2.	December 23, 2015	Correspondence	Adam Tollis, Cunningham Lindsey	Nolan Glenn, Nolan Paralegals	3
3.	February 25, 2016	Correspondence	Adam Tollis, Cunningham Lindsey	Nolan Glenn, Nolan Paralegals	1
4.	April 8, 2016	Correspondence	Adam Tollis, Cunningham Lindsey	Nolan Glenn, Nolan Paralegals	1

### INVESTIGATION

<u>No.</u>	<u>Date</u>	<u>Document</u>	<u>Sender/Creator</u>	<u>Recipient</u>	<u>No. of Pages</u>
5.	October 1, 2013 – October 31 2015	Hansen Search, Red Hill Valley Parkway	Public Works, City of Hamilton		90
6.	October 2013	Red Hill Valley Parkway Safety Review	CIMA		114
7.	October 24, 2015	Amec Weather Forecast – Hamilton North Zone	Public Works, City of Hamilton		4
8.	October 24, 2015	Daily and Monthly Environment Canada Weather Records	Environment Canada		5
9.	October 24, 2015	Hamilton Police Service	Hamilton Police		28

		Records including Motor Vehicle Accident Report #15-739738, duty notes and 911 call on disc	Service		
10.	October 24, 2015	Hansen Printout re MVA # 15-739738	Public Works, City of Hamilton		1
11.	November 2015	Red Hill Valley Parkway Detailed Safety Analysis	CIMA		88
12.	April 4, 2016	Hamilton Strategic Road Safety Program Update	Public Works, City of Hamilton	Public Works Committee	18
13.	May 11, 2016	Information Update	Public Works, City of Hamilton	Mayor and City Council	3
14.	May 20, 2016	Information Update	Public Works, City of Hamilton	Mayor and City Council	4
15.	September 19, 2016	Information Report	Public Works, City of Hamilton	Public Works Committee	2
16.	October 3, 2016	Information Report	Public Works, City of Hamilton	Public Works Committee	4
17.	January 16, 2017	Information Report	Public Works, City of Hamilton	Public Works Committee	1
18.	March 24, 2017	Information Update	Public Works, City of Hamilton	Mayor and City Council	3
19.	April 13, 2017	Report - Five Year Statistical Analysis of Fatal Collisions in Hamilton	Hamilton Police Services Board		23
20.	May 19, 2017	Information Update	Public Works, City of Hamilton	Mayor and City Council	5
21.	April 20, 2018	26 Colour Photographs of accident location	Cunningham Lindsey		26

**HANSEN**  
Plaintiffs

v.

**CITY OF HAMILTON et. al.**  
Defendant

Court File No.: 17-61728

*ONTARIO*

SUPERIOR COURT OF JUSTICE

Proceeding commenced at HAMILTON

**AFFIDAVIT OF DOCUMENTS**

**CITY OF HAMILTON**

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City of Hamilton